



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Visayas Avenue, Diliman, Quezon City
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JUL 03 2023

URGENT MEMORANDUM

TO : **The OIC Director**
 Mines and Geosciences Bureau
 central@mgb.gov.ph

: **The Director**
 Environmental Management Bureau
 Concurrent, The OIC, Assistant Secretary
 Field Operations Luzon and Visayas

: **The Regional Executive Director**
 DENR MIMAROPA Region
 3rd flr., 1515 DENR by the Bay Bldg., Roxas Boulevard,
 Brgy. 668, Ermita, Manila
 mimaroparegion@denr.gov.ph

: **The Regional Director**
 EMB MIMAROPA Region
 6/F DENR Bldg., Roxas Blvd.,
 Ermita, Manila
 emb_mimaropa@yahoo.com
 embmimaropa@emb.gov.ph

: **The Regional Director**
 MGB MIMAROPA Region
 7/F DENR Bldg., Roxas Blvd.,
 Ermita, Manila
 mines_4b@yahoo.com

FROM : **The Undersecretary**
 Legal and Administration

SUBJECT : **VERONICA BATAN, ELMOR A. BORDA AND**
 ALFREDO B. PASCUAL VS. MINES AND
 GEOSCIENCES BUREAU, DEPARTMENT OF
 ENVIRONMENT AND NATURAL RESOURCES,
 ALTAI PHILIPPINES MINING CORP. G.R. NO.
 265146 WRIT OF KALIKASAN WITH PRAYER FOR
 ISSUANCE OF TEMPORARY ENVIRONMENTAL
 PROTECTION ORDER (TEPO)

This pertains to the petition¹ filed before the Supreme Court by the petitioners in the above-mentioned case. The Department, as one of the respondents of the case, was furnished with a copy of the Resolution dated 13 June 2023 on 29 June 2023, to wit:

¹ Copy of the Petition is attached as ANNEX "A".

G.R. No. 265146 (Veronica R. Batan, Elmor A. Borda, and Alfredo B. Pascual vs. Mines and Geosciences Bureau, Department of Environment and Natural Resources, and Altai Philippines Mining Corporation). - Acting on the Petition for Writ of Kalikasan (with Prayer for the Issuance of a Temporary Environmental Protection Order), the Court Resolved to:

- (a) **ISSUE** a **WRIT OF KALIKASAN** against the respondents;
- (b) **REQUIRE** the respondents to file a **VERIFIED RETURN/COMMENT** on the petition within a **NON-EXTENDIBLE** period of ten (10) days after service of the writs;
- (c) **REFER** the case to the **COURT OF APPEALS** for further reception of evidence pursuant to A.M. No. 09-6-8-SC; and
- (d) **DENY** the prayer for the ex-parte Temporary Environmental Protection Order.

The Court further Resolved to **NOTE** the Entry of Appearance dated May 29, 2023 filed by Esguerra & Blanco, entering its appearance as counsel for respondent Altai Philippines Mining Corporation and **GRANT** said counsel's request to be served with copies of all notices, orders, and other processes at 4th and 5th Floors, S&L Building, Dela Rosa corner Esteban Streets, Legaspi Village, Makati City.

Considering the requirement of the Supreme Court to submit the Verified Return/ Comment. This Office has endorsed it to the Office of the Solicitor General for the appropriate legal representation of the DENR. In line with this action, this Office is requesting your Offices to prepare the needed documents and to coordinate closely with the OSG for the preparation of the required Verified Return/Comment.

For your preferential attention and appropriate action please.

ATTY. ERNESTO D. ADOBO JR., CESO I

Copy furnished:

The Office of the Secretary

The Undersecretary

Field Operations Luzon, Visayas and
Environment

ASG Gilbert U. Medrano
Senior State Solicitor Cecile A. Sato
Office of the Solicitor General
OSG Building, 134 Amorsolo St.
Legaspi Village, Makati City
casato@osg.gov.ph



JUL 03 2023

ASG GILBERT U. MEDRANO
Office of the Solicitor General
OSG Building, 134 Amorsolo St.
Legaspi Village, Makati City

THRU : CECILE A. SATO
Senior State Solicitor
casato@osg.gov.ph

SUBJECT : VERONICA BATAN, ELMOR A. BORDA AND ALFREDO B. PASCUAL VS. MINES AND GEOSCIENCES BUREAU, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, ALTAI PHILIPPINES MINING CORP. G.R. NO. 265146 WRIT OF KALIKASAN WITH PRAYER FOR ISSUANCE OF TEMPORARY ENVIRONMENTAL PROTECTION ORDER (TEPO)

Dear ASG Medrano and SSS Sato:

Isang makakalikasang araw!

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G.R. No. 265146 (Veronica R. Batan, Elmor A. Borda, and Alfreo B. Pascual vs. Mines and Geosciences Bureau, Department of Environment and Natural Resources, and Altai Philippines Mining Corporation). - Acting on the Petition for Writ of Kalikasan (with Prayer for the Issuance of a Temporary Environmental Protection Order), the Court Resolved to:

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orders, and other processes at 4th and 5th Floors, S&L Building, Dela Rosa corner Esteban Streets, Legaspi Village, Makati City.


Thus, this Office is endorsing the said Resolution to the OSG as the official representative of government agencies in any litigation or proceeding. This Office has instructed the Mines and Geosciences Bureau (MGB) and the Environmental Management Bureau (EMB) and its Regional Offices to prepare the documents and closely coordinate with the OSG for preparation of the Verified Return/Comment. Additionally, this Office is forwarding to your Office the Memorandum² from the EMB MMIMAROPA Region containing the following documents in relation to the above-mentioned case, viz:

1. Complete Staff Work containing the timeline of activities and actions taken in response to concerns related to the operations of Altai Philippines Mining Corporation;
2. Certificate of Non-Coverage;
3. Notice of Violation; and,
4. Order issued by EMB MIMAROPA Region.

Should you have further need for information and assistance, this Office may be reached at las.denr@gmail.com and legal.cpmid@denr.gov.ph. Likewise, the relevant Offices may also be reached in the contact information below.

Thank you for your assistance to the Department.

Very truly yours,


ATTY. ERNESTO D. ADOBO JR., CESO I
Undersecretary
Legal and Administration

Copy furnished:

The Office of the Secretary

The Undersecretary
Field Operations Luzon, Visayas and Environment

The Assistant Secretary
Legal Affairs

The OIC Director
Mines and Geosciences Bureau
central@mgb.gov.ph

The Director
Environmental Management Bureau
Concurrent, The OIC, Assistant Secretary
Field Operations Luzon and Visayas

The Regional Executive Director
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The Regional Director
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mines_4b@yahoo.com

² Copy of the Memorandum is attached as ANNEX "B"