



RESOLUTION NO. 2022-74

Authored by: Hon. Victoriano B. Colili

Chairman, Committee on Environmental Protection and Natural Resources, Housing and Land use

A RESOLUTION REITERATING THE RESOLUTION NO.2015-119 "ENTITLED A RESOLUTION REQUESTING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES-MINES AND GEOSCIENCE BUREAU (DENR-MGB) FOR THE CONDUCT OF INVESTIGATION ON THE APPROPRIATENESS OF THE MINING AREAS CLAIMED BY IPILAN NICKEL CORPORATION, MACRO ASIA AND LEBACH IN THE MUNICIPALITY OF BROOKE'S POINT, PALAWAN AND TO RECALL ANY PERMITS ISSUED THEREBY DEFERRING ANY OPERATIONS OF THE SAID THREE MINING COMPANIES WHILE THE ISSUES HAVE NOT BEEN SETTLED

WHEREAS, Section 16 of the Local Government Code provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, 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, Palawan is known as the country's last ecological frontier. Its biodiversity and high endemism is known in the world. According to the Forest Management Bureau of the DENR 2013 Forestry Statistics report, of its 1,489,626 total land area of 692,288 hectares are covered with forest. Palawan is known to host a diversified flora and fauna including native birds and native trees endemic to the Philippines makes our bio-diversity rich province important for conservation;

WHEREAS, nestled in the southern part of the Palawan Man and Biosphere Reserve is the Mt. Mantalingahan Protected Landscape (MMPL), a protected area by virtue of Presidential Decree 1815 signed on June 23, 2019. It covers a total area of 120,457 hectares within the territorial jurisdiction of the municipalities of Bataraza, Brooke's Point, Española, Rizal and Quezon;

WHEREAS, MMPL as a key biodiversity area, it hosts denizens of plants and animals. One of only ten (10) sites of the alliance for Zero Extinction in the Philippines and one of the eleven (11) important bird areas in Palawan;

WHEREAS, the preservation of MMPL is enough to ensure the integrity of the ecological processes in this largely forested mountain range which is critical for maintaining biodiversity and providing various ecosystem services that benefits the local communities. These ecosystem services include water, soil conservation, flood control, carbon sequestration, non timber forest products and the high potentials of waterfalls, cover and other potential of tourism. The thirty three (33) watersheds within MMPL are extremely valuable to lowland agricultural economy in the area;

WHEREAS, MMPL is home of more than 12,000 families of Palaw'an, hence its protection and conservation is a must and should not be compromised with development specifically resource extractive activities;

WHEREAS, a large portion of the upland areas of the fourteen (14) barangays of Brooke's Point are within MMPL;

WHEREAS, the areas covered by the Mineral Production Sharing Agreement (MPSA) OF Macroasia, Ipilan Nickel and Lebach Mining overlap with MMPL;

WHEREAS, several bodies of water, namely: Sabsaban, Pangatleban, Ipilan, Filantropiya and Maasin rivers are the source of 3 irrigation dams that provide a stable supply of water to more or less Three Thousand (3,000) hectares of rice lands in Five (5) Barangays namely: Calasaguen, Maasin, Mambalot, Barongbarong, and Ipilan;

WHEREAS, open pit mining necessitates the cutting of the trees in order to extract the minerals. This will adversely impact the water supply of the aforesaid irrigations. Likewise denuded forest will result in flashfloods and landslides that will endanger not just the agricultural crops and animals but human lives as well;

WHEREAS, the areas covered by the said MPSA are classified as Forest Zone under the Comprehensive Land Use Plan (CLUP) and Forest Land Use Plan (FLUP) of this municipality;

WHEREAS, the MPSA of the said mining companies likewise overlap with the core zone and declared watershed of the Municipality of Brooke's Point;

WHEREAS, the permit given by the DENR through MGB to conduct mining operations within the municipality's declared forest zone undermines the local autonomy of Brooke's Point;

WHEREAS, this august body received several complaints from Indigenous People, farmers, fisherfolks and residents of the impact barangays concerning the impending operation of the aforesaid mining companies;

WHEREAS, there is a need to re-evaluate /investigate the appropriateness of mining operations within Brooke's Point territorial jurisdiction to avoid possible environmental disaster and the potential loss of livelihood of the IP, farmers and fisherfolks;

NOW THEREFORE on motion of Councilor Victoriano B. Colili, duly seconded by the Body, be it;

RESOLVE, as it is hereby resolved **TO REQUEST THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES-MINES AND GEOSCIENCE BUREAU FOR THE CONDUCT OF INVESTIGATION ON THE APPROPRIATENESS OF THE MINING AREAS CLAIMED BY IPILAN NICKEL CORPORATION, MACRO ASIA AND LEBACH IN THE MUNICIPALITY OF BROOKE'S POINT, PALAWAN AND TO RECALL ANY PERMITS ISSUED THEREBY DEFERRING ANY OPERATIONS OF THE SAID THREE MINING COMPANIES WHILE THE ISSUES HAVE NOT BEEN SETTLED.**


RESOLVED FINALLY, to furnish copies of this resolution the DENR Central Office thru Secretary Antonia Yulo-Loyzaga, DENR-MGB Central Office thru Director Atty. Wilfredo G. Moncano and DENR-MGB-Region-IVB thru Regional Director Glenn Marcelo C. Noble and to all concerned agencies/offices for their information and appropriate action.

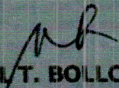
CARRIED:


ADOPTED during the 122nd Regular Session held on July 25, 2022 at Legislative Building, Sangguniang Bayan Session Hall, Brooke's Point, Palawan with the **AFFIRMATIVE VOTES** of Coun. Sarah Jane C. Abon; Coun. Richard R. Balean; Coun. Ezekiel E. Rodriguez; Coun. Jonathan Z. Lagrada; Coun. Victoriano B. Colili; Coun. Jimart M. Naingue and Coun. Nerelia P. Pacaldo

I HEREBY CERTIFY to the approval of the foregoing resolution.

Attested by:


ATTY. MARY JEAN D. FELICIANO
Municipal Vice Mayor/Presiding Officer


RAZUL T. BOLOSO
Secretary to the Sanggunian

Approved by 
CESAREO R. BENEDITO, JR.
Municipal Mayor