



25th Netherlands Commission for
Environmental Assessment

Update of the Advice on SEA for the Manila Bay Sustainable Development Master Plan

PHILIPPINES



30 August 2019
Ref: 7233



Advisory Report by the NCEA

Title	Update of the Process advice on SEA for the Manila Bay Sustainable Development Master Plan
To	Philippine National Economic and Development Authority
Attn	Assistant Secretary Roderick Planta
Request by	Assistant Secretary Roderick Planta
Date	30 August 2019
From	The Netherlands Commission for Environmental Assessment
Members of the working group	Ms Tanya van Gool (Chair) Ms Tanya Burdett (Expert) Mr Martin Smutný (Expert) Mr Elmer Mercado (Expert) Ms Bobbi Schijf (Technical Secretary)
Quality control	Mr Rob Verheem
Reference	7233

© Netherlands Commission for Environmental Assessment (NCEA), Update of the Process advice on SEA for the Manila Bay Sustainable Development Master Plan, 2019, 34 pages.

Contact:

w www.eia.nl

t +3130 234 76 60

e ncea@eia.nl



25 years Netherlands Commission for
Environmental Assessment

National Economic and Development Authority sa Pasig
Att. Mr Roderick M. Planta
Assistant Secretary
12 Saint Josemaría Escrivá Drive
Ortigas Center, Pasig City 1605
Philippines

our reference
7233
enquiries to
B. Schijf
direct phone no.
+31 30 234 76 60

Date: 2nd of September 2019

Subject: Update of the NCEA's SEA advice for the MBSDMP

Dear Mr Planta,

In your letter of the 20th of June 2019, you requested that the Netherlands Commission for Environmental Assessment provide an update of the advice issued last year on Strategic Environmental Assessment (SEA) for the Manila Bay Sustainable Development Master Plan (MBSDMP). We are pleased to now present you with a new advisory report, included with this letter.

We have reflected on recent developments in the master planning process, and have revised our advice accordingly. In our updated advice we recommend to apply SEA to the planning processes that are needed to achieve the objectives of the Master Plan, such as the planning of relocation, reclamation and sanitation. The ownership for these SEAs would ideally lie with the agencies that are in the lead for said planning processes. In the advice we provide more detailed recommendations on how these SEAs could be undertaken.

In response to an earlier draft of our updated advice you indicated (in a letter to the NCEA's chair Mr Kees Linse dated August 22nd) that you intend to proceed with operationalisation of the SEAs and wish to discuss with the NCEA how NEDA could best support these processes. Also on behalf of Mr Linse, we welcome this invitation to engage further in this endeavour.

In our view, SEA application is now first and foremost dependent on whether the relevant lead agencies for the individual planning processes are convinced of the added value of applying SEA and are willing to integrate SEA into their planning process. Should such commitment become apparent, we stand ready to explore further options for co-operation.



A. v. Schendelstraat 760
3511 MK Utrecht
The Netherlands

t +31 (0)30 2347660
e ncea@eia.nl
w eia.nl

IBAN NL30RABO0394334973
CoC 41185216
VAT NL8004.015.42.B.01

Please do not hesitate to contact me directly in the case of any questions or unclarities concerning the advice provided.

Yours sincerely,

[was signed]

M.W.J.A. (Tanya) van Gool
Chair Working Group
Netherlands Commission for Environmental Assessment

cc: Ambassador Saskia de Lange, Embassy of the Netherlands in the Philippines



Table of contents

1.	Overview.....	2
1.1	Why an update of the NCEA's earlier SEA advice?	2
1.2	Working approach.....	2
1.3	Key messages in this advice	2
1.4	Reading guide.....	3
2.	New developments and their implications for SEA.....	5
2.1	A better understanding of the nature of the MBSDMP.....	5
2.2	Institutional changes.....	6
2.3	Implications for SEA application: from one to multiple SEAs.....	7
3.	Recommendations for next steps.....	8
3.1	Gauge interest in further SEA application.....	8
3.2	Design and undertake tailored SEAs	8
3.3	Provide support to the SEA applications.....	10
3.4	Where to start?.....	10
	Annex 1 – SEA for reclamation planning.....	12
	Annex 2 – SEA for relocation and sanitation planning	20
	Annex 3 – NEDA's request to update the SEA advice	31
	Annex 4 – Clarification letter by NEDA.....	32

1. Overview

1.1 Why an update of the NCEA's earlier SEA advice?

The Netherlands government supports the development of a Master Plan for the Manila Bay area of the Philippines. Midway through 2018, the Netherlands Commission for Environmental Assessment (NCEA) was requested to advise on the possible application of Strategic Environmental Assessment (SEA) to the development of this Manila Bay Sustainable Development Master Plan (MBSDMP). This request came from the lead agency for the MBSDMP, which is the National Economic and Development Authority (NEDA). The NCEA produced an advisory report in December 2018, outlining what the added value of SEA to the MBSDMP would be, and how to go about applying SEA to this process¹.

Since the NCEA has issued its advice, there have been significant developments in the institutional context of the MBSDMP. Also, the MBSDMP has progressed, and a draft Strategy Document and Final Master Plan report released². NEDA suggested that these developments necessitate an update of the NCEA's advice on how to apply SEA to the MBSDMP. In a letter dated June 20th, 2019, NEDA formally requested the NCEA to update the earlier advice (see Annex 3). In the letter NEDA "affirms its position that the application of SEA will be greatly beneficial to formulation of the MBSDMP".

1.2 Working approach

To prepare the update of its advice on SEA for the MBSDMP, the NCEA reconvened the same working group that was responsible for the earlier advice. The experts took note of the institutional changes and considered the MBSDMP Final Master Plan Report and the Strategy Building Report. Both reports have been made available at <http://mbsdmp.com/reports>³. The advice update was undertaken by means of a desk study. No site visit or stakeholder consultations took place. In this document the working group presents its conclusions.

1.3 Key messages in this advice

The window of opportunity to undertake SEA for the Master Plan itself has closed

Since the NCEA has issued its advice in 2018 there has been some discussion on SEA application to the Master Plan, but no SEA process as such has commenced. In the meantime, the interventions considered necessary to achieve sustainable development in the Bay have been designed and presented in a Master Plan for the Manila Bay. A stakeholder engagement plan has been prepared and consultation is ongoing. The NCEA is of the opinion that an SEA which is started at this stage of the planning process, would have limited added value for the Master Plan itself. SEA is most effective when applied as a proactive planning tool, so that it can inform both the design of interventions and consultation on these interventions. In this

¹ The NCEA's earlier advice can be viewed at <https://www.eia.nl/en/projects/7233>

² The MBSDMP process is a 3-staged master planning process which will lead to a range of planning documents. NEDA is supported in this process by a team of Dutch-Philippine experts, sometimes referred to as the Study Team. One of the key documents in the MBSDMP process the Final Master Plan Report (May 2019). Where we refer to the Master Plan in this advice, we mean the plan contained in this report. Where we refer to the MBSDMP we mean the full 3-staged planning process.

³ Accessed July 2019

context, we would not recommend that SEA is applied as an ex-post justification of decisions already made.

The Master Plan is a framework policy document – a range of planning processes are needed for implementation

The Master Plan seems to be a broader framework policy, which prioritises measures that will subsequently need to be taken on by (combinations) of governmental authorities with a specific role in the Manila Bay area. To achieve the goals of the MBSDMP, a whole range of implementation planning processes will be needed, under the mandates of these different authorities. Such as, for example, solid waste management planning by local government. The recent institutional changes that have taken place reinforce this observation: reclamation planning now falls more directly under the Philippine Reclamation Authority (PRA), and the newly established Manila Bay Task Force will need to engage in relocation⁴ planning.

These different planning processes could benefit from SEA

That means that concrete decisions still have to be made within these planning processes, by the authorities mandated to deal with those specific issues. We believe that SEA can be usefully applied to support this level of implementation decision-making. However, as the MBSDMP implementation will require multi-planning processes, each with different lead agencies, this would necessitate multiple, specific SEA trajectories. Each of these SEAs would be tailored to the specific planning process that it is intended to support. Aside from the more traditional benefits, these SEAs can also help to ensure that subsequent plans make full use of the MBSDMP sustainability framework, the baseline information, and stakeholder engagement undertaken to date. This will improve cohesion between the MBSDMP and subsequent plans. In Annexes 1 and 2 to this advice we illustrate what two such specific SEA trajectories could look like.

NEDA can support these SEAs

NEDA can support these SEA applications, but the agency or agencies in charge of each of the relevant planning processes will need to take ownership of their SEA. Within the action planning phase of the MBSDMP a structure could be set up to support these SEAs, which could remain in place after the MBSDMP Action Plan is completed.

Start with mobilising local capacity for SEA

To stimulate and support further SEA application, the NCEA suggests that it will be necessary to mobilise capacity within NEDA and selected key national implementing agencies (see also chapter 3 of our earlier advice). A team of people is needed to further analyse the upcoming planning steps and enter into dialogue with relevant planning agencies on possible SEA trajectories.

1.4 Reading guide

In rest of this advisory report we explain the key messages above and provide more detailed recommendations for moving forward with SEA. In Chapter 2 we set out how we understand the recent developments in the MBSDMP, and why we think these necessitate multiple SEA trajectories, rather than one, single SEA process. In Chapter 3 we suggest what steps to take in order to apply SEA. In Annexes 1 and 2 we describe possible SEA approaches for three key

⁴ For the purpose of this advice, the terms relocation and resettlement are understood to mean the same.

themes within the MBSDMP: reclamation (Annex 1) and relocation and sanitation (Annex 2). In Annex 3 we have included NEDA's letter requesting an update to the earlier NCEA advice. Annex 4 consists of a letter by NEDA providing clarifications on the MBSDMP process, in response to a number of questions and assumptions posed by the NCEA.

2. New developments and their implications for SEA

2.1 A better understanding of the nature of the MBSDMP

In the earlier advice issued by the NCEA⁵, we noted that “the actual scope of an SEA is determined by the nature of the decisions to be undertaken within the MBSDMP. At this stage, these decisions, and the mechanisms by which the plan will be implemented, are not yet clearly defined.” At that time (November 2018), the MBSDMP study team had completed the situational analysis phase and was moving towards the formulation of the MBSDMP Strategy and Master Plan. Since then, the planning process has progressed, and MBSDMP Strategy and Master Plan reports have been prepared. These two documents provide the NCEA with a more comprehensive insight into the nature of the ongoing master planning process.

The Master Plan consists of a package of measures. This package represents the “Cost-Effective Approach Strategy” as described in the strategy report⁶. The package consists of 6 Priority Measures, and 2 Additional Measures. Each measure is detailed in a dedicated annex to the Master Plan Report. Details in each annex include an overview of interventions needed under that measure (including plans, studies, or projects), costs associated with each intervention, and implementation arrangements that specify the responsible lead and supporting agencies. To illustrate:

- Measure 1: Improving management of Natural Protected Areas, includes a biodiversity and ecological assessment, and the development of an harmonised habitat conservation strategy for Manila Bay. The Master Plan identifies the 6 agencies that should be in the lead for this conservation strategy and notes an indicative budget of 3,212 million Philippine Peso (approx. 56 million euros).
- Measure 2: Improving Solid Waste Management, includes construction and operation of regional waste transfer stations by Local Government Units (LGUs) and the Metro Manila Development Agency (MMDA), with projected costs of 2,400 million Philippine Peso (approx. 41 million euros).

The Master Plan also outlines an institutional structure for implementation of the plan (Annex 10) and suggests Financial Strategies to support the measures needed (Annex 11).

Clearly then, a whole range of implementation planning processes will be needed to implement the MBSDMP. These planning processes will cover different themes in the MBSDMP and will fall under the mandate of different authorities.

According to the MBSDMP planning timetable (see the image below), the next phase of the process is the operational planning phase (Component 2), which will lead to an Action Plan for the implementation of the MBSDMP. This stage should take 12 months and will involve development of detailed implementation arrangements and mechanisms to operationalise and achieve the 6 priority measures (and 2 additional measures) identified in the Master Plan.

⁵ <https://www.eia.nl/en/projects/7233>

⁶ The strategy report describes the process that led to the preferred package of measures. It sets out the indicators that were used in identifying and combining different measures for the development of the Master Plan



Source: MBSDMP presentation material

The Master Plan does not give a more detailed description of what the Action Plan will contain, and what kind of process steps will take place between then and now. Likely, MBSDMP action planning will include further engagement with specific stakeholders on each of the identified priority and additional measures. However, to what degree decision-making processes are expected to be concluded at the end of the operational planning phase, or expected to continue beyond that timeline, is not specified.

The NCEA expects that a number of these planning processes will continue, or even commence, after the MBSDMP process itself is completed. In other words, the planning focus will start to shift from the MBSDMP process under NEDA, to a range of connected but distinct governmental planning processes needed for the realisation of the MBSDMP objectives.

Note that the MBSDMP operational planning phase has now commenced, but at the same time the different deliverables produced during the strategic planning phase (Component 1) are being updated to incorporate input provided by stakeholders. An updated version of the Master Plan Report may be expected in October 2019⁷.

2.2 Institutional changes

The institutional changes that have taken place since the NCEA issued its earlier advice reinforce this impression of a deferral of further MBSDMP implementation to separate governmental planning processes. Specifically, in early 2019:

- 1) An Executive Order (EO nr. 74) has been issued on the mandate for the approval of reclamation projects. This order brings the responsibility for reclamation planning more directly under the management of the Philippine Reclamation Authority (PRA). National and/or Reclamation and Development Plans will now need to be developed by the PRA, in coordination with the DENR, NEDA, and affected local government agencies.
- 2) An Administrative Order (AO nr. 16) has been issued which creates a task force, chaired by the DENR, with the responsibility to expedite the rehabilitation and restoration of the coastal and marine ecosystem of Manila Bay. This includes the development and implementation of a comprehensive plan for “massive relocation of Informal Settler Families (ISFs)”.

We see clear reflections of these institutional changes in the Master Plan. The plan no longer contains decisions on how to manage reclamations. Reclamations are addressed under

⁷ As per the NEDA letter to the NCEA, dated 19 July 2019, included in Annex 4.

Measure 7 ‘Promote environmentally sound development’, where one of the interventions is to “Enforce Responsible Reclamation Activities”. No further details are given. The NCEA has been informed that the MBSDMP Study Team has developed a Draft Integrated Coastal Zone Management (ICZM) Planning Framework that contains a set of guiding principles for the development within the Manila Bay Region⁸, but we have not analysed this document.

2.3 Implications for SEA application: from one to multiple SEAs

As noted under the key messages in Chapter 1 of this advice, the above observations lead the NCEA to conclude that, at this stage, SEA can be most usefully applied to support the individual planning processes that will be necessary to implement the MBSDMP. Within these planning processes key decisions still need to be made on how to manage reclamations in the Bay, on how and where to expand the solid waste management infrastructure, on how and where to relocate communities, etc. SEA can support such decision-making. But because these decisions will be made – and implemented – in multiple, separate planning processes, this situation calls for separate SEA trajectories. Whereby each trajectory should be tailored specifically to the decisions to be made and run by the lead agency or agencies in charge of that planning process.

The potential added value that SEA would have to these separate planning processes corresponds to the benefits that the NCEA noted in its earlier advice on SEA for the MBSDMP. SEA will help with the identification of impacts of concrete interventions and help improve the sustainability of decision options on the table. In particular, SEA enhances the transparency, and thus credibility, of a planning process. Good practice SEA ensures that feedback mechanisms are built into the planning process to account for how the results of assessment and consultation on environmental and social issues have influenced decision outcomes.

In addition, SEAs for subsequent implementation planning can help to improve cohesion between subsequent plans and the MBSDMP process. This can work in different ways. Firstly, in the process of developing the proposed measures in the draft Master Plan, a sustainability framework has been prepared. This framework can be used in subsequent SEAs to assess the sustainability of more detailed intervention options on reclamation, relocation, waste management, etc. Secondly, the SEAs can check whether the interventions proposed contradict with other measures needed under the MBSDMP and identify opportunities to maximise synergies. Thirdly, the SEAs can make use of the baseline information and stakeholder mobilisation. Which will help to ensure that subsequent decisions build on a shared understanding of the existing cause and effect relationships in the Manila Bay.

⁸ As per the NEDA letter to the NCEA, dated 19 July 2019, included in Annex 4.

3. Recommendations for next steps

3.1 Gauge interest in further SEA application

The suggested shift in focus from a single SEA process under the lead of NEDA, to multiple SEA processes led by a range of implementing agencies, has a number of implications. Foremost, this advice has been requested by NEDA, but now applies to a wider range of agencies with a mandate in the Manila Bay. Although general interest in SEA has been growing in the Philippines⁹, it is not clear to what degree agencies such as the PRA, or the newly created Manila Bay Task Force, are open to SEA application to their planning processes.

The shift in focus also changes the timeline within which SEA would be applied. The SEAs suggested here are now no longer bound to the timeline of the MBSDMP process, and the schedule of deliverables that determines the activities of the MBSDMP Study Team. Instead each SEA application will follow the timeline of the specific planning process which it supports. This may overlap with the action planning phase of MBSDMP process, but may also extend beyond.

The NCEA recommends that NEDA first engage in discussion with the various different agencies with a role in MBSDMP implementation planning, to gauge their level of interest and readiness to apply SEA. Where both interest and readiness exist, a tailored SEA approach can be developed, as described under 3.2 below.

3.2 Design and undertake tailored SEAs

For each SEA trajectory identified, an SEA approach will need to be developed that is customised to the characteristics of the planning process it will support. That will require a closer look at the activities that will take place within that specific planning process, as well as the institutional arrangements for that plan.

In Annexes 1 and 2 to this advice the NCEA provide two illustrations of how SEAs can be designed to fit specific planning processes. These illustrations have been included to enable a more detailed and concrete discussion on what SEA would mean for subsequent planning processes. Annex 1 presents a possible SEA approach to a distinct planning issue under the MBSDMP: reclamation planning. The assumption made in this Annex is that there will be a reclamation plan, as per Executive Order nr. 74. We outline in detail how different SEA activities would be integrated into such a planning process. In Annex 2 we suggest an SEA approach for further decision making on relocation and sanitation. We expect that these topics will not necessarily be addressed in one individual plan, so we focus on an SEA for an overall relocation plan. However we also address how this SEA can be linked to multiple programmatic decision-making processes on relocation and sanitation.

⁹ See the NCEAs earlier advice, which can be viewed at <https://www.eia.nl/en/projects/7233>

In each of the two Annexes we first analyse the planning situation, for reclamation and relocation respectively, and then give an illustration of how SEA steps can be integrated into the upcoming planning processes. As in the advice issued earlier, the NCEA has taken the steps of a good practice SEA process in Box 1¹⁰ as reference. In each Annex this results in a table showing the consecutive planning activities and the corresponding SEA steps. This overview should be seen as indicative only, since we have made a range of assumptions about how each planning process will go. The proposed approach will need to be revisited to better reflect the actual reality of those decision-making processes.

Box 1: 'Good practice' sequence of steps in an SEA process

A. Establishing the context for SEA

- Screening: decide on the need and role of SEA.
- Identify the stakeholders and plan their involvement.
- Develop, with the stakeholders, a shared vision on the key (environmental) problems, objectives and alternatives for the policy or plan.

B. Implementing SEA

- Scope the content for the SEA, including a look at synergies or conflict with existing policy objectives.
- Collect baseline data.
- Assess alternatives.
- Identify how to use opportunities/mitigate impacts.
- Assure quality through independent review and public involvement of draft reports.
- Document results and make these available.

C. Informing and influencing decision-making

- Organise dialogue among stakeholders on SEA results and make recommendations for decision-making.
- Justify the (political) choices that have been made in the finally adopted policy or plan.

D. Monitoring and evaluation

- Monitor the implementation of the adopted policy or plan and alignment with the SEA.
- Evaluate the alignment of the SEA with the outcomes of the policy or plan.

It will be worth looking especially closely at the appropriate institutional set-up for each SEA trajectory. Which will in turn need to be based on the institutional set-up identified for the planning process. The NCEA is under the impression that further development of the institutional arrangements for different themes addressed in the Master Plan is still forthcoming. The current Master Plan presents a proposal for an institutional set-up that can ensure implementation of the MBSDMP overall. This includes the establishment of a Manila Bay Governing Board.

The Plan also describes the institutions involved in each of the 8 Measures that the plan contains, as well as the agencies in a lead or supporting role for the different interventions under that measure. It will be important to further specify the institutional mechanisms so that planning responsibilities are more clearly demarcated. Similar to the developments we understand have taken place under the theme of reclamation planning – where the PRA has been

¹⁰ From the NCEA key sheet: "Strategic Environmental Assessment" (July 2017), based on the OECD DAC 2006 publication "Applying Strategic Environmental Assessment, Good Practice Guidance for Development Co-operation."

singled out as a key leading agency, charged with the development of a reclamation plan, albeit in close co-ordination with other relevant agencies.

3.3 Provide support to the SEA applications

The NCEA suggests that NEDA take an active role in supporting the SEA applications to the subsequent planning processes. Especially given the potential of SEA to enhance cohesion between the MBSDMP and these plans. We do not mean to say here that NEDA would take the lead in each separate SEA trajectory, but that it facilitate the identification of SEA opportunities, and provide guidance for further SEA application.

NEDA could undertake the following:

- **Adoption of a policy guideline to apply SEA to the action plan/operational planning stage.** NEDA can develop a technical guideline or policy to guide the application of SEA to the subsequent planning processes needed to realise the MBSDMP objectives. If NEDA is planning to prepare operational guidelines for implementation of the Master Plan, SEA instructions could be incorporated into these guidelines.
- **Formation of a MBSDMP SEA technical panel or coordinating unit.** A SEA technical panel or coordinating group can be created by NEDA to oversee and facilitate the SEA application to the planning processes of each agency or group of agencies responsible for specific measures or topics. This unit would act as a focal point for questions on SEA application and a conduit for access to relevant insights from the MBSDMP process. The MBSDMP Study Team could have a role in this unit.
- **Address SEA in monitoring and public reporting.** If there is to be any monitoring and public reporting by NEDA on the environmental and social outcomes of MBSDMP implementation, progress with SEA application can be addressed in this reporting.

3.4 Where to start?

As in the previous NCEA advice, we suggest to start with the mobilisation of a SEA working group, under the leadership of NEDA. This working group could incorporate NEDA staff with SEA knowledge. The ANRES department has experts trained in SEA, for example. Relevant persons from the MBSDMP study team, or from other institutions such as DENR, can also be drawn in.

To start with, this working group could:

- Engage in discussion with various planning agencies to gauge interest in SEA application for implementation planning.
- Explore options to support SEA for such planning within the 3rd phase of the MBSDMP process (operational planning).
- Develop a working plan to build up the knowledge and capacity for SEA, within the working group, but possibly also for selected SEA focal persons for key MBSDMP implementing agencies.
- Engage with international partners about possible SEA capacity support, such as technical workshops on different aspects of SEA application or more detailed orientation on SEA.
- Report back on SEA progress to relevant parties with an oversight role, such as the MBSDMP Technical Committee, INFRACOM, or the Manila Bay Governing Board that is suggested in the institutional recommendations of the Mater Plan.

Depending on the level of interest and support for SEA, this working group could plan out more detailed action needed to support the various agencies involved in the SEA applications and eventually evolve into the SEA co-ordinating unit mentioned under 3.3.

The NCEA wants to stress that a good practice SEA is not a stand-alone, technical exercise, but rather a series of activities integrated into a planning process. We are of the opinion that, in principle, the SEA efforts suggested in this advisory report can be carried out by staff involved in the various planning processes, with limited support from outside SEA experts. Therefore, the mobilisation of existing capacity within the relevant Philippine institutions, and the further development of this capacity, will be essential to realise SEA practice in the implementation of the MBSDMP.

Annex 1 – SEA for reclamation planning

1. Why undertake SEA for reclamation planning?

In this Annex, we outline a possible SEA approach for a specific planning challenge under the MBSDMP: reclamation planning. Reclamation represents one of the key issues for further development of Manila Bay, as it has a number of potential environmental and social consequences. Originally, the MBSDMP was assumed to tackle reclamation development in the Manila Bay. A number of the stakeholders that the NCEA met with in late 2018 explained that they expected the MBSDMP to set a concrete framework for reclamations in the Bay: i.e. defining how many reclamations may take place, where and under what conditions (see the original NCEA advice on the MBSDMP¹¹). However, since our earlier advice, institutional changes have taken place through which a distinct reclamation planning process has been defined, under the leadership of the PRA.

Application of SEA to this reclamation planning process would have several benefits:

- It should help to ensure that the proposed overall approach to reclamation is in line with the desired sustainable development of the Bay as outlined in the MBSDMP. The MBSDMP indicators can be used as a sustainable framework for SEA¹². The findings of the SEA would show how 'sustainable' proposed reclamation planning is, and what mitigation measures may need to be adopted to make sure reclamation activities meet the MBSDMP objectives.
- The SEA could also check if proposed reclamation contradicts with other measures and interventions in the Master Plan.
- SEA should also assist PRA in meeting the requirements of the EO No. 74, which demands that the cumulative impacts of reclamations must be in view when decisions are made, that reclamation plans take into consideration environmental, social and economic impacts of proposed reclamation projects, and that these undergo public consultation.
- The SEA can provide detailed recommendations for the EIAs that need to take place for individual reclamations projects. Recommendations on baseline information and models to be used, for example, as well as on which impacts to address and how, and what mitigation measures to develop. This will simplify the EIA work needed further down the line.

If reclamation planning is undertaken in parallel with the 3rd phase of the MBSDMP (the action planning phase) then the outputs of SEA for reclamation planning can still be reflected in the MBSDMP Action Plan (i.e. to accommodate likely effects of reclamation planning in the specific MBSDMP actions and the revised Master Plan).

As an SEA should be customised to the specific planning process it supports, we first outline our understanding of the reclamation planning situation below. This Annex then proposes a step-by-step approach for SEA for reclamation planning.

¹¹ <https://www.eia.nl/en/projects/7233>

¹² As clarified by NEDA (the letter dated 19 July 2019) a Draft Integrated Coastal Zone Management (ICZM) Planning Framework is being developed by the Study Team under the MBSDMP. This framework will stipulate guiding principles on the development in Manila Bay and should serve – amongst others – also as a framework for evaluation of unsolicited land reclamation proposals.

2. Reclamation planning as we understand it

The Master Plan recognises reclamation as one of the issues which requires urgent attention to effectively achieve sustainable development of Manila Bay. Measure 7 of the Master Plan 'Promoting Environmentally Sound Development' stipulates the following intervention regarding reclamation planning:

- *Enforce responsible reclamation activities, if there is a need for such.*
- *Strictly enforce Section 6 of E.O. No. 74 (series of 2019).*
- *Evolve other policies and standards for responsible land reclamation (and their implementation and enforcement).*
- *Ensure implementation of R.A. No. 7279 (UDHA) balanced housing policy provision.*
- *Formulate and enforce ordinances to maximise benefits to the host community.*
- *Undertake responsible land reclamation projects.*

Executive Order nr. 74 addresses the mandate for the approval of reclamations projects. This order shifts the key mandate on reclamations from NEDA to the Philippine Reclamation Authority (PRA). The Order specifies that reclamation projects shall be evaluated by the PRA based on their cumulative impacts rather than on a specific project basis. It also instructs the PRA, in coordination with the DENR, NEDA and affected local governments, to craft one or more National and/or Regional Reclamation and Development Plans (RDPs). These plans must take "into consideration environmental, social and economic impacts of proposed reclamation projects. All RDPs shall undergo public consultation and shall be consistent with the greater public interest."

Considering the above described, it can be concluded that although the MBSDMP stipulates a need to address reclamation, a formal mandate has been given to PRA. Therefore, it is assumed that PRA will initiate a dedicated planning process to follow the requirements of the EO nr. 74, which shall result in a Manila Bay RDP.

EO nr. 74 does not provide details on how such a Manila Bay RDP¹³ planning process can be structured. Therefore, we assume a series of more or less standard planning steps:

1. Initiation of the RDP planning process
2. Analytical phase
 - a. Baseline analysis
 - b. Identification of potential areas for reclamation
3. Selection of reclamation projects (including evaluation of alternatives)
4. Action planning
 - a. Financial allocations
 - b. Detailed workplan
 - c. Roles and responsibilities in implementation
 - d. Monitoring scheme
5. Drafting and consulting on the RDP¹⁴
6. Approval/adoption of RPD
7. RDP's implementation

¹³ Although not a part of RDPs preparation, an implementation phase is included here, as the conclusions of the SEA should be followed-up during the RDPs implementation.

¹⁴ Note that consultation is also expected to take place as part of the earlier planning activities, see also the details in the table in this Annex.

3. SEA for reclamation: step-by-step

SEA steps and activities described below are derived from international good practice and relevant guidelines (specifically OECD DAC “Applying SEA – Good Practice Guidance for Development Co-operation”). It needs to be noted that linkages between the planning and SEA steps as described are only indicative. At the very beginning of this SEA application, the reclamation planning process should be analysed, and the SEA application customised to this process. Likely, the table below will then be revised.

Note also that an SEA for reclamation planning can build on the extensive analyses undertaken in the master planning process to date (including trends, their drivers, etc.). The analytical work in the MBSDMP can be used as an SEA baseline (analysis) and to determine the SEA scope (master plan’s priorities, measures).

In accordance with a good SEA practice, the relevant agency responsible the planning process should also take responsibility for the SEA. As the PRA seems to have been given the main mandate for reclamation planning, we would suggest that PRA also take the lead in an SEA for that planning process.

Table 1. Step-by-Step illustration of SEA application to reclamation planning

Planning steps in Manila Bay RDP	SEA steps and activities
<p>Initiation of planning process</p> <ul style="list-style-type: none"> • Establishing institutional setup and planning team • Developing detailed timeline and workplan 	<p>A. Establishing context for SEA</p> <ul style="list-style-type: none"> • Organising (contracting) experts to carry out SEA, determine how the main reclamation plan team, and SEA team should work together (it can be helpful to have overlap in personnel between the two teams). • Detailed analysis of relocation planning process and if needed making adjustments to the SEA process proposed here to properly link SEA specific steps and activities to relevant planning stages. • Stakeholder analysis (the stakeholder analysis and engagement in the MBSDMP can be used as a starting point). • SEA kick-off meeting to be organised by PRA with relevant institutional stakeholders (NEDA, DENR, LGUs, etc.) to discuss their role in the SEA. • Finalising a timeline and workplan for the SEA.
<p>Analytical phase</p> <ul style="list-style-type: none"> • Baseline analysis • Identification of potential areas for reclamation 	<p>B. Implementing SEA</p> <p><i>SEA scoping</i></p> <ul style="list-style-type: none"> • Initial overview of the likely environmental and social impacts (both positive and negative) associated with reclamation (i.e. the ‘long list’ of likely impacts), e.g.: <ul style="list-style-type: none"> ○ coastal water pollution; ○ loss of sensitive habitats; ○ changes in the flooding regime; ○ impacts on ground water levels. <p>Besides direct/primary impacts, it is important to also consider e.g.:</p> <ul style="list-style-type: none"> ○ indirect/secondary impacts e.g. how expected development on reclamation sites may affect traffic streams; ○ risks associated with the climate change (e.g. sea level rise).

Example: The scoping should answer the following:

- Can MBSDMP measure 5 'Implementing DRR Programmes and Projects' be affected by reclamation in Manila Bay (considering areas identified for reclamation)?
- If so, which interventions can be affected (e.g. 'Stop Land Subsidence')?

- Based on initial 'long-list', the key environmental and social issues relevant to reclamation in Manila Bay should be identified. Starting point should be a list of MBSDMP measures (both priority and supplemental ones). A simple matrix can be prepared to identify potential conflicts and synergies between the MBSDMP measures and reclamation activities in Manila Bay.
- This would also help to identify which specific interventions outlined under the MBSDMP measures can be affected by reclamation in Manila Bay.
- Should the Integrated Coastal Zone Management (ICZM) Planning Framework be already available, the linkages between priorities/objectives of the ICZM and reclamation activities in Manila Bay should also be analysed.

SEA baseline analysis

- MBSDMP Situation Analysis to be used for SEA.
- Screening of MBSDMP Situation Analysis to identify any information and data that is not yet available and is necessary for analysing the likely impacts of reclamation.
- If needed, update of MBSDMP Situation analysis.
- It can be expected that potential areas for reclamation are already identified in this stage, thus SEA can – based on information in the MBSDMP – indicate the most problematic areas (e.g. those in conflict with sensitive habitats, etc.) which are either to be avoided for reclamation projects, or where trade-offs between different development objectives will need to be made.

Scoping reporting and consultations

- Findings and conclusions from the scoping and baseline stages should be summarised in a Scoping Report (to be prepared by the SEA team).
- The Scoping Report should be made publicly available (ideally together with the analytical part of the RDP), and the scoping consultations organised by PRA (in cooperation with NEDA and DENR) to get feedback from relevant stakeholders on (i) the key environmental and social issues to be further addressed in SEA, and (ii) preliminary identification of potential sites for reclamation.

Selection of reclamation projects

This planning phase is supposed to include evaluation and selection of alternatives (mainly in terms of number of reclamation projects, specific locations and their size, as well as sequencing i.e. which project should be launched first and which later on)

Example of methods to be used

Maps overlay can be used to estimate likely impacts of proposed reclamation projects on the MBSDMP intervention “Increase coverage of critical habitats through restoration and protection of intertidal areas and DRR zones”.

Example of alternatives and mitigation measures

If the SEA analyses reveal that some proposed reclamation activities may adversely affect existing critical habitats, the SEA may provide recommendations on:

- Alternatives for locations and sizes of reclamations
- Conditions for implementation (construction) phase
- EIAs for individual projects

Assessment of impacts (including evaluation of alternatives) and formulation of mitigation measures

- Analysis of proposed reclamation projects can affect Master Plan measures and interventions (i.e. those identified in scoping as relevant).
- Analysis can be both quantitative and qualitative (depending on the level of details of alternatives), GIS-based methods can be applied to identify potential spatial conflicts with sensitive habitats, etc.
- Similar to scoping stage, should the Integrated Coastal Zone Management (ICZM) Planning Framework be already available, the likely impacts of proposed reclamation activities on the ICZM measures should be evaluated.
- If alternatives of reclamation are elaborated in the RDP (i.e. number, location, size, and sequencing of reclamation projects), SEA should evaluate impacts of these alternatives.
- Based on that, SEA should identify preferred alternatives i.e. those with the least significant negative impacts and with the most significant positive impacts and provide recommendations for optimising reclamation projects to avoid or minimise likely negative impacts and maximise positive impacts (mitigation measures).
- Following evaluation of individual reclamation projects, cumulative impacts of overall reclamation activities in Manila Bay should be estimated i.e. how these can affect future trends – compared to the situation without reclamation (likely future trends outlined in the MBSDMP can be used).
- Guidance for EIAs to be applied for selected reclamation projects can be formulated by SEA as one of the mitigation measures – this may include conditions for implementation (e.g. to ensure proper waste water management infrastructure for reclaimed sites), generic ToR for detailed analysis or studies to be carried out (e.g. habitat mapping, biodiversity survey) before a project can be approved, identification of stakeholders to be involved in EIA for a specific project, or types of mitigation measures to be addressed in EIA.
- Consultations with relevant stakeholders is recommended in this stage to get their feedback on possible alternatives and mitigations measures. These consultations can build on consultation on this topic already undertaken in earlier MBSDMP work.

	<ul style="list-style-type: none"> • In this phase a close linkage between SEA and decision-making is especially important. The final selection of reclamation projects should take into account SEA outputs and findings (see above) i.e. the scope and significance of likely environmental and social impacts should be considered as criteria for selection and – if needed – adjustments of specific reclamation projects (e.g. reducing the size, changing location).
<p>Reclamation plan action planning phase</p> <ul style="list-style-type: none"> • Determining financial allocations. • Preparing detailed workplan. • Assigning roles and responsibilities in implementation. • Developing monitoring scheme. 	<p><i>Determine SEA follow-up arrangements</i></p> <ul style="list-style-type: none"> • Establish/confirm institutional arrangements to ensure SEA recommendations regarding EIAs for specific reclamation projects are implemented. • Arrangements for public reporting during reclamation (including environmental and social monitoring). <p><i>Design SEA monitoring & management approach</i></p> <ul style="list-style-type: none"> • Propose indicators to monitor impacts during implementation of reclamation plan. • MBSDMP indicators should be used as the starting point, selection should follow the main impacts identified. • Monitoring arrangements should be defined (including responsibilities for monitoring, reporting, and public availability of the results).
<p>Drafting and consulting on the RDP</p>	<p><i>Draft SEA report and undertake consultations</i></p> <ul style="list-style-type: none"> • Report on the SEA findings, summarizing all previous steps. The SEA report should explain how stakeholder inputs related to SEA findings (in scoping and when selecting the strategy) have been used. • Organise independent review of the draft SEA report. A review of the SEA not only helps to improve quality, but credibility as well. Different review options can be considered: for example, by an outside party such as the NCEA, by a committee or panel set up for this purpose, or by a government agency with suitable expertise. • Organise consultations on the draft RDP and draft SEA report with relevant stakeholders (ideally these are organised jointly i.e. the draft RDP and draft SEA report together).

	<ul style="list-style-type: none"> • The SEA report should provide an explanation of how SEA outputs and conclusions have informed the draft RDP (in particular in the selection of alternatives). • The SEA report may need to be updated after the review and consultations.
Approval/adoption of RDP	<p>C. Informing and influencing decision-making</p> <ul style="list-style-type: none"> • At this stage the RDP is finalised. It should be made clear, either in the RDP itself or in an accompanying statement, how SEA results were considered, including the comments received through consultations (with reference to the SEA report). • The reclamation plan as adopted should be made publicly available.
RDP's implementation	<p>D. SEA monitoring and evaluation</p> <ul style="list-style-type: none"> • Monitoring of environmental and social impacts during RDP's implementation and alignment with the SEA has to be ensured by PRA (in cooperation with NEDA and DENR). • Evaluating actual impacts during RDP's implementation with SEA results and conclusions: in case of unpredicted significant impacts, PRA has to initiate necessary actions (in cooperation with DENR and NEDA) which may include redesigning certain reclamation projects and/or the way of their implementation, developing and adopting additional mitigation or compensatory measures, etc.

Annex 2 – SEA for relocation and sanitation planning

1. Why undertake SEA for relocation and sanitation planning?

In this Annex, we look at a possible SEA approach for two specific planning issues under the MBSDMP: relocation and sanitation. We focus on these two topics as they have been given priority through Administrative Order nr. 16 (or AO16 – see below under 2 for more detail). Contrary to the planning process for reclamation as outlined in Annex 1, relocation and sanitation are not expected to be addressed within one plan, but rather in a series of relocation plans and sanitation programmes. We propose that SEA could be applied to support these planning processes, because it would have the following benefits:

- As the planning of interventions becomes more concrete and spatially specific, SEA will help to bring into focus key issues to be addressed, relevant stakeholder perspectives, and courses of action that might contribute to more sustainable development of the Bay.
- SEA should help to ensure that the relocation and sanitation interventions are in line with the desired sustainable development of the Bay as outlined in the MBSDMP. Using the MBSDMP as a sustainable framework, the findings of the SEA would show how ‘sustainable’ plans for relocation and integration of Informal Settler Families (ISFs) in new areas are. It would do the same for any long-term solutions to address migration, as well as plans for local sanitation programmes.
- SEA could assess how relocation plans and sanitation programmes can affect other measures set out in the Master Plan. Such an approach to SEA would maximise synergies between MBSDMP implementation overall and relocation/local sanitation planning specifically.
- The SEA can provide detailed recommendations for the EIAs that need to take place for individual relocation or sanitation interventions. Recommendations on baseline information to be used, for example, as well as which impacts to address and how, and what mitigation measures to develop. This will simplify the EIA work needed further down the line.
- Measure 4 of the MBSDMP is the most relevant in meeting AO16, although all measures in the MBSDMP have a role in delivering on AO16 in some way. The Master Plan suggests that implementation of Measure 4 be largely led by DHSUD (for 5 of the 7 recommended Programmes, Activities and Projects (PAPs)). DENR is nominated to lead on one PAP – for strict implementation of the Writ of Continuing Mandamus, with a support role in 3 other PAPs. This suggests that a close working relationship is needed between DENR (the AO16 Task Force chair), DHSUD and NEDA in order to address relocation and sanitation. The SEA could serve as a means through which the different parties can work together.

If relocation and sanitation planning is undertaken in parallel with the 3rd phase of the MBSDMP (the action planning phase) then the outputs of SEA for reclamation planning can still be reflected in the MBSDMP Action Plan (i.e. to accommodate likely effects of relocation planning in the specific MBSDMP actions and the revision of the Master Plan).

Whether implementation of relocation and sanitation planning can be better served by one SEA process, or by several SEAs, will depend on the range and number of separate planning processes that will be undertaken. In this Annex we first outline our understanding of the relocation and sanitation planning situation below, and then proposes a step-by-step approach for SEA for a selected planning process.

2. Relocation and sanitation planning as we understand it

Administrative Order nr. 16 (AO16) issued on the 19 February 2019 created the Manila Bay Task Force, chaired by DENR. It requires that, amongst other things, and within 60 days of issuance of the Order, the Task Force:

Prepare and commence the implementation of a comprehensive plan for massive relocation of Informal Settler Families (ISFs), especially in the priority areas of the NCR¹⁵ along the Manila Bay Region, which shall include:

- I. Identification of suitable relocation sites;*
- II. Strategies for economic and social integration of ISFs in the area;*
- III. Long term solutions to address ongoing migration into the Manila Bay Region.*

The Order mandates that this occur in collaboration with the National Anti-Poverty Commission, the Presidential Commission for the Urban Poor, the National Housing Authority (NHA) and affected LGUs (noting there are upward of 150 LGUs throughout the Manila Bay Region who might be effectively impacted either directly or indirectly by this order).

It is understood that these actors, as well as various other Task Force members, including the chair DENR, are all stakeholders that have been consulted and are part of the preparation of the MBSDMP to date. Thus, whilst the leading party on this initiative (DENR) is different to that of the MBSDMP (NEDA), their concerns overlap and perhaps differ mainly by geographical remit and timescale, rather than by substantive content. Note that whilst the Master Plan does not explicitly refer to the Presidential Commission for the Urban Poor, nor the NHA in any substantive detail, their role might be implied through various institutional and governance arrangements set out in the MBSDMP.

AO16 also requires that the Task Force *“prepare a comprehensive plan for expediting the local sanitation programme of LGUs within the Manila Bay Region by 2026”*.

These two directives (massive relocation plan, comprehensive local sanitation program) have direct implications for various components of the Master Plan.

The Master Plan, in turn, clearly articulates as Measure 4 “Addressing Concerns of Informal Settlements in Easement”, recognising that informal settlements and relocation activities are critical considerations. Or more explicitly stated: *“ISFs in hazard-prone areas are a thing of the past and waterways and esteros¹⁶ are free of obstruction”* (page 5).

Key measures put forward in the MBSDMP to deal with this issue include:

- *Increase the supply of affordable housing;*
- *Reduce the motivation for people to live in informal settlements (through a range of measures);*
- *Policy reform to strengthen the capabilities of national and local governments to enforce relevant laws that discourage informal settlements.*

AO16 is explicitly referred to throughout the Master Plan, which indicates that the above issues are integral to many Master Plan interventions. Each of the 8 measures in the Master Plan sets out how it supports AO16 in its guiding framework.

¹⁵ NCR refers to the National Capital Region of Manila

¹⁶ Communities with housing on stilts, along waterways

AO16 places specific requirements on the 13 Task Force members. Many of the activities set out in AO16 might also have a relationship with the measures proposed in the Master Plan. This includes strategies for dealing with:

- *Informal settlements* (as per Measure 4), noting that this measure ‘directly supports’ two provisions of AO16 relating to massive relocation and fast-tracking compliance with the Writ of Continuing Mandamus;
- Integration of informal settler communities and others in new areas as part of *decongesting metro Manila* (as per Measure 8);
- *Improving solid waste management* (as per Measure 2);
- *Reducing pollutant load* (as per Measure 3).

AO16 relates directly to the Priority and Supplemental Measures set out on page 14 of the Master Plan, including:

- *Reduce pollutant load (entering Manila Bay);*
- *Address concerns of informal settlement in easements and high-risk areas;*
- *Decongest Metro Manila;*
- *Upgrade informal settlement through access to safe, affordable, and formal housing with access to basic services and economic opportunities – thereby removing ISFs from hazard-prone areas, particularly those along rivers, waterways, and esteros.”* (pg.14, Strategy and Measures to Address the Gap).

We have undertaken a rapid and high-level analysis of how the different measures set out in the Master Plan relate to the two key plans set out in AO 16 (massive relocation plan and comprehensive sanitation plan), to determine how SEA might then be best applied to the next phases of planning. See the overview below in Table 1. We have then tried to identify what specific detailed planning processes might take place to meet both AO16 and MSBDMP objectives on relocation and sanitation, and who would be in the lead for each. However, the details available to the NCEA at this time are not sufficient to come to a definitive understanding of the next planning steps. How, for example, will decisions on who to relocate, and where to relocate ISFs be made? Or: How will the development of areas for newly relocated ISFs be planned, as well as the demolition of sites vacated? It is conceivable that these decisions will be made in separate processes, under different authorities. We are also unclear at this stage on what will be addressed within the 3rd phase of the MBSDMP, and what will be addressed separate from that process, both in terms of timing and the people involved.

For the sake of illustrating one possible SEA application, we have made a number of assumptions. In Table 1 we have highlighted the measures for which we suppose that separate planning processes will take place. Each of these planning processes could be suited to a tailored SEA approach. We have then concentrated on just one of those planning processes, namely the massive relocation plan needed to meet AO16 and Measure 4. (See Figure 1 for a visual overview of the potential linkages between measures, clusters, PAPs and interventions noted in the Master Plan, and SEA.)

Table 1 Master Plan measures in relation to AO16

Measures	Resettlement / relocation plans	Local sanitation programs	Relationship of measure to AO 16
1 Improving Management of Protected Areas	PAPs relate to complete rehabilitation, restoration and conservation of Manila Bay to arrest further habitat destruction and implement ecosystem restoration to improve function/resilience		Related
2 Improving Solid Waste Management	Directly linked and will build on and sustain initial efforts of Task Force to implement solid waste management, through clean-up of esteros and waterways, and implementing solid waste management		Direct and immediate
3 Reducing Pollution Load	Directly linked and will build on and sustain initial efforts of Task Force to implement solid waste management, through clean-up of esteros and waterways, and implementing liquid waste management		Direct and immediate
4 Addressing Concerns of Informal Settlements in Easements	Preparation of implementation plan for massive relocation of ISFs especially in priority areas of NCR along the Manila Bay Region	Fast-track compliance with Writ of Continuing Mandamus including full implementation of DPBMCS in accordance with its schedule	Direct and immediate (focus on this for SEA)
5 Implementing DRRM Programs and Projects	Introduces PAPs that will reduce areas prone to and number of people exposed to coastal flooding		Related
6 Enforcing Sustainable Fisheries	Introduces PAPs that will strictly implement fisheries laws, reduce fishing pressure and arrest habitat destruction. This addresses AO16 and stated need to improve and restore marine life in Manila Bay and maintain ecological balance		Related
7 Promoting Environmentally Sound Development	Relates to the overall need to rehabilitate and restore the coastal and marine ecosystem of the Manila Bay through the creation of the Task Force to police development around the Bay		Related
8 Decongesting Metro Manila	Relates to need for long-term solutions to address ongoing migration into Manila Bay region, through various PAPs that prioritize large population movements outside NCR and make reverse migration feasible		Direct and addresses long-term / policy matters
Institutional Set-up and Capacity Development	Related in that it suggests as part of Option 1 (in section 9.3) that the AO 16 Task Force can serve as best structure to jump start MBSDMP implementation		Related

We have assumed a series of planning steps in the process of preparing this relocation plan. As follows:

1. Initiation of the relocation planning process
2. Analytical phase (Baseline analysis, potential site identification)
3. Strategic planning phase
 - a. Objectives and priorities for relocation of ISFs
 - b. Elaboration of alternative strategies on how to achieve objectives
 - c. Identification of PAPs
 - d. Consultation on draft plans, revise
4. Action planning phase
 - a. Financial allocations
 - b. Detailed workplan
 - c. Roles and responsibilities in implementation
 - d. Monitoring scheme
5. Drafting and consulting on the massive plan for relocation (as required under AO 16)
6. Approval/adoption of the relocation plan
7. Plan implementation

In section 3 of this annex we propose a step-by-step SEA process to support relocation planning as assumed above. This is only intended to be indicative. At the very beginning of such an SEA application, the actual relocation planning process should be carefully analysed, and the SEA application customised to the decision-making reality. Likely Table 2 below will then need to be revised.

3. SEA for relocation: step-by-step

The SEA for the relocation plan of Manila Bay should integrate the SEA steps as outlined in original NCEA advice (see Box 5: 'Good practice' sequence of steps in an SEA process). Note that this approach would allow drawing on the MBSDMP and its extensive background analysis.

In accordance with good SEA practice, the relevant agency responsible for a planning process, should also take responsibility for the SEA. We have assumed in this case that the lead for both the relocation planning process and accompanying SEA should be with the DHSUD. Of course, specific measures and responsibilities of the SEA could be detailed for those Task Force Members specified in AO16, in line with their specific duties. The most suitable institutional set-up for any actual SEA could be further expanded on in updates to the MBSDMP Institutional Set-Up Report.

Figure 1 Overview of relationship between AO16 (Relocation focus), MBSDMP and SEA

1. Comprehensive Plan for Relocation of Informal Settler Families (ISF) – *Relocation focus only*

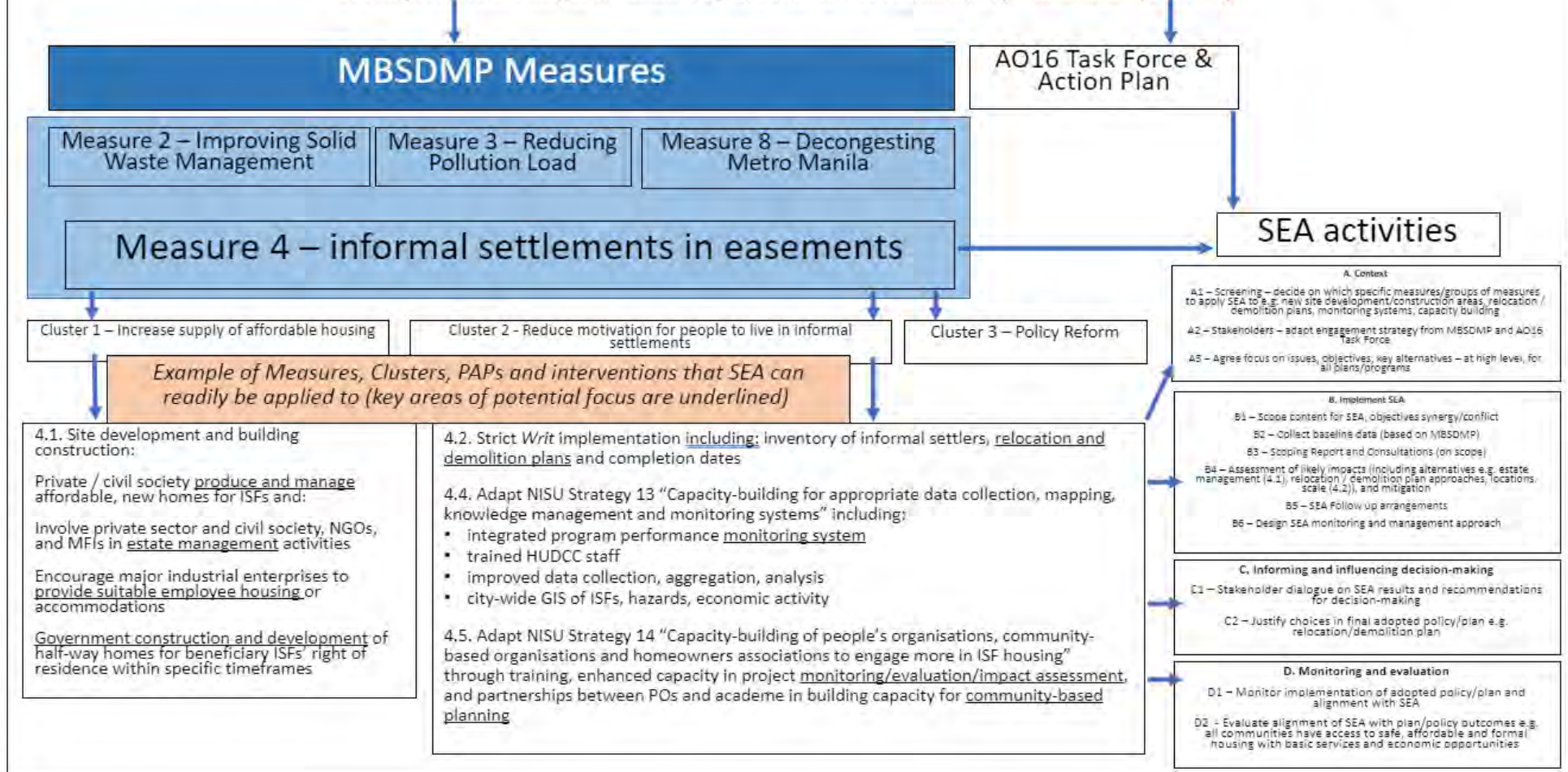


Table 2. Step-by-Step illustration of SEA application to relocation planning

Planning steps and activities for Manila Bay Re-location plan ¹⁷	SEA steps and activities
<p>Initiation of planning process</p> <ul style="list-style-type: none"> Establishing institutional set-up and planning team Development of timeline and workplan 	<p>A. Establishing context for SEA</p> <p><i>Screening – clarify the role of SEA (including process)</i></p> <ul style="list-style-type: none"> Organise (contracting) team of experts to carry out SEA, and determine how the relocation planning team, team responsible for progressing MBSDMP Measures and interventions, and potential SEA team should work together (it can be helpful to have overlap in personnel between the teams). Detailed analysis of relocation planning process and if needed making adjustments to the SEA process proposed here to properly link SEA specific steps and activities to relevant planning stages. <p><i>Plan stakeholder involvement</i></p> <ul style="list-style-type: none"> Stakeholder/institutional/governance analysis (using MBSDMP stakeholder plan/analysis as starting point). <p><i>Agree focus on issues, objectives, key alternatives for the SEA</i></p> <ul style="list-style-type: none"> Kick-off meeting with relevant stakeholders (NEDA, DENR, DILG, LGUs etc.) to discuss/agree their role in SEA and high-level parameters of assessment. Agree on overall lead on SEA. Finalise a timeline and workplan for the SEA.
<p>Analytical phase</p> <ul style="list-style-type: none"> Baseline analysis Identification of potential sites for relocation; priority sites for demolition; other relevant actions including e.g. measures for integration of ISFs into new communities 	<p>B. Implementing SEA</p> <p><i>Agree on initial scope of the SEA content, and synergies/conflict between policy objectives</i></p> <ul style="list-style-type: none"> Explore scope for different approaches as start to work on mechanisms to implement these clusters and identified PAPs, particularly locations and choices, relocation and demolition plans, systems for

¹⁷ For purposes of illustration, a potential detailed relocation planning processes are presented as a guide. See also Figure 1 for a depiction of the relationship of these specific plans to the broader measures in the Master Plan and AO16 requirements. In some cases, references to sanitation programmes have been left in, to illustrate linkages between the topics of relocation and sanitation, and how SEA can address these linkages.

	<p>monitoring and evaluation, and capacity building. See for example the visual depiction provided in Figure 1.</p> <ul style="list-style-type: none"> • Reconfirm objectives and inter-relationships between them (including potential for tension and trade-offs). • Clarify stakeholders responsible for each mechanism and bring them together to understand the role and potential benefits of SEA (coordination/inter-relationships, transparency/accountability, a 'check' on impacts at each stage). • Identify opportunities for SEA capacity building. <p><i>SEA baseline analysis</i></p> <ul style="list-style-type: none"> • MBSDMP Situation analysis and Strategy Building Report to be used for SEA - review to identify potentially missing information and data. Update information and fill data gaps as needed. • High level rapid assessment appropriate to AO16 requirements (progressively more detailed).
<p>Confirm objectives and priorities for relocation planning in Manila Bay</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Example: scoping should answer following:</p> <ul style="list-style-type: none"> • Can MBSDMP measure 4 'Addressing Concerns of Informal Settlements in Easement' be adversely affected by other MBSDMP measures? If so, which? • Are there priority areas for new relocation / demolition plans that the team should be focussing on? If so, where and who should be involved? • Will these likely effects be positive or negative? Short, medium or long-term? Temporary or permanent? </div>	<p><i>Detailed scoping of the SEA</i></p> <ul style="list-style-type: none"> • Initial review of likely environmental and social impacts (both positive/negative) of the objectives and priorities for relocation planning in Manila Bay. • Use list of MBSDMP measures as a starting point (both priority and supplemental ones): prepare a simple matrix to identify potential conflicts and synergies between the proposed objectives, measures and priorities for relocation planning. • Draw on the strategy building report and 3 criteria used to develop the MBSDMP recommended strategy (i.e. cost, relocation, ecosystem enhancement). Cross-check these 3 criteria against other factors relevant specifically to relocation. This would help develop a more granular level of assessment for subsequent planning stages. • In dialogue with relevant stakeholders, confirm the relocation plan components, and focus for SEA, which might be to look at specific direct/indirect impacts, short-medium-long-term impacts, impacts on specific sectors of the community such as particularly vulnerable groups, synergistic impacts including on water quality/air quality levels and changes. • Consultees might include those mentioned above, as well as those responsible for delivering the KRA for this measure (as set out in NEDA letter 19/7/19 weblink) including: DILG, National Housing

	<p>Authority (NHA), MMDA and DPWH, DENR, DOT, LLDA, PPA, DA, PRRC, PCG, National Anti-Poverty Commission (NAPC), Presidential Commission for the Urban Poor (PCUP), Department of Social Welfare and Development (DSWD), Department of Labour and Employment (DOLE), Department of Trade and Industry (DTI), DBM and concerned LGUs.</p> <p><i>Scoping Report and Consultations</i></p> <ul style="list-style-type: none"> • Findings and conclusions from the scoping and baseline stages should be summarised in a Scoping Report, which should be made publicly available. • Scoping consultations should be organised to get feedback from relevant stakeholders on the key environmental and social issues to be further addressed in SEA, and in preliminary identification of potential sites/plans or demolition and relocation.
<p>Elaboration of alternative strategies on how to achieve objectives and desired outcomes</p>	<p><i>Assessment of likely impacts (including evaluation of alternatives and formulation of mitigation measures)</i></p> <ul style="list-style-type: none"> • Any broad areas for relocation identified in this stage can be put through a quick review on suitability. Alternatives might also be non-spatial e.g. approaches to estate management, governance of demolition processes, monitoring and capacity building initiatives. • Analysis of how proposed alternatives for relocation can affect other Master Plan measures and interventions (i.e. those identified in scoping as relevant), or how alternatives within each specific measure/PAP/intervention might affect outcome (e.g. relocation/demolition plans). • Analysis can be both quantitative and qualitative (depending on a level of details of alternatives), using GIS-based methods to identify potential spatial conflicts and synergies. • SEA should describe how specific alternatives will affect future trends (compared to situation with worsening trends, increasing informal settlements rather than movement from legal easement). • Based on that, SEA should identify preferred strategies i.e. those with the least significant impacts, and provide recommendations for optimising strategies to avoid or minimise likely impacts identified.
<p>Detailed design of specific/priority PAPs and interventions</p>	<ul style="list-style-type: none"> • Based on impact analysis, SEA should help to confirm priority PAPs (i.e. the scope and significance of likely environmental and social impacts), and recommendations for optimising PAPs to avoid or minimise likely impacts. The clusters, PAPs and interventions noted in Figure 1 providing a starting point for consideration for the SEA process.

	<ul style="list-style-type: none"> • Following evaluation of individual PAPs, cumulative impacts of overall relocation planning in Manila Bay should be estimated. • Develop guidance for EIAs to be applied for selected PAPs, demolition/relocation plans and sanitation programmes, can be formulated by SEA as one of the mitigation measures.
<p>Relocation Plan action planning phase</p> <ul style="list-style-type: none"> • Determining financial allocations • Preparing detailed workplan • Assigning roles and responsibilities in implementation • Developing the monitoring scheme 	<p><i>Design SEA follow-up arrangements</i></p> <ul style="list-style-type: none"> • Establish/reconfirm institutional arrangements to ensure SEA recommendations regarding EIAs for specific PAPs are implemented. • Arrange for public/environmental monitoring reporting during relocation/demolition plan/sanitation program implementation. <p><i>Design SEA monitoring & management approach</i></p> <ul style="list-style-type: none"> • Propose indicators to monitor impacts during implementation of relocation/demolition plan(s)/others plans. Use MBSDMP indicators as the starting point, selection then following the main impacts identified. • Identify monitoring arrangements (responsibilities, reporting, and public availability of the results).
<p>Drafting the plan and consultation</p> <p>Consultation on draft plans (on the comprehensive plan for relocation of LSFs / local sanitation programmes, which might take the form of specific demolition / relocation plans, for example).</p>	<p><i>Draft the SEA report and organise consultations</i></p> <ul style="list-style-type: none"> • Draft the SEA report. This report should summarise all previous steps, and provide: <ul style="list-style-type: none"> ○ Information on how SEA outputs/conclusions have been considered in the relocation plan(s)/local sanitation program(s) (in particular in selection of specific strategies and PAPs to focus on, in implementation of AO16). ○ Feedback on stakeholder inputs related to SEA findings (in scoping and when selecting the strategy), including how inputs have been considered in SEA and/or in the relocation plan. • Organise consultation on the draft relocation plan and the SEA report with relevant stakeholders. • Organise independent review of the draft SEA report. A review of the SEA not only helps to improve quality, but credibility as well. Different review options can be considered: for example by an outside

	<p>party such as the NCEA, by a committee or panel set up for this purpose, or by a government agency with suitable expertise.</p> <p>C. Informing and influencing decision-making</p> <ul style="list-style-type: none"> • Based on the preferred strategy set out in the MBSDMP (i.e. fully meet all targets), and subsequent SEAs of specific measures/PAPs/potential interventions, use the SEA to refine the approach to relocation planning by: <ul style="list-style-type: none"> ○ Taking into account SEA outputs and findings (see above) i.e. the scope and significance of likely environmental and social impacts be considered as criteria for selection of more detailed spatial strategies. ○ Consulting with relevant stakeholders are recommended to get their feedback on possible options. • Justify the (political) choices that have been made in the finally adopted policy or plan. • The relocation plan(s) / local sanitation programmes as adopted should be made publicly available together with information on how SEA results were considered (based on the SEA report).
<p>Relocation plan implementation</p>	<p>D. SEA monitoring and evaluation</p> <ul style="list-style-type: none"> • Monitor implementation of the adopted policy or plan and alignment with the SEA. • Evaluate the alignment of the SEA with the outcomes of the policy or plan. • Monitor environmental and social impacts during plan/programme implementation and alignment with the SEA. • Evaluate actual impacts during plan/programme implementation with SEA results and conclusions: in case of unpredicted significant impacts, Manila Bay Task Force can initiate necessary actions which may include redesigning certain projects and/or their implementation, developing and adopting additional mitigation or compensatory measures, etc., in which case SEA may need to be reviewed/ revised.

Annex 3 – NEDA’s request to update the SEA advice



NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY

20 June 2019

DR. KEES LINSE

Chairman
Netherlands Commission for Environmental Assessment (NCEA)
Arthur van Schendelstraat 760
NL 3511 MK UTRECHT
The Netherlands

Dear **Chairman Linse**:


Subject : **Updating of the Process Advice on Strategic Environmental Assessment (SEA) for the Manila Bay Sustainable Development Master Plan (MBSDMP)**

As part of our governments’ cooperation on the sustainable development of the Manila Bay Area, it may be recalled that NEDA, in its 04 September 2018 letter (copy attached), invited the NCEA to propose a working approach on the institutionalization and operationalization of the SEA into the MBSDMP. In response, the NCEA formally conveyed its process advice on 04 December 2018.

In view of the completion of the Component 1: Strategic Plan/Master Plan¹ of the master planning exercise, as well as the recent significant institutional changes in decision-making mandates such as the issuance of Executive Order (EO) No. 74² and Administrative Order (AO) No. 16³, we deem that it is necessary to revisit NCEA’s earlier advice on the operationalization of SEA in the MBSDMP. Relative thereto, may we kindly request from your esteemed institution that the subject process advice be updated in order to identify specific SEA trajectories which may be streamlined into the master planning exercise. With this request, NEDA affirms its position that the application of SEA will be greatly beneficial to formulation of the MBSDMP.

Thank you and we look forward to continuing our partnership.

Very truly yours,


RODERICK M. PLANTA
Assistant Secretary

¹ Copies of the reports/deliverables of the MBSDMP can be accessed through <http://mbsdmp.com/reports>.

² Repealing Executive Order (EO) No. 798 (s. 2009) and EO No. 146 (s. 2013), Transferring the Philippine Reclamation Authority (PRA) to the Office of the President (OP), Delegating to the PRA Governing Board the Power of the President to Approve Reclamation Projects, and for Other Purposes. Issued on 01 February 2019.

³ Expediting the Rehabilitation and Restoration of the Coastal and Marine Ecosystem of the Manila Bay and Creating the Manila Bay Task Force. Issued on 19 February 2019.

Annex 4 – Clarification letter by NEDA



19 July 2019

DR. KEES LINSE

Chairman
Netherlands Commission for Environmental Assessment (NCEA)
Arthur van Schendelstraat 760
NL 3511 MK UTRECHT
The Netherlands

Dear **Chairman Linse**:

Subject : Updating of the Process Advice on Strategic Environmental Assessment (SEA) for the Manila Bay Sustainable Development Master Plan (MBSDMP)

Foremost, we would like to express our gratitude to NCEA for accommodating our request and for providing us your updated preliminary working approach for the operationalization and institutionalization of SEA into the MBSDMP. Relative to your request to corroborate your findings, attached is the **ANNEX** containing our comments and recommendations on the updated advice.

We hope that the clarifications provided therein are sufficient for us to proceed in the integration and operationalization of SEA into the MBSDMP. For further clarifications/queries, you may contact the MBSDMP Secretariat via telephone numbers +63 2 631-3724 (Direct Line) / +63 2 631-0945 to 60 local 312 (Trunk Line) or through electronic mail at SOPID@neda.gov.ph.

We appreciate your active cooperation and continued support to this undertaking.

Very truly yours,


RODERICK M. PLANTA
Assistant/Secretary

**Updating of the Process Advice on Strategic Environmental Assessment (SEA)
for the Manila Bay Sustainable Development Master Plan (MBSDMP)**

Section	Comments/Remarks												
<p>Section 2.1 (Changes in the institutional context and their consequences for Strategic Environmental Assessment)</p> <p>“...the decision-making on where reclamation can take place in Manila Bay, and under what conditions, have been taken out of the MBSDMP and are now to be taken by the PRA in National and/or Regional Reclamation and Development Plans”</p>	<p>It may be clarified that the decision-making process on locating reclamation projects in Manila Bay is not a sole responsibility of the Philippine Reclamation Authority (PRA). Executive Order (EO) 74 identifies parallel processes conducted by different agencies in accordance with their respective mandates. For instance, the EO requires that an Area Clearance and Environmental Compliance Certificate (ECC) be secured from the Department of Environment and Natural Resources (DENR) prior to the project's approval by the PRA Governing Board. Moreover, it may be pointed out that Section 7 of the said EO provides that the National and/or Reclamation and Development Plans will be crafted by PRA in coordination with the DENR, NEDA, and affected local government units (LGUs).</p> <p>Further, it may be noted that the MBSDMP Study Team has developed a Draft Integrated Coastal Zone Management (ICZM) Planning Framework that embodies the following draft guiding principles on the development within the Manila Bay Region:</p> <table border="1" data-bbox="703 842 1378 1503"> <thead> <tr> <th data-bbox="703 842 762 869">No.</th> <th data-bbox="762 842 1378 869">Principle Statement</th> </tr> </thead> <tbody> <tr> <td data-bbox="703 869 762 943">1</td> <td data-bbox="762 869 1378 943">Protection and restoration projects in any zones, when necessary, should be implemented.</td> </tr> <tr> <td data-bbox="703 943 762 1144">2</td> <td data-bbox="762 943 1378 1144">No development project in zone is allowed that will cause alteration or permanent loss of mangrove, intertidal mudflats, coral reefs, marine protected areas, fish sanctuary, and marine key biodiversity areas, including shallow water surrounding marine complex areas (combination of mangrove, intertidal mudflats, coral reefs, marine protected areas, fish sanctuary, and/or marine key biodiversity areas).</td> </tr> <tr> <td data-bbox="703 1144 762 1245">3</td> <td data-bbox="762 1144 1378 1245">Development projects within zones defined by law (e.g., navigation zone, seaports, bases, protected areas) are allowed as per its intent and purpose as defined by law.</td> </tr> <tr> <td data-bbox="703 1245 762 1368">4</td> <td data-bbox="762 1245 1378 1368">Any developments in any zones should not significantly impede or alter water circulation and tidal movement that will have significant impact on the sustainability of Manila Bay's critical habitat.</td> </tr> <tr> <td data-bbox="703 1368 762 1503">5</td> <td data-bbox="762 1368 1378 1503">Any development projects within zones crucial to maintain water circulation and tidal movement are allowed. This includes potential change of economic activities in favor of better economic and financial outcomes.</td> </tr> </tbody> </table>	No.	Principle Statement	1	Protection and restoration projects in any zones, when necessary, should be implemented.	2	No development project in zone is allowed that will cause alteration or permanent loss of mangrove, intertidal mudflats, coral reefs, marine protected areas, fish sanctuary, and marine key biodiversity areas, including shallow water surrounding marine complex areas (combination of mangrove, intertidal mudflats, coral reefs, marine protected areas, fish sanctuary, and/or marine key biodiversity areas).	3	Development projects within zones defined by law (e.g., navigation zone, seaports, bases, protected areas) are allowed as per its intent and purpose as defined by law.	4	Any developments in any zones should not significantly impede or alter water circulation and tidal movement that will have significant impact on the sustainability of Manila Bay's critical habitat.	5	Any development projects within zones crucial to maintain water circulation and tidal movement are allowed. This includes potential change of economic activities in favor of better economic and financial outcomes.
No.	Principle Statement												
1	Protection and restoration projects in any zones, when necessary, should be implemented.												
2	No development project in zone is allowed that will cause alteration or permanent loss of mangrove, intertidal mudflats, coral reefs, marine protected areas, fish sanctuary, and marine key biodiversity areas, including shallow water surrounding marine complex areas (combination of mangrove, intertidal mudflats, coral reefs, marine protected areas, fish sanctuary, and/or marine key biodiversity areas).												
3	Development projects within zones defined by law (e.g., navigation zone, seaports, bases, protected areas) are allowed as per its intent and purpose as defined by law.												
4	Any developments in any zones should not significantly impede or alter water circulation and tidal movement that will have significant impact on the sustainability of Manila Bay's critical habitat.												
5	Any development projects within zones crucial to maintain water circulation and tidal movement are allowed. This includes potential change of economic activities in favor of better economic and financial outcomes.												

ANNEX

Section	Comments/Remarks
	<p>Moving forward, the Draft ICZM Planning Framework is envisioned to serve, among others, as:</p> <ul style="list-style-type: none"> a) Basis for updating of the Comprehensive Land Use Plans (CLUPs)/Zoning ordinances of coastal LGUs in a manner that will harmonize the socioeconomic development goals of the LGUs and Manila Bay; b) Basis for LGUs in determining the best/suitable uses of municipal waters within its jurisdiction; c) Framework to guide in resolving use of areas commonly claimed by two or more LGUs; d) Framework for resolving conflicting uses of Manila Bay; e) Framework for the evaluation of unsolicited land reclamation proposals; f) Framework for identification of areas where building activities may or may not be allowed; g) Basis for implementing measures to mitigate adverse impacts of existing and prospective uses of, and practices/activities in Manila Bay and coastal areas; and, h) Guide for the private sector in identifying potential projects.
<p>"Similarly, immediate decision-making on resettlement was essentially transferred to the task force led by DENR."</p>	<p>It may be clarified at the onset that the Department of Human Settlements and Urban Development (DHSUD), which was created in February 2019 by virtue of the enactment of Republic Act (RA) No. 11201, shall act as the <i>primary entity responsible for the management of housing, human settlement, and urban development</i>. Relatedly, Section 17 of the Local Government Code (LGC) also mandates provinces and cities to implement programs and projects for low-cost housing and other mass dwellings. Similarly, Section 39 of RA 7279 or the Urban Development and Housing Act of 1992 charged LGUs with the implementation of the said Act including, but not limited to, the implementation of a socialized housing program within their respective localities.</p> <p>Notwithstanding, DHSUD, as the lead agency of <i>Key Result Area (KRA) No. 3 on Social Preparation and Relocation of Informal Settler Families (ISFs)</i> under the Manila Bay Task Force (MBTF)¹, may enjoin concerned agencies, such as the Department of the Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD), LGUs, among others, to comply with relevant laws and policies concerning housing and resettlement.</p>
<p>2.2 Progress in the MBSDMP process and its relevance for the NCEA's advice</p>	<p>Since the commencement of the master planning exercise in January 2018, the MBSDMP Study Team has concluded Component 1 or the Strategic Planning Phase of the undertaking and is now proceeding towards Component 2 or the Action Planning Phase of the study.</p> <p>Nevertheless, the seven (7) reports² under Component 1 of the master plan, which have been delivered by the Study Team pursuant to the Terms of Reference (TOR) of the Study, are currently being updated/revised taking into consideration comments/additional inputs from various stakeholders. While the master plan is due for completion by July 2020, an updated version of the existing reports/deliverables of the Study Team may be expected in October 2019.</p>