



OUTGOING

Received by: _____
Date: **APR 19 2023**

April 14, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 DENR By the Bay Bldg.
Roxas Blvd., Barangay 668
Ermita, Manila

THRU: The Assistant Regional Director
for Technical Services

FROM : The OIC, PENR Officer
Odiongan, Romblon

SUBJECT : INVESTIGATION REPORT ON THE COMPLAINT OF MS.
MARY ANN MONTESA ON THE ALLEGED ILLEGAL
RECLAMATION IN CALATRAVA, ROMBLON {E-2023-
105358}

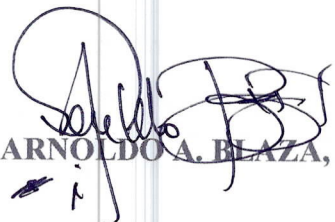
Respectfully submitting is the investigation report on the complaint of Ms. Mary Ann Montesa on the alleged illegal reclamation in Calatrava, Romblon {E-2023-105358}.

Per results, the Team ascertained that there was on-going construction of the Causeway Project despite the issuance of the Notice of Violation and Letter to Suspend by the DENR-EMB MIMAROPA Regional Office on February 10, 2023.

Moreover, the Team highly recommends that the DENR Regional Executive Director or/ DENR EMB MIMAROPA Regional Director shall issue "Status Quo Order" to DPWH-Romblon District Engineering Office for the continuous violation of PD 1586 while implementing Causeway Project in Calatrava, Romblon.

Please see attached report with photo-documentations.

For information and further instruction.


ARNOLDO A. BLAZA, JR.



April 14, 2023

MEMORANDUM

FOR : The OIC, PENR Officer

THRU: Chief, Technical Services Division

FROM : The Undersigned Joint Investigation Team

SUBJECT : INVESTIGATION REPORT ON THE COMPLAINT OF MS. MARY ANN MONTESA ON THE ALLEGED ILLEGAL RECLAMATION IN CALATRAVA, ROMBLON {E-2023-105358}

In compliance to PENRO Special Order No. 23-42 dated April 12, 2023 directing the undersigned Joint Investigation Team to conduct validation on the alleged illegal reclamation in Calatrava, Romblon, hereunder is the report with comments and recommendations, to wit:

I. INTRODUCTION/BACKGROUND

The investigation and/or on-site validation stemmed from the complaint of Ms. Mary Ann Montesa regarding the alleged illegal reclamation in Calatrava, Romblon {E-2023-105358} per Memorandum dated March 14, 2023 of the Undersecretary, Field Operations for Luzon & Visayas and Environment (DENR CO-OSEC 2023-001474) and Memorandum Order dated March 30, 2023 signed by the Assistant Regional Director Maximo C. Landrito. The said memorandum referred to and received by DENR PENRO Romblon on April 3, 2023, 3:15 in the afternoon.

The Joint Investigation Team was instructed by this Office to coordinate with the DPWH-District Engineering Office, Municipal LGU of Calatrava, Romblon and Sunwest Construction and Development Corp. to determine the present status of the project and to conduct on-site validation or ocular inspection.

The Team personally met District Engineer Elena M. Castilan of DPWH-Romblon District Engineering Office in Odiongan, Romblon, Municipal Mayor Marieta F. Babera of Calatrava, Romblon and the project in-charge/Foreman Barton R. Laurenciano of Sunwest Construction and Development Corporation.

During the coordination with the DPWH-DEO Castilan and Municipal Mayor Babera, the Team inquired about the update on the above-mentioned project as well as compliance of the implementing agency in particular the DPWH-DEO on the duly issued Notice of Violation and Letter to Suspend by the DENR-EMB MIMAROPA Regional Office on



February 10, 2023. Finally, during the conduct of on-site validation, the Team requested the project in-charge/Foreman Barton R. Laurenciano of Sunwest Construction and Development Corporation in Calatrava, Romblon to provide the Team with updates in terms of their accomplishment.

II. FACTUAL FINDINGS

A.) ON THE ISSUES RELATIVE TO THE ALLEGED RECLAMATION AND THE DPWH-DISTRICT ENGINEERING OFFICE (DEO) COMPLIANCE ON THE NOTICE OF VIOLATION AND LETTER TO SUSPEND ISSUED BY DENR-EMB MIMAROPA REGIONAL OFFICE DATED FEBRUARY 10, 2023

1. The Team personally met District Engineer Castilan of DPWH-District Engineering Office (DEO) around 8:40 A.M. of April 14, 2023. Prior to this meeting, the OIC, PENR Officer Arnoldo A. Blaza, Jr. sent a Letter Request to the DPWH-DEO on April 13, 2023. Attached is the Letter Request.
2. On the said meeting, District Engineer Castilan commented on the said Letter Request that her Office at present cannot provide any updates as to the status of the project and compliance on the Notice of Violation and Letter to Suspend by the DENR-EMB MIMAROPA Regional Office dated February 10, 2023.
3. District Engineer Castilan categorically mentioned that these concerns were already at the disposition of the proper Court and the Philippine Reclamation Authority (PRA). Consequently, the District Engineer waived their right to send any authorized representative to join the Team in the conduct of on-site validation or/ ocular inspection.
4. After this, the Team proceeded to Calatrava, Romblon and coordinated with Mayor Babera of Calatrava, Romblon around 9:40 A.M. to gather any updates on the causeway project.
5. Mayor Babera disclosed to the Team that her Office together with the DPWH and Sunwest Construction and Development Corp. received formal complaint from the Regional Trial Court relative to the on-going implementation of the Causeway Project in Calatrava, Romblon.
6. Mayor Babera also said that the Philippine Reclamation Authority (PRA) in Manila has confirmation to send technical personnel for the conduct of inspection on the said causeway project in this municipality.



III. ACTUAL/OCULAR INSPECTIONS

After short meeting with Mayor Babera, the Team with the Municipal Engineer Ulysses P. Ancheta of Calatrava, Romblon proceeded to the Causeway Project located at Barangay Poblacion.

Upon arrival at the project site, we met the project in-charge/Foreman Barton R. Laurenciano of Sunwest Construction and Development Corporation who personally accommodated the Team during the conduct of on-site validation.

Per information gathered from the Project In-Charge/ Foreman Laurenciano, he said that the causeway project is about 40 to 50% in terms of accomplishment. He added that the following activities already accomplished were sheet piling, pile cap rubble concrete, structural concrete and embankment.

Furthermore, the investigation conducted by the Team reveals that there was an on-going construction of the Causeway Project despite the issuance of Notice of Violation and Letter to Suspend by the DENR-EMB MIMAROPA Regional Office last February 10, 2023.

Thus, out of the 4,600 square meters (115m x 40m) total area of the Causeway Project, about 40% of the embankment has already completed using filling materials such as armor rocks and earth soil.

Please see attached photos during the conduct of on-site validation for further reference.

IV. FINDINGS/ANALYSIS AND DISCUSSIONS

Based on the results of meeting and on-site validation or/ ocular inspection conducted by the Team, it was found that the DPWH-District Engineering Office as represented by its District Engineer Elena M. Castilan has “NO COMPLIANCE” to the issued Notice of Violation (NOV) and Letter to Suspend by the DENR-EMB MIMAROPA Regional Office since February 10, 2023 to date.

The continuous implementation of the Causeway Project in Calatrava, Romblon by DPWH-DEO and its contractor despite the issuance of NOV and Letter to Suspend by the DENR EMB Regional Office, has clearly demonstrated its blatant disregard of the law and the lawful order.

Currently, the continuous implementation of Causeway Project with around 40% completed embankment without any corresponding clearances and permits issued by the appropriate agency like Philippine Reclamation Authority (PRA), DENR- EMB such as ECC violates Presidential Decree 1586 or the “Environmental Impact Statement Law” and other



applicable department orders like DENR Administrative Order No. 2018-14 or the "Guidelines on the Issuance of Area Clearance for Reclamation Projects and Proclamation/Special Patents over Reclaimed Lands."


V. CONCLUSIONS/ COMMENTS AND RECOMMENDATIONS

IN VIEW OF THE FOREGOING, the Joint Investigation Team in consideration with the results of the on-site validation or/ ocular inspection highly recommends that the DENR Regional Executive Director or/ DENR EMB MIMAROPA Regional Director shall issue "Status Quo Order" to DPWH-Romblon District Engineering Office for the continuous violation of PD 1586 while implementing Causeway Project in Calatrava, Romblon.

Respectfully yours,


KEISHA ALYSSA R. BRILLO
Legal Researcher


RAYMUND G. INOCENCIO
Hotline 8888 Focal Person


JACQUELYN S. PAMINTUAN
Engineer III, EMB-EMS


JAMES M. MENDOZA
OIC Chief, MES



PHOTODOCUMENTATIONS

April 14, 2023



Meeting with District Engineer Elena M. Castilan of DPWH-Romblon District Engineering Office in Odiongan, Romblon

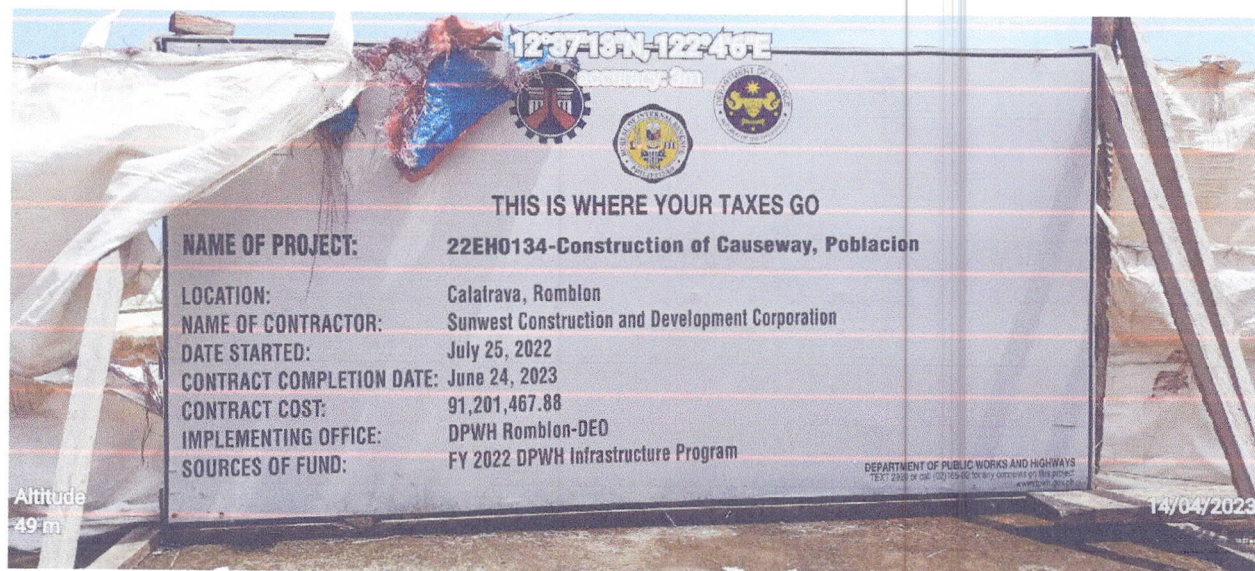


Meeting with Municipal Mayor Marieta F. Babera of Calatrava, Romblon



PHOTODOCUMENTATIONS

April 14, 2023



Tarpaulin on the Construction of Causeway in Poblacion, Calatrava, Romblon



Location of Causeway Project in Calatrava, Romblon



PHOTODOCUMENTATIONS

April 14, 2023



Joint Investigation Team with Municipal Engr. Ancheta (Green shirt) and Project In-charge/Foreman Barton R. Laurenciano of Sunwest Construction and Development Corp.



Continuous implementation of Causeway Project with about 40% completion of embankment



PHOTODOCUMENTATIONS

April 14, 2023



Showing the Structural concrete and Embankment of the Causeway Project



Continuous filling up/spreading of earth soil to the embankment



PHOTODOCUMENTATIONS

April 14, 2023



On-going Structural Concrete works at the outermost part of the Causeway Project



Showing the remaining area to be filled-up on the Causeway Project



April 12, 2023

PENRO Special Order No. 23-42
Series of 2023

**SUBJECT: CREATION OF JOINT INVESTIGATION TEAM TO CONDUCT VALIDATION
ON THE ALLEGED ILLEGAL RECLAMATION IN CALATRAVA, ROMBLON**

In the interest of the service and pursuant to the Memorandum dated March 14, 2023 of the Undersecretary, Field Operations for Luzon & Visayas and Environment regarding the complaint (DENR CO-OSEC 2023-001474) of Ms. Mary Ann Montesa on the alleged illegal reclamation in Calatrava, Romblon and Memorandum Order signed by the DENR MIMAROPA Assistant Regional Director Maximo C. Landrito dated March 30, 2023, the Joint Investigation Team is hereby created.

The team shall be composed of the following personnel:

1. For. James M. Mendoza, Forester II/OIC Chief, MES
2. Engr. Jacquelyn S. Pamintuan, Engr. III, EMB-EMS Romblon
3. Engr. Raymund G. Inocencio, 8888 Focal Person
4. Keisha Alyssa R. Brillo – Legal Researcher

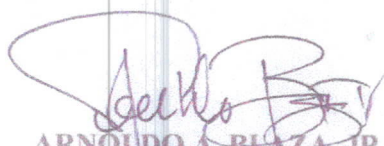
The team shall coordinate with the DPWH-District Engineering Office, Municipal LGU of Calatrava, Romblon and Sunwest Construction and Development Corp. on the present status of the project.

Likewise, the Team shall conduct on-site validation of the alleged reclamation in Calatrava, Romblon.

Further, the team shall be supervised by the undersigned and the Chief of Technical Services Division, Malvin R. Rocero, during the conduct of the said activity.

The team shall submit the report within three (3) days after the completion of the said investigation.

This Order takes effect immediately.


ARNOLDO A. BLAZA, JR.
OIC, PENR Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

DPWH-ROMBLON DEO
RECEIVED

By: *zhr*
Date: *4/13/23*
4:21

April 13, 2023

ELENA M. CASTILAN

District Engineer
Department of Public Works and Highways
Romblon District Engineering Office
Regional Office IV-B
Odiongan, Romblon

Madam:

Greetings in conservation!

This pertains to the Memorandum dated March 14, 2023 of the Undersecretary, Field Operations for Luzon & Visayas and Environment regarding the complaint (DENR CO-OSEC 2023-001474) of Ms. Mary Ann Montesa on the alleged Illegal Reclamation in Calatrava, Romblon.

In this regard, we would like to inform you that this Office created joint investigation team to conduct validation on the alleged subject matter within this week. Indeed, we are requesting from your office to send authorize representative for the conduct of on-site validation at Calatrava, Romblon on April 14, 2023, Friday, 8:00 A.M. onwards.

Moreover, the Team will be coordinating with your Office to determine the project status before the conduct of the said on-site validation.

Thank you very much and hoping for your favorable action in this regard.

Very truly yours,


ARNOLDO A. BLAZA, JR.
OIC, PENR Officer