

MINUTES OF THE FEBRUARY 09, 2023 MEETING OF THE INTER-AGENCY COMMITTEE (IAC) ON THE RESTORTATION OF THE OCCIDENTAL MINDORO RIVERS AND ITS TRIBUTARIES

Conducted at DPWH MIMAROPA
February 09, 2023

PRESENT:

Hon. Governor Eduardo B. Gadiano
MGB MIMAROPA – RD Engr. Glenn Marcelo C. Noble
EMB MIMAROPA – RD Joe Amil M. Salino (via Zoom)

ALSO PRESENT:

Head of PGOM Secretariat – Atty. Tirso Augustus L. Abeleda II
DPWH MIMAROPA – Atty. James Corwin S. Custodio
DPWH MIMAROPA – Atty. Elaine Anza
DPWH MIMAROPA – Engr. Dennis P. Abagon
EMB MIMAROPA – Joana Marin
EMB MIMAROPA – Nicole Yuri V. Dorado
Consultant, Office of the Governor of Occidental Mindoro – Regina Unson
IAC Secretariat – Atty. Jaime Lorenzo P. Bañez
Mayors/Vice Mayors of Occidental Mindoro

- 1 The meeting began with the reading of the December 06, 2022 Minutes.
- 2 Hearing no further concerns and objections from the Committee, the
- 3 December 06, 2022 Minutes was then duly approved.

- 4 Hon. Gov. Gadiano then enumerated seven (7) agendas to be
- 5 discussed by the Committee, to wit:

- 6 1. Updates on the proposed IAC Resolution No. 17
- 7 series of 2022;
- 8 2. Implementing rules of IAC Resolution No. 17 series
- 9 of 2022;
- 10 3. Update on Notice to Proceed;
- 11 4. Authority to issue one transport permit (OTP);

5. Creation of Monitoring Team;
6. Update on rivers subject for reassignment; and
7. Other issues and concerns.

Considering that the meeting was attended by the leaders of concerned local government units of Occidental Mindoro (LGUs) and other stakeholders, the Committee decided to start the said meeting with a discussion of the pertinent provisions of DENR Administrative Order No. 2020-12 (DAO 2020-12) with the said LGUs. In the discussion of DAO 2020-12, the Committee likewise relayed and explained to the LGUs its own powers and functions as the governing body.

Immediately after the presentation of DAO 2020-12, an open forum was held. The LGUs raised several questions.

First, the LGUs asked their role in DAO 2020-12. The Committee relayed that the role of the LGUs is to coordinate with the proponents in securing the necessary clearances and permit.

Second, the LGUs asked how a river dredging zone (RDZ) is determined. The Committee relayed that RDZ is determined by the Mines and Geosciences Bureau (MGB) based on geohazard susceptibility maps.

Third, the LGUs asked how a river is classified as small or big. The Committee relayed that river classification is likewise determined by the MGB based on its volume of sand and gravel.

Fourth, the LGUs asked how could the overall process be expedited. The Committee relayed that the jurisdictional issues on the river mouth or delta have caused stagnation on the overall process. The Committee likewise relayed that IAC Resolution No. 17 could solve such stagnation. The said resolution would serve as the proof of authority of the proponents to conduct clearing operations at the river mouth or delta.

The committee undertook that it would suggest with the MGB for their determination whether the said rivers would qualify as RDZs.

1 Lastly, the LGUs relayed that there are other rivers that are yet to be
2 classified as RDZs. The Committee undertook that it would suggest with the
3 MGB to consider the said rivers as RDZs.

4 The Committee then proceeded to discuss the first agenda, the updates
5 on the proposed IAC Resolution No. 17 series of 2022. It appeared that the
6 said resolution has yet to be signed by the members of the Committee. Thus,
7 it was distributed for their respective signatures.

8 Thereafter, the Committee was supposed to discuss the second
9 agenda, the Implementing Rules and Regulations of IAC Resolution No. 17
10 series of 2022, but it was deferred for further review and deliberation.

11 The Committee then proceeded to discuss the third agenda, update on
12 Notice to Proceed (NTP). It was explained that the issuance of NTP is subject
13 to the completion of national requirements by the proponent. Moreover,
14 prior to the actual issuance of NTP, the provincial government shall inform
15 the concerned local government unit on the eventual deployment of the
16 equipment of the concerned proponent.


17 The Committee then proceeded to discuss the fourth agenda, the
18 authority to issue ore transport permit (OTP). It was explained that before
19 the issuance of an OTP by the MGB, the proponent has to pay the necessary
20 taxes and application fees.

21 The Committee then proceeded to discuss the fifth agenda, the
22 creation of Monitoring Team. It was explained that the purpose of the said
23 team is to monitor the volume of silts extracted by the proponents. It was
24 further explained that a team is to be composed by representatives from
25 concerned LGUs and other stakeholders.


26 The Committee then proceeded to discuss the sixth agenda, update on
27 rivers subject for reassignment. It was relayed that there are four (4)
28 proponents that are currently deemed stagnant. The Committee ordered for
29 the issuance of a final notice against these proponents. The Committee
30 agreed that their respective rivers shall be reassigned upon failure to act and
31 comply despite final notice.

1 The meeting was adjourned at 4:07 in the afternoon.

Prepared by:


Atty. Jaime Lorenzo P. Bañez
IAC Secretariat

Attested by:


Hon. Eduardo B. Gadiano
Governor of Occidental Mindoro

MINUTES OF THE MAY 17, 2023 MEETING OF THE INTER-AGENCY COMMITTEE (IAC) ON THE RESTORTATION OF THE OCCIDENTAL MINDORO RIVERS AND ITS TRIBUTARIES

Conducted at MGB MIMAROPA Office
May 17, 2023

PRESENT:

Hon. Governor Eduardo B. Gadiano
DPWH MIMAROPA – RD Engr. Gerald A. Pacanan, CESO III
EMB MIMAROPA – RD Joe Amil M. Salino

ALSO PRESENT:

Head of PGOM Secretariat – Atty. Tirso Augustus L. Abeleda II
DPWH MIMAROPA – Atty. James Corwin S. Custodio
EMB MIMAROPA – Joanna Mariz B. Marin
EMB MIMAROPA – Nicole Yuri V. Dorado
Consultant, Office of the Governor of Occidental Mindoro – Regina Unson
IAC Secretariat – Atty. Jaime Lorenzo P. Bañez

1 The meeting began with the reading of the February 09, 2023 Minutes.
2 Hearing no further concerns and objections from the Committee, the
3 February 09, 2023 Minutes was then duly approved.

4 Hon. Gov. Gadiano then enumerated nine (9) agendas to be discussed
5 by the Committee, to wit:

- 6 1. Update on Proposed Resolution No. 17 series of 2022;
- 7 2. Implementing rules of IAC Resolution No. 17 series of 2022;
- 8 3. Update on Notice to Proceed;
- 9 4. Update on OTP and its corresponding taxes;
- 10 5. Creation of Monitoring Team;
- 11 6. Update on Rivers subject for re-assignment;
- 12 7. Update on the status of each proponent in relation to their
- 13 application for river restoration;

- 1 8. Update on the letters of concerned proponents in relation to their
- 2 requests;
- 3 9. Implementation of flood mitigation project of Provincial
- 4 Government; and
- 5 10. Other issues and concerns.

6 The Committee then proceeded to discuss the first agenda, update on
7 the proposed IAC Resolution No. 17 series of 2022. An issue on the dredging
8 master plan (DMP) of the proponents was raised. Since the DPWH has no
9 jurisdiction over delta/river mouth, it was suggested that DMPs must not
10 only be signed by the DPWH, but also by the other members of the
11 Committee.

12 It was further suggested that the DPWH must first recommend and
13 endorse an approved DMP to the Committee. Thereafter, the Committee will
14 approve the said DMP as a whole. It was also suggested that Resolution No.
15 17 must include an explicit provision on this.

16 An issue on the timeline of entities that are temporarily authorized to
17 remove deposits at the river mouth by virtue of the flood mitigation project
18 of the Provincial Government was also raised. Specifically, until what part
19 of the application process can a concerned entity remove deposits at the river
20 mouth?

21 It was suggested that a concerned entity's authority to remove
22 deposits at the river mouth should cease once the concerned proponent
23 already secured both DMP and ECC.

24 The Committee also agreed that Resolution No. 17 must also have a
25 specific provision that defines and sets limitations for delta or river mouth.

26 Thereafter, the Committee proceeded to discuss the second agenda,
27 the Implementing Rules and Regulations (IRR) of IAC Resolution No. 17
28 series of 2022. It was suggested that additional provisions for Resolution No.
29 17 may be included in the IRR thereof, such as the courses of action for the
30 issues raised and discussed in the first agenda.

1 The Committee directed the distribution of the proposed IRR among
2 its members for their respective reviews and comments thereon, which shall
3 be discussed in the next meeting.

4 The Committee then proceeded to discuss the third agenda, update on
5 Notice to Proceed (NTP). Considering that proponent, Bluemax Tradelink
6 Inc., already secured and complied with the necessary documentary
7 requirements, a NTP was granted to the said proponent. It may now proceed
8 on the river restoration through dredging activities of the Lumintao River.

9 It was also relayed to the Committee that Bluemax Tradelink, Inc. is
10 applying for amendments on its Memorandum of Agreement to include
11 dredging activities at the river mouth.

12 The Committee then proceeded to discuss the fourth agenda, update
13 on OTP and its corresponding taxes. Since OTP is levied by the national
14 government through the MGB, it was suggested that the "OTP" of the
15 Provincial Government should be renamed.

16 The Committee then proceeded to discuss the fifth agenda, the
17 creation of Monitoring Team. It was emphasized that the private sector must
18 have participation.

19
20 Relatedly, it was relayed that the EMB has an environmental
21 monitoring team, and that the monitoring team could be based on it. The
22 Committee agreed to defer this matter to the next meeting.

23 The Committee then proceeded to discuss the sixth agenda, update on
24 rivers subject for reassignment. It was reminded that third and final notice
25 should be issued against stagnant proponents. Should they still fail to act
26 despite such notice, their assigned river shall be reassigned.

27 The Committee then proceeded to discuss the seventh agenda, update
28 on the status of each proponent in relation to their application for river
29 restoration. Among the current proponents, only Bluemax Tradelink, Inc.
30 (for Lumintao), R.V. Laborte (for Tubili), and PERCC Construction and
31 Development Corp. (for Pagbahan) have secured a dredging clearance.


1 The Committee then deferred the eight agenda to the next hearing,
2 while confirmed that the ninth agenda was already discussed during the first
3 and second agendas.

4 The meeting was adjourned at 4:13 in the afternoon.

Prepared by:


Atty. Jaime Lorenzo P. Bañez
IAC Secretariat

Attested by:


Hon. Eduardo B. Gadiano
Governor of Occidental Mindoro