



REPUBLIC OF THE PHILIPPINES  
**INTER-AGENCY COMMITTEE ON THE RESTORATION OF THE  
OCCIDENTAL MINDORO RIVERS AND ITS TRIBUTARIES**

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**RESOLUTION NO. 17  
Series of 2022**

**RESOLUTION AUTHORIZING THE RIVER MOUTH DEPOSIT REMOVAL  
WITHIN THE HEAVILY-SILTED RIVER CHANNELS OF THE  
PROVINCE OF OCCIDENTAL MINDORO**

**WHEREAS**, the Constitution mandates the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

**WHEREAS**, Executive Order No. 292, Series of 1987, otherwise known as the “Administrative Code of 1987”, stipulates that the State shall ensure, for the benefit of the Filipino people, the full exploration and development as well as the judicious disposition, utilization, management, renewal, and conservation of the country’s forest, mineral, land, waters, fisheries, wildlife, off-shore areas and other natural resources, consistent with the necessity of maintaining sound ecological balance and protecting and enhancing the quality of the environment and the objective of making the exploration, development, and utilization of such natural resources equitably accessible to the different segments of the present as well as future generations;

**WHEREAS**, under the General Power and Attributes of Local Government Units, every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

**WHEREAS**, pursuant to Republic Act No. 7942, otherwise known as the Philippine Mining Act of 1995, the State shall promote the rational exploration, development, utilization and conservation of all mineral resources in order to enhance national growth in a way that effectively safeguards the environment and protect the rights of affected communities;

**WHEREAS**, the Department of Public Works and Highways (DPWH), Department of Environment and Natural Resources (DENR), Department of Interior and Local Government (DILG), and Department of Transportation (DOTr), entered into a Joint Memorandum Circular (JMC) No. 1, Series of 2019 which sets the guidelines on the Issuance of Clearance and/or Permit for Dredging within the Waterways or other Inland Bodies of Waters;

**WHEREAS**, pursuant to Section 5.4 of the aforesaid JMC, DENR Administrative Order (DAO) No. 2020-12, dated October 7, 2020, was issued in order to rationalize Dredging Activities in Heavily-Silted River Channels within the Province of Occidental Mindoro.

**WHEREAS**, Section 1, Title VII of the aforesaid said DAO provides the creation of an Inter-Agency Committee (IAC);

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**WHEREAS**, Section 2 (c), Title VII of the above-mentioned Administrative Order states that the IAC has the power to propose policies and programs to rationalize the dredging operations;

**WHEREAS**, it has been a common knowledge that the cause of perennial flooding in the Province of Occidental Mindoro, particularly in the adjacent areas of the river basin is the voluminous deposits of silt, sand, gravel and other debris in the rivers and rivers deltas in the province;

**WHEREAS**, year after year, the massive flooding in the areas and communities of the adjoining rivers in the province have caused tremendous damage to crops, properties and sources of livelihood and even resulted to loss of lives;

**WHEREAS**, under the R.A. 10121 otherwise known as Philippine Disaster Risk Reduction and Management Act of 2010 (PDRRM Act of 2010), provides the creation of Local (Provincial) Disaster Risk Reduction and Management Office (PDRRMO) with a function of identifying, assessing and managing the hazards vulnerabilities and risks that may occur in their locality, to include implementing cost-effective risk reduction measures/strategies to address the said hazards;

**WHEREAS**, the PDRRMO may develop, strengthen and operationalize mechanisms for partnership or networking with the Private Sector, Civil Society Organizations (CSO) and Volunteer Groups for the effective disaster risk reduction and management in the province;

**WHEREAS**, considering that it is already rainy season and in view of the urgency of putting into place disaster reduction and mitigating measures on the devastating effects of massive flooding in the province, the Provincial Disaster Risk Reduction and Management Council (PDRRMC) of the province convened on August 5, 2022 and issued Resolution No. 3 series of 2022 entitled "**RESOLUTION REQUESTING HON. ANTONIA "TONI" YULO-LOYZAGA, SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) AND HON. MANUEL M. BONOAN, SECRETARY OF THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) TO LAUNCH RIVER WATERWAYS CLEAN-UP TO CLEAR THE IDENTIFIED RIVER MOUTHS OF SILTED MATERIALS AND SEDIMENTS OF THE PROVINCE AS PART OF THE PROVINCIAL DISASTER PREVENTION AND MITIGATION PROGRAM**";

**WHEREAS**, the River Restoration through Dredging Activities under Section 5.4 of JMC 2019-01 does not cover Industrial Sand and Gravel (ISAG) or Commercial Sand and Gravel (CSAG) regimes since the activity to be undertaken is dredging and not quarrying. However, this will not preclude the entitlement of the Province of Occidental Mindoro to the share from the commercial disposal of the dredged material in addition to the undertaking of the permit holder to restore the river thru dredging;

**WHEREAS**, the Local Government Units are entitled to their equitable share derived from the utilization and development of the national wealth within their respective areas;

**WHEREAS**, disposal of dredged or extracted materials under this Order shall be governed by the principle according to which the government expects a reasonable return



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for its utilization, while holders of dredging clearance expect a reasonable return for its dredging operations while restoring the river to its original state;

**WHEREAS**, the Authority to remove the deposits along the river mouths and enhance the adjacent areas in the identified rivers of the province shall be vested upon the Inter-Agency Committee (IAC) on the Restoration of the Occidental Mindoro Rivers and its Tributaries considering that the DPWH and the Mines and Geosciences Bureau (MGB) does not exercise jurisdiction over the river mouths towards the sea;

**NOW, THEREFORE**, by unanimous decision of the members present, the Inter-Agency Committee on the Restoration of the Occidental Mindoro Rivers and its Tributaries, hereby **RESOLVE**, as it is hereby **RESOLVED** to allow the LGU-Province through the Office of the Governor to issue the Notice to Proceed and the corresponding permits to qualified applicant who will undertake the River Mouth Deposit Removal Project upon compliance to the following:

1. Submission of River Delta Clearing and Shoreline Enhancement Plan that shall include information, such as but not limited to the following: maximum depth and width of the clearing of mouth deposit activity; maximum distance from the shoreline; volume of material to be removed; duration of activity; bathymetric and marine studies; baseline environmental study; and other necessary information as may be required and deem necessary by the IAC;
2. Environmental Compliance Certificate (ECC) for the River Delta; and
3. Payment of the necessary fees, charges and taxes;

**RESOLVED FURTHER** the DPWH Regional Office IV-B, upon the request of the IAC, is hereby authorized to initially review the River Delta Clearing and Shoreline Enhancement Plan that will be submitted by the applicant which in turn they will present before the IAC for deliberation and approval.

**APPROVED AND ADOPTED** this \_\_\_\_\_, at the City of Manila, Metro Manila, Philippines.

**Gov. EDUARDO B. GADIANO**  
Chairperson,

**LORMELYN E. CLAUDIO, CESO IV**  
Vice-Chairperson

**GERALD A. PACANAN, CESO III**  
Member

**GLENN MARCELO C. NOBLE**  
Member

**JOE AMIL M. SALINO**  
Member