



15 AUG 2022

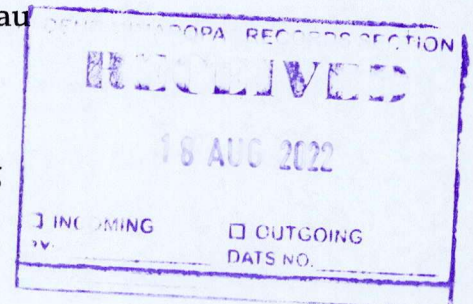
MEMORANDUM

FOR : The Director
Environmental Management Bureau

ATTENTION : The Regional Director
EMB MIMAROPA Region
6th Flr. DENR by the Bay Building
1515 Roxas Blvd., Ermita, Manila

FROM : The Assistant Secretary
Legal Affairs

SUBJECT : ENDORSEMENT OF CIVIL CASE NO. 6177 ENTITLED,
"ROXANNE R. BARLAS, ET AL. V. DEPARTMENT OF
PUBLIC WORKS AND HIGHWAYS, REP. BY SEC.
MANUEL M. BONOAN, DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES REP. BY
ACTING SEC. JIM O. SAMPULNA, ET AL." TO THE
ENVIRONMENTAL MANAGEMENT BUREAU (EMB)



This refers to the Travel Order¹ dated 28 July 2022 issued by the Office of the Solicitor General (OSG) authorizing State Solicitor II Jocelyn P. Castillo-Sarmiento to conduct site inspection at the infrastructure project involved in Civil Case No. 6177 entitled, "ROXANNE R. BARLAS, ET AL. V. DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, REP. BY SEC. MANUEL M. BONOAN, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES REP. BY ACTING SEC. JIM O. SAMPULNA, ET AL."

The Travel Order provides:

State Solicitor II Castillo-Sarmiento is hereby authorized to leave for Narra and Puerto Prinsesa, Palawan on August 1, 2-22 and will return to Manila on August 2, 2022. It is understood that the Department of Environment and Natural Resources will shoulder her travel expenses, travel insurance, accommodation. (Underscoring and emphasis supplied.)

The Petition² for an Environmental Protection Order and Writ of Continuing Mandamus with Prayer for Temporary Environmental Protection Order (TEPO) attributes the environmental destruction in Brgy. Calategas, Narra, Palawan to the DENR-EMB RVI, to wit:

18.3 Respondent DENR's issuance of a Certificate of Non-Coverage, after classifying the project as an Environmental Enhancement or Direct Mitigation Project (Category C) and exempting it from the Philippine [Environmental Impact Assessment] System (PD 1586), fails to appreciate the environmental destruction resulting from the project and gross

¹ Copy attached as ANNEX "A".

² Copy attached as ANNEX "B".

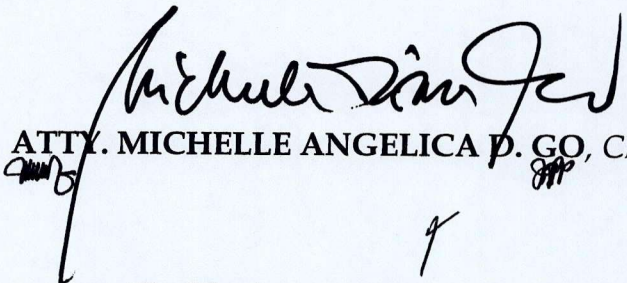
neglect of the performance of its duty to protect the environment enjoined as its duty resulting from its function in connection with the enforcement of EIA law.

18.4 DENR-EMB RVI [sic] willfully and deliberately disregarded its duty to ensure that the environment is protected from harmful developmental projects because it performed only a cursory and superficial review of the documents submitted by Respondent St. Patrick for an ECC, automatically classifying the project as not covered by the EIS merely by the word "mitigation" in the project's name and subsequently granted it a Certificate of Non-Coverage.

On 28 July 2022, this Office endorsed³ the said case, together with all the pertinent documents, to the OSG for legal representation through Assistant Solicitor General Arleen T. Reyes and State Solicitor Erika Frances S. Buluran-Monzon.

Considering that the EMB, through EMB MIMAROPA Region, issued the Certificate of Non-Coverage subject of the case, this Office hereby endorses the above-captioned case to your Office to provide technical assistance to OSG lawyers. Please provide regular updates to this Office on the matter.

For your consideration and appropriate action.


ATTY. MICHELLE ANGELICA D. GO, CESO II

Copy furnished:

The Regional Executive Director
DENR MIMAROPA Region
DENR by the Bay
1515 L&S Building, Roxas Blvd., Manila

ASG Arleen T. Reyes
Atty. Erika Frances S. Buluran-Monzon
Office of the Solicitor General
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efsbmonzon@osg.gov.ph

The Director
Financial Management Service

³ Copy of endorsement letter and annexes attached as ANNEX "C".