



September 5, 2023

MEMORANDUM

FOR : FELIX S. MIRASOL, JR., CESO IV
OIC, Regional Executive Director
DENR MIMAROPA Region
1515 DENR By the Bay Building
Roxas Boulevard, Barangay 668,
Ermita, Manila

THRU : MAXIMO C. LANDRITO
OIC, Assistant Regional Director
for Technical Services

FROM : The OIC, PENR Officer
Odiongan, Romblon

**SUBJECT : HIGHLIGHTS OF THE MINUTES OF TECHNICAL
CONFERENCE REGARDING DPWH PROJECT "DUBDUBAN
FLOOD CONTROL STRUCTURE" CONDUCTED ON
SEPTEMBER 1, 2023**

Respectfully submitted is the highlights of the conducted Technical Conference for the Dubduban Flood Control Project of DPWH held on September 1, 2023 at PENRO Romblon Conference Room.

Please be informed that as per agreement, the DPWH will revise the structural design to minimize, if not avoided, the mangrove trees that might be affected.

Attached is the report on the actual site inspection conducted on August 30, 2023 including GIS maps generated.

For information and further instructions, please.


CESAR P. ODI



MEMORANDUM

FOR : The OIC, PENR Officer
DENR, Odiongan, Romblon

THRU : The Chief, Technical Services Division

FROM : The Undersigned

SUBJECT : **HIGHLIGHTS OF THE MINUTES OF TECHNICAL
CONFERENCE REGARDING DPWH PROJECT "DUBDUBAN
FLOOD CONTROL STRUCTURE" CONDUCTED ON
SEPTEMBER 1, 2023**

DATE : September 4, 2023

INTRODUCTION

The "Construction of Dubduban Flood Control Structure" was a CY-2023 approved project of Department of Public Works and Highways (DPWH) under Flood Management Program located at San Agustin, Romblon and awarded to Legacy Construction Corporation.

The project will cover a total length of 735.87 L.M. and will directly traverse through a mangrove area affecting about 138 mangrove trees. On August 1, 2023, Mr. Alex H. Abelo, President of Legacy Construction Corporation requested for an earth-balling permit for the mangrove trees that will be affected during the project construction.

On August 30, 2023, this Office conducted actual site inspection in the area to determine the extent of the project and in order to come up with categorical recommendations that will lessen the environmental impacts of the project particularly on the mangrove trees to be affected.

On September 1, 2023, this Office conducted a Technical Conference with representatives from the DPWH MIMAROPA Region-Romblon Headquarter held at the DENR-PENRO Romblon, Conference Room in order to discuss the findings and recommendations based on the conducted actual site inspection. Also present in the technical conference were representatives from the Legacy Construction Corporation.

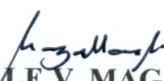
HIGHLIGHTS OF THE TECHNICAL CONFERENCE

- OIC-PENR Officer Cesar P. Odi started the meeting at around 1:00pm with a brief introduction and acknowledgement of attendees from PENRO Romblon, DPWH, and the Legacy Construction Corporation. Afterwards, OIC-PENRO Odi went straight to the matter at hand and gave a brief background including the processes and actions taken on the project. He also explained the pertinent laws, rules and regulations governing mangrove areas in the country.
- Chief TSD Malvin R. Rocero presented the findings based on the actual site inspection conducted on August 30, 2023. He elaborated the recommendation of the Office to redesign the plan and divert the dike to be constructed in order to ensure minimal damage to the environment and decrease the number of mangrove trees to be affected.




- The recommended/proposed design of the dike follows the natural flow of the river and lessens the project width from 50 meters to 25 meters in accordance to the natural width of the connecting river upstream. In this way, there is only minimal damage to the mangrove area and to the environment.
- Engr. John Arthur F. Mayor of DPWH assured that the recommendation will be carefully considered and will be forwarded immediately to their Regional Office.
- Project Engineer Arjie R. Sixon, also assured that he will reflect the recommended design in the revision of the plan. They also stated that the project design will most likely be revised depending on the actual field conditions and issues such as this.
- With this, OIC-PENRO Cesar P. Odi requested that the DPWH shall immediately inform this Office upon the approval of the design revision prior to the commencement of the inventory of the mangrove trees that will be affected which will then be endorsed to the Regional Office. In the meantime, there should be no operation/construction in the project area.
- PENRO Odi also requested that for the future projects of the DPWH in the province, DENR must be involved earlier during the planning process so as to ensure that all environmental concerns will be addressed and considered carefully.
- Having all matters discussed and agreed upon, the meeting was adjourned at about 2:30pm.

Prepared by:

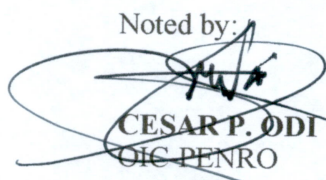

MARIELLE V. MAGALLANES
Forester I

Reviewed by:

"For and in the absence of the Chief, TSD:"

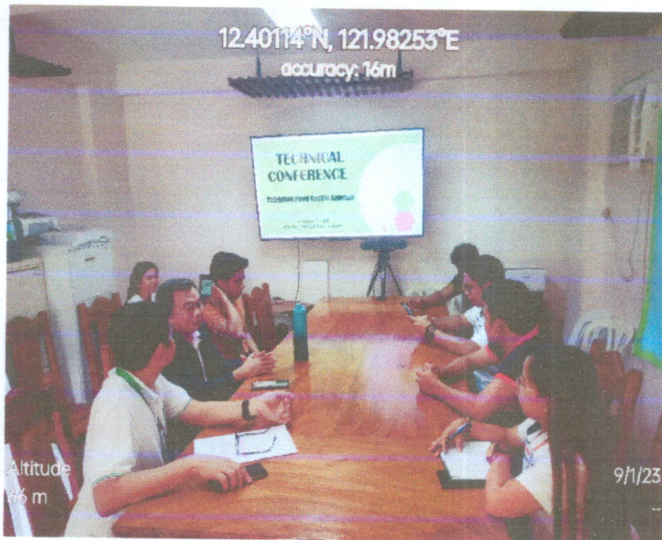

ALLAM. SENDIONG
Chief, RPS

Noted by:


CESAR P. ODI
OIC-PENRO



PHOTODOCUMENTATION



During the conduct of technical conference for the construction of Dubduban Flood Control Structure at San Agustin, Romblon.



Presentation of findings and recommendations in order to ensure minimal environmental damage.

Signature



August 31, 2023

ENGR. JAN MARRO B. SORIANO
Engineer II
DPWH MIMAROPA Region
Romblon Headquarter
Odiongan, Romblon

Dear Engr. Soriano;

Greetings in conservation!

This is in connection to the CY-2023 approved project entitled "Construction of Dubduban Flood Control Structure" located at San Agustin, Romblon awarded to Legacy Construction Corporation.

In this regard, we would like to invite you to a **Technical Conference** to discuss our findings and recommendations based on the conducted actual site inspection last August 30, 2023.


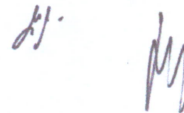
The technical conference will be conducted on **September 1, 2023, 1:00pm** at DENR-PENRO Romblon Conference Room, Brgy. Tabing-dagat, Odiongan, Romblon.

For other details and further inquiries, you may contact Forester I Marielle V. Magallanes at 0930-585-3946.

Your attendance will be highly appreciated.

Very truly yours,

CESAR P. ODI
OIC-PENR Officer



JOHN ARTHUR F. MAYOR



MEMORANDUM

FOR : The OIC, PENR Officer
DENR, Odiongan, Romblon

THRU : The Chief, Technical Services Division

FROM : The Undersigned

SUBJECT : **INSPECTION REPORT FOR THE PROJECT “CONSTRUCTION
DUBDUBAN FLOOD CONTROL STRUCTURE” LOCATED AT
SAN AGUSTIN, ROMBLON**

DATE : August 31, 2023

A. REFERENCE

1. Pursuant to Travel Orders as numbered dated August 29, 2023, pertaining to the letter request of Mr. Alex H. Abello of Legacy Construction Corporation.

B. FACTS

1. This Office received a letter request dated August 1, 2023 from Legacy Construction Corporation requesting for extraction/earth-balling of mangrove trees for their project “Construction of Dubduban Flood Control Structure” under the Department of Public Works and Highways (DPWH) 2023 Flood Management Program with the following attachments:
 - a. Letter Request dated August 1, 2023;
 - b. Certificate of Non-Coverage (CNC-R4B-0723-0086) dated July 17, 2023
 - c. Barangay Certification interposing no objection dated February 23, 2023
 - d. Barangay Resolution No. 01-2023 dated February 23, 2023
 - e. Sangguniang Bayan Resolution No. 25-2023 dated March 23, 2023
 - f. DPWH approved Detailed Engineering Design Plan for Construction of Dubduban Flood Control Structure;
 - g. Infrastructure Plan with Tree Charting Map
2. On August 3, 2023, the undersigned received a referral from Chief RPS Allan T. Sendiong instructing to conduct inspection on the said request.

C. ACTIONS

1. In compliance to the instruction of the DENR Officers, the undersigned proceeded to the site/area and conducted the following activities:
 - a. Coordinated with DPWH MIMAROPA Region-Romblon Headquarters
 - b. Conducted actual site inspection of mangrove trees to be affected by the construction of Dubduban Flood Control Structure located at San Agustin, Romblon.
 - c. Took drone shots of the project site.
 - d. Took geo-tagged photos.

D. FINDINGS

The findings of the inspection are as follows.

1. That the Department of Public Works and Highways (DPWH) has an approved project for CY-2023 entitled “Construction of Dubduban Flood Control Structure” located at San Agustin, Romblon.
2. That the said project was awarded to Legacy Construction Corporation represented by Alex H. Abello as the Contractor.
3. The project will cover a total length of 735.87 L.M. and will directly traverse through a mangrove area.



4. That based on their submitted tree charting map, they have inventoried about 138 mangrove trees consisting mostly of Pagatpat (*Sonneratia alba*) species that will be affected during the project construction.
5. That upon actual site inspection, the undersigned determined the possibility of redirecting the dike to be constructed in such a way that lesser number of mangroves will be affected through overlaying the actual drone shots and the proposed structure using GIS.
6. That the natural flow of the river particularly the connecting river upstream has a width of 25 meters while the width of the project structure will open up about 50 meters river width affecting roughly 36 meters of the mangrove area.
7. That Pagatpat belongs to mangrove species which is banned from cutting as stipulated in RA 7161.

E. LEGAL BASIS

1. Presidential Decree No. 705 "Revised Forestry Code of the Philippines"
Section 16 – states that areas needed for forest purposes include strips of mangroves or swamplands at least 20m wide, along shorelines facing oceans, lakes and other bodies of water; all mangrove swamps set aside for coastal protection shall not be subject to clear-cutting operation; mangrove swamps released to BFAR for fishpond purposes which are not utilized, or which have been abandoned for 5years shall revert to the category of forest land.
Section 33 – identifies riverbanks, easements, deltas, swamps, former river beds and beaches as reforestable areas and covered with suitable and sufficient trees.
Section 43 – states that mangrove forests which protect the shoreline, the shoreline roads, and even coastal communities from the destructive force of the sea during high winds and typhoons shall be maintained and not alienated; such strips must be kept from artificial obstructions.
2. Republic Act No. 7161-Incorporating certain sections of the Internal Revenue Code to PD 705, among others, bans the cutting of all species of mangroves.

F. COMMENTS AND RECOMMENDATIONS

Actual site inspection showed that the construction of Dubduban Flood Control Structure will pose significant damage to the mangrove area and will affect about 138 mangrove (Pagatpat) trees.

Thus, this Office recommends the revision of the project design to follow the natural flow of the river and lessen the project structure width from 50 meters to 25 meters in accordance to the natural width of the connecting river upstream. In this way, there will only be minimal damage to the mangrove area and lesser number of mangrove trees will be affected, if any.

Furthermore, a Technical Conference shall be conducted in order to discuss these findings and recommendations with the applicant.

For your consideration and approval


MARIELLE V. MAGALLANES

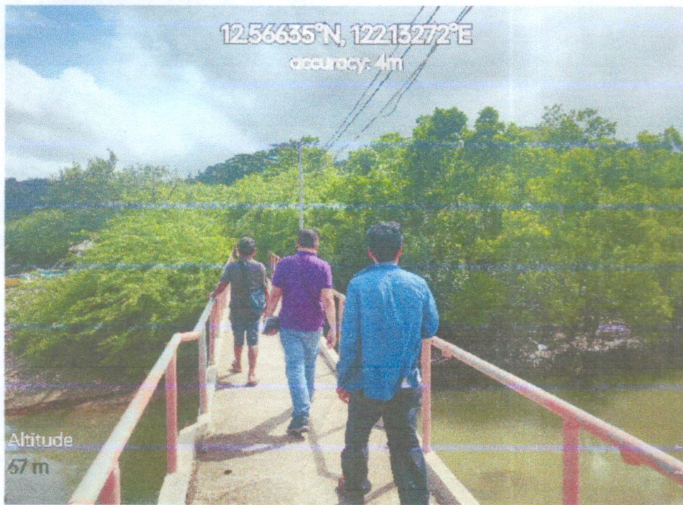

RODEL D. FALCUAN

Reviewed by:


MALVIN R. BOCERO
Chief, TSD



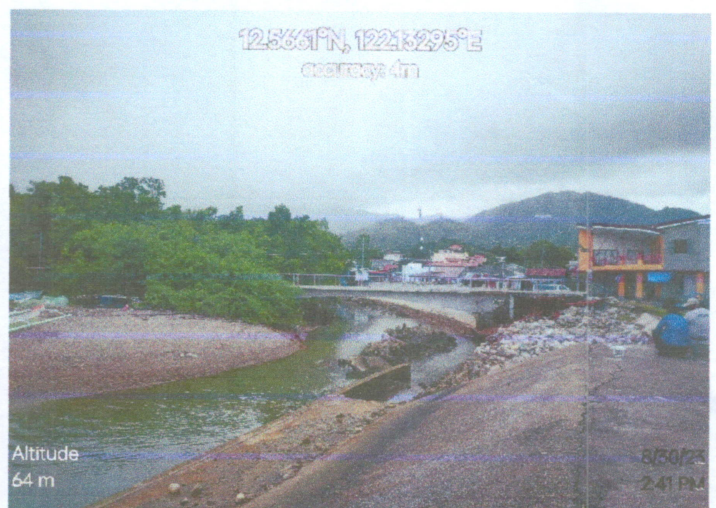
PHOTODOCUMENTATION



During site inspection of Dubduban Flood Control Structure construction

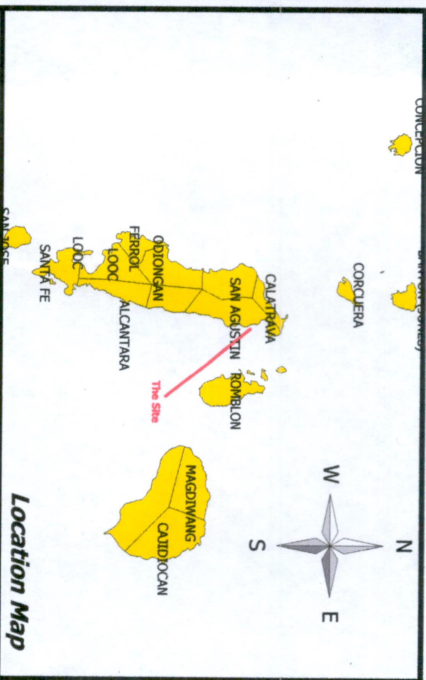


Taking of drone shots of the project site



The project site

Handwritten signatures and initials.



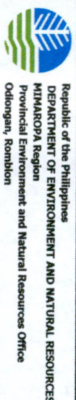
**CONSTRUCTION OF DUBDUBAN FLOOD CONTROL STRUCTURE
UNDER THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
(DPWH)-ROMBLON**

LOCATION
Barangay : POBLACION
Municipality : SAN AGUSTIN
Province : ROMBLON

River: 25 METERS WIDE

SCALE : 1:1400

Projection: Universal Transverse Mercator - Zone 51 (N)
Datum : World Geodetic 1984 (WGS84)



CERTIFICATION

We certify that this is the map to be subjected for construction
of flood control and the information provided herein were true
and correct to the best of our professional knowledge and
judgment.

Prepared by:
RODEL D. FALCULAN
Forest Technician II

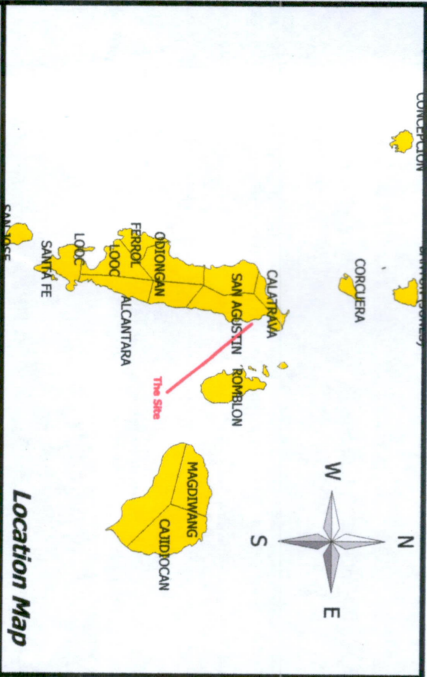
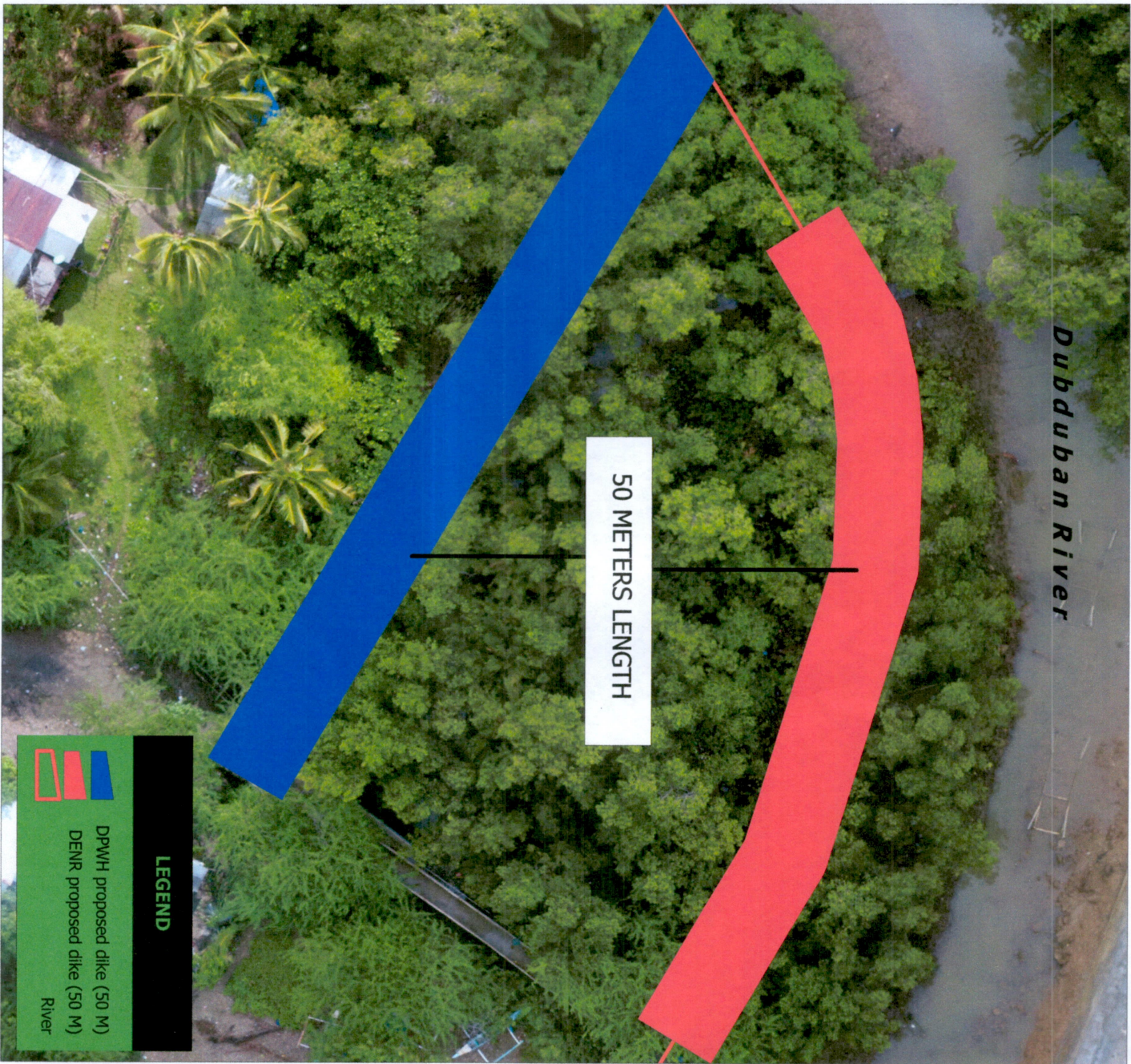
MARLENE MAGALANES
Forester I

Recommending approval:

MAVYN R. ROCERO
Chief Technical Services Division

Approved by:

CESAR P. ODI
OIC, PENR OFFICER



**CONSTRUCTION OF DUBDUBAN FLOOD CONTROL STRUCTURE
UNDER THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
(DPWH)-ROMBLON**

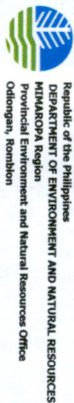
LOCATION

Barangay : POBLACION
Municipality : SAN AGUSTIN
Province : ROMBLON

River: 25 METERS WIDE

SCALE : 1:350

Projection: Universal Transverse Mercator - Zone 51 (N)
Datum : World Geodetic 1984 (WGS84)



CERTIFICATION

We certify that this is the map to be subjected for construction of flood control and the information provided herein were true and correct to the best of our professional knowledge and judgement.

Prepared by:
RODEL D. FAJULAN
Forest Technician II

MARIELLE MAGALANES
Forester I

Recommending approval:

MALVIN R. ROCERO
Chief Technical Services Division

Approved by:

CESAR P. ODI
OIC, PENR OFFICER

Document Routing Slip

Document Number: 2023-115005

Date Endocded: 01-Aug-2023

Sender: Alex H. Abelido-President

Address: Odlongan, Romblon

Subject: Letter dated August 1, 2023 re: Submission of documents required for the request of Earth Bailing Permit of LEGACY Construction, Corp.

Addressee: Mr. Cesar P. Odi- The OIC PENR Officer

Attachment(s): Letter; 1 white folder of documents listed in the letter

Urgent: No; received by Mariel Layson-Tayco

Date Received: 01-Aug-2023

ROUTING AND ACTION INFORMATION

FROM	DATE RECEIVED	FOR/TO	DATE RELEASED	ACCEPTANCE REMARKS/ACTION REQUIRED/TAKEN REMARKS/STATUS
OP	2023-08-01	PO-RECORDS		Date 2023-08-01 Status IN From: leianegracemgan Message: Forwarded to records officer for info and referrals a.a. Thank you. 13:45:15
	AUG 01 2023 02 AUG 2023	RPS		<p>For evaluation and immediate appropriate action based on existing guidelines and regulations on the implementation of DWH projects and cutting of mangroves. Thanks -</p> <p>My 08/02</p> <p>Pls coordinate this w/ Foster Chisaraul as far as, can recalled they inspect this initially, coordinate also to the request for inspection and conduct inventory of mangrove that might be affected. Thanks</p>

for Marielle 8-7-2023
9:50 AM



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

August 29, 2023

Officer-in-Charge
DPWH MIMAROPA Region
Romblon Headquarter
Odiongan, Romblon

Sir/Ma'am;

Greetings in conservation!

This is in connection to the CY-2023 approved project entitled "Construction of Dubduban Flood Control Structure" located at San Agustin, Romblon awarded to Legacy Construction Corporation.

Pursuant to the request of Mr. Alex H. Abelo, President of Legacy Construction Corporation dated August 1, 2023, this Office will be conducting site inspection and inventory of the said project tomorrow, August 30, 2023.

In this regard, we are requesting for a representative of your Office, preferably the Engineer in-Charge of the project to guide and assist us in the conduct of the said activity.

For other details and further inquiries, you may contact Forester I Marielle V. Magallanes at 0930-585-3946.

We are hoping for your favorable action on this matter.

Very truly yours,

CESAR R. ODI
OIC-PENR Officer

AI *M*

John /09217177523
JOHN ARTHUR F. MAYOR



LEGACY CONSTRUCTION CORPORATION

604 Mancup Road, Calasiao, Pangasinan



Bacolod Office:

No. 1 Calachuchi St., Capitolville Subd.,
Bacolod City
(034) 709-3372

Manila Office:

Unit 411 Crisanta Tower 325 Henry Javier St.,
Brgy. Oranbo, Pasig City
(02) 621-5882

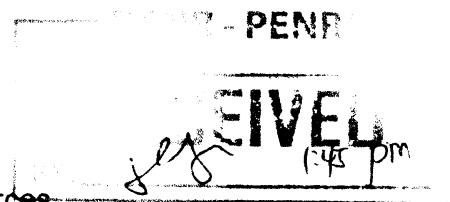
August 1, 2023

MR. CESAR P. ODI

OIC – PENR Officer

DENR – Department of Environment and Natural Resources

Tabing-Dagat, Odiongan, Romblon



Attention: Ms. Marielle Magallanes
Forester I

Sir,

Good Day!

This is for the concern in the project of DPWH entitled Construction of Dubduban Flood Control Structure. The following are the requirements for the Earth Bailing Permit.

1. Appropriate infrastructure plan with tree charting (e.g Road Alignment Plan, Building Plan) indicating the geotagged location of individual trees affected by the project to be numbered sequentially and shall be vetted by the DPWH as a basis of the validation by the DENR during the actual cutting operations;
2. Appropriate Environmental Clearance (CNC/ECC);
3. Endorsements from the Local Government Units;
4. Waiver/Consent corresponding to the appropriate infrastructure plan in the case of tree cutting within private lands;
5. Appropriate Land Tenure Instrument (LTIs) for tree cutting within forest land; and
6. Certificate that the project is included in the "Build Build Build" program of the government.

Thank you very much.

Sincerely,

ALEX H. ABELIDO
President