

**Office of the President**  
**PRESIDENTIAL COMPLAINT CENTER**  
**Malacañang, Manila**

21 June 2021

**Secretary ROY CIMATU**

Department of Environment and Natural Resources  
Visayas Ave., Diliman  
Quezon City

Thru: **USEC. RODOLFO C. GARCIA**  
Chief of Staff

**Sir:**

Respectfully forwarding the attached letter dated 22 April 2021, with enclosure/s, addressed to **PRESIDENT RODRIGO ROA DUTERTE**, for appropriate action, consistent with existing laws, rules and regulations on the matter from **Ms. DIWATA H. FETIZANAN**, Secretary to the Sangguniang Panlalawigan, Sangguniang Panlalawigan, Calapan City, Oriental Mindoro, seeking Presidential intercession relative to issues and concerns which, as stated therein, may be best coordinated/addressed by that Department.

A reply direct to the party/ies concerned, copy furnished the Center, citing **PCC Code Number/s GL-HRI-06-14-2021-027**, will be highly appreciated. Expeditious action is requested in accordance with the provisions of Republic Act No. 11032, otherwise known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 as implemented and enforced by the **Anti-Red Tape Authority**. Please be reminded that failure to timely respond to the public's concern shall be a ground for administrative sanctions under existing laws and regulations.

Our cordial regards.

Very truly yours,

  
**JAIME LLAGUNO MABILIN**  
Director IV

Encl: All enclosures forwarded to agency  
cc: party/ies concerned  
HRI

*hi*

**IMPORTANT**

Information contained in this communication is privileged, confidential and intended solely for the use of the individual or entity to whom it is addressed and others authorized to receive it. If you are not the intended recipient, you must not disclose or use the information contained in it. If you have received this communication in error, please notify the Presidential Complaint Center immediately and dispose this communication in accordance with the provisions of Republic Act 10173 otherwise known as the Data Privacy Act of 2012.

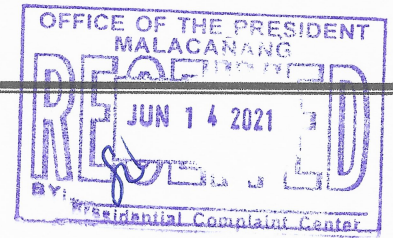
**BAHAY UGNAYAN, JOSE P. LAUREL STREET, MALACAÑANG, MANILA**  
Telephone Numbers: 736-8645 (Governance and Local Affairs Division);  
736-8603 (Social Services Division); Fax Number: 736-8621  
Email Address: [pcc@malacanang.gov.ph](mailto:pcc@malacanang.gov.ph)



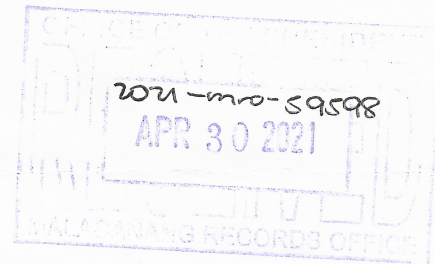
Republic of the Philippines  
PROVINCE OF ORIENTAL MINDORO  
City of Calapan

## SANGGUNIANG PANLALAWIGAN

APR 22 2021



**PRESIDENT RODRIGO ROA DUTERTE**  
President of the Republic of the Philippines  
Office of the President,  
Malacañang Complex, J.P. Laurel Street,  
San Miguel, Manila 1005



Dear President Duterte:

I have the honor to furnish you a copy of Resolution No. 5444-2021 of the Sangguniang Panlalawigan of the Province of Oriental Mindoro, entitled "**RESOLUTION REMINDING AND REQUESTING THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH), THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) AND THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) TO CONSULT THE SANGGUNIANG PANLALAWIGAN AS A CO-EQUAL BRANCH OF THE PROVINCIAL GOVERNMENT OF ORIENTAL MINDORO (PGOM) OF ALL UNDERTAKINGS OR ACTIVITIES INVOLVING SAND MINING AND LARGE-SCALE DREDGING WHETHER OR NOT IT INVOLVES RIVER REHABILITATION IN ORIENTAL MINDORO,**" for your information and appropriate action.

Very truly yours,

BY THE AUTHORITY OF THE  
SANGGUNIANG PANLALAWIGAN:

  
**DIWATA H. FETIZANAN**  
Secretary to the  
Sangguniang Panlalawigan



## SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE JOURNAL OF THE 79<sup>th</sup> REGULAR SESSION OF THE 10<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF ORIENTAL MINDORO HELD AT THE PEOPLE'S HALL, BATASANG PANLALAWIGAN (BENIGNO S. AQUINO, JR. LEGISLATIVE BUILDING), GOV. IGNACIO ST., BRGY. CAMILMIL, CITY OF CALAPAN, ORIENTAL MINDORO ON MARCH 18, 2021

### PRESENT:

Hon. Antonio S. Perez, Jr.	Vice Governor / Presiding Officer
Hon. Carlito F. Camo	Member
Hon. C. Voltaire S. Brucal	Member
Hon. Judy Ann D. Servando	Member
Hon. Emmanuel S. Buenaventura	Member / Floor Leader
Hon. Ramil O. Dimapilis	Member
Hon. Edilberto C. Ilano, Jr.	Member
Hon. Alexandra C. Casubuan	Member
Hon. Rafael L. Infantado	Member
Hon. Michael Anthony Philippe L. Leachon	Member
Hon. Dennis V. Brondial	ABC President, Ex-Officio Member

### OFFICIAL BUSINESS:

Hon. Marion Francis D. Marcos	PCL President, Ex-Officio Member
Hon. Joeniña R. Aguilon	SKPF President, Ex-Officio Member

### ON LEAVE:

Hon. Mae Arlene M. Talens	Member
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### RESOLUTION NO. 5444-2021

#### Author:

Board Member Emmanuel S. Buenaventura

**RESOLUTION REMINDING AND REQUESTING THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH), THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) AND THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) TO CONSULT THE SANGGUNIANG PANLALAWIGAN AS A CO-EQUAL BRANCH OF THE PROVINCIAL GOVERNMENT OF ORIENTAL MINDORO (PGOM) OF ALL UNDERTAKINGS OR ACTIVITIES INVOLVING SAND MINING AND LARGE-SCALE DREDGING WHETHER OR NOT IT INVOLVES RIVER REHABILITATION IN ORIENTAL MINDORO.**

**WHEREAS**, the Sangguniang Panlalawigan of Oriental Mindoro believes that the DPWH, DENR and the DILG are fully cognizant that the local government refers to the structure of government under the LGC of 1991, consisting of the Local Chief Executive and the co-equal local legislative branch;

**WHEREAS**, all undertakings or activities involving sand mining and large-scale dredging in the Province of Oriental Mindoro warrant or requires consultation, review and/or prior approbation by the Sangguniang Panlalawigan;

**WHEREAS**, the Sangguniang Panlalawigan as the highest policy-making body of the Province is mandated to discharge its key role in decision-making in all aspect of the province's developmental undertakings, particularly those that have great impact on the lives of people and the province's environment;

**WHEREAS**, Section 2 (c) of the Local Government Code of 1991 expressly requires local government consultation prior to the implementation of any program or project in their jurisdictions:

"Section 2. Declaration of Policy. xxxxx

(c) It is likewise the policy of the State to require all national agencies and offices to conduct periodic consultations with appropriate local government units, nongovernmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions."

**WHEREAS**, Section 26(c) of the Local Government Code of 1991 reiterates the requirement of local government consultation:

*[Handwritten signatures]*

“Section 26. Duty of National Government Agencies in the Maintenance of Ecological Balance. - It shall be the duty of every national agency or government-owned or controlled corporation authorizing or involved in the planning and implementation of any project or program that may cause pollution, climatic change, depletion of non-renewable resources, loss of crop land, rangeland, or forest cover, and extinction of animal or plant species, to consult with the local government units, nongovernmental organizations, and other sectors concerned and explain the goals and objectives of the project or program, its impact upon the people and the community in terms of environmental or ecological balance, and the measures that will be undertaken to prevent or minimize the adverse effects thereof.”

**WHEREAS**, Section 22 (c) of the Local Government Code of 1991 clearly states that prior authorization by the Sangguniang Panlalawigan is required of all local government contracts:

“Section 22. Corporate Powers. xxxxxx

(c) Unless otherwise provided in this Code, no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the sanggunian concerned. A legible copy of such contract shall be posted at a conspicuous place in the provincial capitol or the city, municipal or barangay hall.”

**WHEREAS**, the Sangguniang Panlalawigan of Oriental Mindoro has not been consulted, much less has it reviewed, considered or approved any proposal, contract, agreement or project, or any notice to the public for the submission of letters of intent, by PGOM or any government agency, involving the River Restoration thru Large Scale Dredging of the Bongabong River, Bucayao River, Mag-asawang Tubig River, Balete River and Baco-Alag River or any river in the province, which is in the nature of a government infrastructure project subject to full compliance with R.A. No. 9184 and its Revised IRR, and all relevant environmental laws and ordinances;

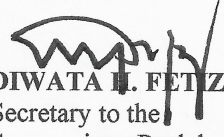
**WHEREAS**, there is a need to ensure that the disposition and utilization of Oriental Mindoro's natural resources and the implementation of public projects are only and truly pursued for the economic and ecological benefit of its people and future generations;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, BY THE SANGGUNIANG PANLALAWIGAN OF ORIENTAL MINDORO**, to remind and request Department of Public Works and Highways (DPWH) Secretary Mark A. Villar, Department of Environment and Natural Resources (DENR) Secretary Roy A. Cimatu, and the Department of Interior and Local Government (DILG) Secretary Eduardo Ano, and all concerned officials of the DPWH, DENR and DILG, to fully and properly consult the Sangguniang Panlalawigan as a co-equal branch of the Provincial Government of Oriental Mindoro (PGOM) on all initiatives, undertakings, activities or processes involving sand mining and large-scale dredging, whether or not it involves in full or in part river rehabilitation in Oriental Mindoro, to fully protect and promote public welfare and interest, and achieve transparency and accountability, in the implementation of government projects.

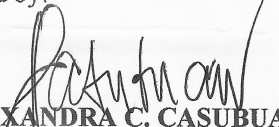
Let copies of this Resolution be furnished the Office of the President, the Executive Secretary, the Secretaries of DPWH, DENR, and DILG, Senior Deputy Speaker Salvador C. Leachon and Rep. Alfonso V. Umali, Jr., Provincial Governor Humerlito A. Dolor, all City and Municipal Mayors and all Sangguniang Panlungsod and Bayan in the Province of Oriental Mindoro, and all concerned government officials, including the Provincial Administrator, the Provincial Legal Officer and Provincial ENRO, for their information and/or appropriate action.

Upon motion of Board Member Emmanuel S. Buenaventura, jointly seconded by Board Members Edilberto C. Ilano, Jr., Ramil O. Dimapilis and Michael Philippe L. Leachon, this Resolution was... **APPROVED**.

Certified correct:

  
**DIWATA H. FETIZANAN**  
Secretary to the  
Sangguniang Panlalawigan

Attested by:

  
**ALEXANDRA C. CASUBUAN**  
Member/Temporary Presiding Officer



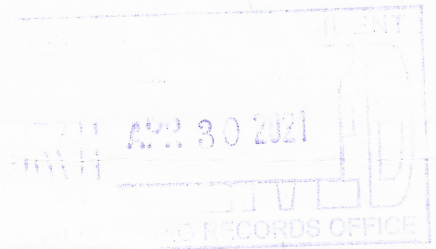
Republic of the Philippines  
PROVINCE OF ORIENTAL MINDORO  
City of Calapan

## SANGGUNIANG PANLALAWIGAN

APR 22 2021

**EXECUTIVE SECRETARY SALVADOR C. MEDIALDEA**

Executive Secretary  
Office of the Executive Secretary  
Ground Floor Premier Guest House  
Malacanang Palace, J.P. Laurel St.  
San Miguel, Manila




Dear Executive Secretary Medialdea:

I have the honor to furnish you a copy of Resolution No. 5444-2021 of the Sangguniang Panlalawigan of the Province of Oriental Mindoro, entitled "**RESOLUTION REMINDING AND REQUESTING THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH), THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) AND THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) TO CONSULT THE SANGGUNIANG PANLALAWIGAN AS A CO-EQUAL BRANCH OF THE PROVINCIAL GOVERNMENT OF ORIENTAL MINDORO (PGOM) OF ALL UNDERTAKINGS OR ACTIVITIES INVOLVING SAND MINING AND LARGE-SCALE DREDGING WHETHER OR NOT IT INVOLVES RIVER REHABILITATION IN ORIENTAL MINDORO,**" for your information and appropriate action.

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