

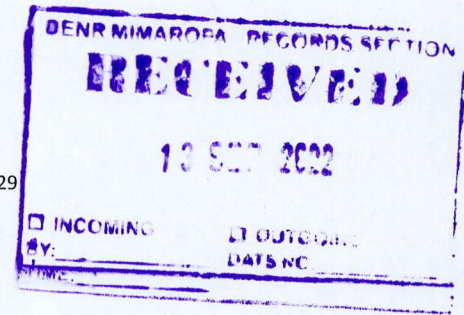


Republic of the Philippines  
*Office of the Solicitor General*

Building, 134 Amorsolo St., Legaspi Village, Makati City, Philippines 1229

\* Tel. Nos. (632) 988-1674 \* Fax No. (632) 812-9726

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September 8, 2022

**DIR. WILLIAM P. CUÑADO**

Environmental Management Bureau  
DENR Compound, Visayas Ave.  
Diliman, 1116 Quezon City

Dear Director Cuñado:

This is in reference to your letter dated August 31, 2022 asking the Office of the Solicitor General (OSG) for legal representation in Civil Case No. 6177 (For: Continuing Mandamus with Prayer for Issuance of Temporary Environmental Protection Order [TEPO]) entitled "Roxanne Barlas, et al., Petitioners v. DPWH, DENR, PCSD, Municipality of Narra, Palawan, and St. Timothy Construction Corp./PTK Group, Inc., Respondents." In your letter, it was stated that the Environmental Management Bureau (EMB) is a party-respondent in the said case, and that considering that there is a Memorandum of Agreement between the OSG and the EMB, the case should be handled by the members of the OSG-EMB Task Force.

We, the undersigned, agree that all EMB cases referred to the OSG should be handled by the OSG-EMB Task Force. However, the party-respondent in this case is the DENR Central Office, not the EMB. Hence, it was the DENR Central Office through Assistant Secretary for Legal Affairs, Atty. Michelle Angelica D. Go who endorsed the

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request for legal representation in this case. A copy of the endorsement letter of Asst. Secretary Go is hereto attached as Annex "A" for your reference, by reason of which the undersigned State Solicitor Castillo-Sarmiento entered her appearance as counsel for public respondent DENR.

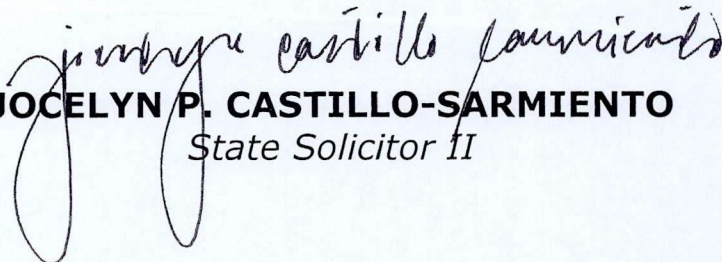
The OSG only presented a representative from EMB as a witness to testify on the CNC application filed by DPWH for the Seawall Project and provided us with the agency's procedural manual on the approval of CNC applications. Hence, there is no need to transfer this case to the OSG-EMB Task Force.

We hope this sufficiently addressed your concerns.



**ARLEEN T. REYES**  
*Assistant Solicitor General*

**ERIKA FRANCES S. BULURAN**  
*State Solicitor II*



**JOCELYN P. CASTILLO-SARMIENTO**  
*State Solicitor II*

COPY FURNISHED:

**THE REGIONAL EXECUTIVE DIRECTOR  
THE CHIEF, LEGAL DIVISION**

DENR MIMAROPA Region

DENR by the Bay Building

1515 Roxas Boulevard, Ermita, Manila

AERS//EFSBM/joc  
*LMB Reply Letter Cunado*  
ladybdc

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Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
Visayas Avenue, Diliman, Quezon City  
Tel. No. 929-6626 to 29; 929-6633 to 35  
926-7041 to 43; 929-6252; 929-1669  
Website: <https://www.denr.gov.ph> / Email: [web@denr.gov.ph](mailto:web@denr.gov.ph)

Annex "A"

JUL 28 2022

SOLICITOR GENERAL MENARDO I. GUEVARRA

Office of the Solicitor General  
134 Amorsolo Street,  
Legazpi Village, Makati City

THROUGH ASG ARLEEN T. REYES  
Assistant Solicitor General  
[atreyes@osg.gov.ph](mailto:atreyes@osg.gov.ph)

ATTENTION : ATTY. ERIKA FRANCES S. BULURAN-MONZON  
State Solicitor  
[efsbmonzon@osg.gov.ph](mailto:efsbmonzon@osg.gov.ph)

SUBJECT ENDORSEMENT OF AND REQUEST FOR LEGAL  
REPRESENTATION FOR 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."

Dear Solicitor General Guevarra:

*Isang makakalikasang araw!*

The undersigned respectfully endorses and requests for legal representation and filing of the necessary pleading/s for an Environmental Protection Order and Writ of Continuing Mandamus with Prayer for Temporary Environmental Protection Order (TEPO) case filed against our office, docketed as Civil Case No. 6177, entitled, "*Roxanne R. Barlas, et al. v. Department of Public Works and Highways (DPWH), represented by Sec. Manuel M. Bonoan, Department of Environment and Natural Resources (DENR), represented by Sec. Jim O. Sampulna, et al.*" pending before the Regional Trial Court of Palawan and Puerto Princesa City, Branch 51. This case involves the implementation of a Seawall Project located in Brgy. Calategas, Narra, Palawan.

For your information and reference, please refer to the following attached documents:

1. Petition for Environmental Protection Order and Writ of Continuing Mandamus with Prayer for Temporary Environmental Protection Order dated 30 June 2022;
2. Summons for Civil Case No. 6177 dated 8 July 2022;
3. Notice of Hearing for Civil Case No. 6177 dated 8 July 2022;
4. Court Order for Civil Case No. 6177 dated 7 July 2022;
5. Court Orders for Civil Case No. 6177 dated 11 July 2022;
6. Project Profile: Construction of Flood Control Mitigation Structure (Seawall) at Brgy. Calategas, Narra, Palawan [21EO0016];



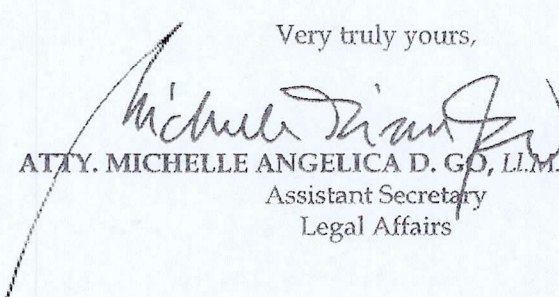
7. Certificate of Non-Coverage (CNC-R4B-0321-0082) issued by the DENR dated 8 March 2021;
8. Correspondence from CENRO dated 1 June 2021; and
9. Barangay Calategas Resolution No. 23, Series of 2021, dated 29 June 2021.

Please be informed that this Office was informed that there would be a hearing on 29 July 2022 at 8:30 a.m. on the Omnibus Motion at the Regional Trial Court Puerto Princesa City per Notice<sup>1</sup> of Hearing dated 25 July 2022.

We trust that this request merits the appropriate action from your office. Thank you and if there is anything we could do to assist you, please feel free to contact us at [legal.cpmc@denr.gov.ph](mailto:legal.cpmc@denr.gov.ph).

Likewise, you may also seek assistance from the DENR MIMAROPA Region through [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph), and their Legal Division at [denr4blegal@gmail.com](mailto:denr4blegal@gmail.com).

Very truly yours,

  
ATTY. MICHELLE ANGELICA D. GO, L.L.M., CESO II  
Assistant Secretary  
Legal Affairs

Copy furnished:

The Regional Executive Director  
The Chief, Legal Division  
DENR MIMAROPA Region  
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The PENR Officer  
PENRO Palawan  
Brgy. Sta. Monica, Puerto Princesa City, Palawan  
[penropalawan@denr.gov.ph](mailto:penropalawan@denr.gov.ph)

<sup>1</sup> Copy attached as Annex "A".



REPUBLIC OF THE PHILIPPINES

AFFIDAVIT OF SERVICE

(Revised as of April 1992)

I, \_\_\_\_\_, \_\_\_\_\_ OFFICE OF THE SOLICITOR GENERAL ,  
with Office address at 134 Amorsolo St., Legaspi Village Makati City, after being sworn to depose and say:

That on 09/12/2022, I caused to be served a copy of the following pleading/paper:

NATURE OF THE PLEADING

Letter

In case No. CIVIL CASE NO. 6177, entitled ROXANNA R. BARLAS, ET. AL.

VS. DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH), REPRESENTED BY SEC. MANUEL M.

pursuant to Section 3,4,5 and 10, Rule 13 of the Rules of Court, as follows:

By Personal Service To:

( ) By depositing a copy to the party or his/her attorney  
on \_\_\_\_\_ as shown on p \_\_\_\_\_.

( ) By leaving a copy in his/her clerk or with a person  
having charge thereof on \_\_\_\_\_ as shown on p \_\_\_\_\_.

( ) By delivering a copy to the Court/Tribunal Office on  
\_\_\_\_\_ as shown on p \_\_\_\_\_.

By Registered Mail To:

THE REGIONAL EXECUTIVE DIRECTOR

THE CHIEF, LEGAL DIVISION

DENR MIMAROPA Region

DENR by the Bay Building

1515 Roxas Boulevard, Ermita, Manila

, , Philippines

( ) By depositing copy on \_\_\_\_\_ in the Post  
Office at \_\_\_\_\_ as evidenced by Registry  
Receipt(s) No.(s) \_\_\_\_\_ hereto attached and  
indicated after the name (s) of the addressee(s), and  
with instruction to the postmaster to return the mail to  
the sender after (10) days if undelivered.

Makati, Metro Manila, Philippines

\_\_\_\_\_  
\_\_\_\_\_  
(Affiant)

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ of \_\_\_\_\_ at Makati  
City, Philippines. Affiant exhibiting to me his \_\_\_\_\_ issued at Pasay City.



22-015944-0035

*Jocelyn P. Castillo-Sarmiento*  
**JOCELYN P. CASTILLO-SARMIENTO**

Solicitor, Officer Administering the Oath  
Office of the Solicitor General