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PROVINCIAL GOVERNOR'S OFFICE



EXECUTIVE ORDER NO. 21-006
Series of 2021

INITIATORY IMPLEMENTATION OF ORDINANCE NO. 15 S. 2020¹ SPECIFICALLY FOR THE PURPOSE OF RECOMMENDING TO THE ENVIRONMENTAL MANAGEMENT BUREAU (EMB) THE CANCELLATION OF ENVIRONMENTAL COMPLIANCE CERTIFICATES (ECCs) EXISTING ALONG ANAO-AON RIVER PAVING WAY TO THE ECC APPLICATION OF THE PROVINCIAL GOVERNMENT

WHEREAS:

In the past, efforts had been exerted but to no avail to rehabilitate Anao-aon River both on the part of the Provincial Government and the Sand and Gravel Permittees, the former having the direct responsibility while the latter assumed the primary responsibility when they were issued of Environmental Compliance Certificates;

Sand and Gravel Permittees were given ample time opportunities to undertake their primary obligations to comply with the conditions of Governor's Permit when the Provincial Government during the past administration suspended quarry operations and relentlessly pursued rehabilitative schemes;

¹ An Ordinance Establishing an Environment-Friendly Sand and Gravel Business Operation As One Of The Means To Boost the Economic Enterprise Of The Province of Surigao del Norte Amid Covid-19 Pandemic As Well As to Effectively And Efficiently Protect Our Environment As Our Intergenerational Responsibility for the Next Generation and Generations Yet to Come

Quiet recently, Executive Order No. 19-17 dated 03 July 2019² was issued brought about by the recommendation of the Multi-Sectoral Monitoring Team that quarrying continue to cause destruction to the natural condition of the rivers thereby posing threat to lives and properties in the event of severe flooding and inability of the Sand and Gravel Operators/Permit Holders to comply with their respective obligation to rehabilitate;

Sand and Gravel Permittees failed to implement other mitigating, enhancing and rehabilitating measures like planting of fast growing tree species along the riverbanks to enhance vegetation and stabilize the embankments from erosion and sliding;

The Environmental Management Bureau³ made known its river assessment of Anao-aon River, excavations within and outside the course of the river beyond the maximum depth of 1.0 meter, Sand and Gravel stockpile at the top of river banks, undefined gradient of the riverbed; washing or screening within the streambed; extraction of Sand and Gravel in the prohibited zone;

Conditions of the Environmental Compliance Certificate is deemed embedded in the issuance of Governor Permit;⁴

The Provincial Governor⁵ made a directive on the moratorium of the processing of permit applications;

The Sangguniang Panlalawigan enacted Ordinance No. 15, s. 2020⁶ establishing Sand and Gravel Operation to be undertaken by the Provincial Government for purposes of rehabilitation and boosting its economic enterprise amid pandemic situation;

There is a need to strictly apply the local environment policy and enforce the law in compliance with the directive of the Department of the Interior and Local Government for the Local Government Units to prioritize the protection of the environment in the wake of massive flooding in several parts of the country;

² Suspension of Sand and Gravel, Limestone, Ordinary Earth Soil And Other Forms of Quarrying In The Entire Province Of Surigao del Norte

³ Letter dated 15 June 2020

⁴ Section 70 of the Revenue Code of 2013 of the Province of Surigao del Norte, as amended

⁵ Memorandum dated 02 September 2020

⁶ 16 November 2020, 70th Regular Session

NOW, THEREFORE, I FRANCISCO T. MATUGAS, Provincial Governor, Province of Surigao del Norte, by virtue of the powers vested in me by law, do hereby, direct and order that:

Sec.1 The Provincial Government will initially proceed to undertake with its Sand and Gravel Business Operation on the Anao-aon River and other quarry sites will follow thereafter by phase as specified in the local enterprise business plan;

Sec. 2. The Provincial Government is officially endorsing to the Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources (DENR) the cancellation of existing Environmental Compliance Certificates in all Provincial Quarry Sites;

Sec. 3. Pending processing of the cancellation of ECCs by the EMB, the moratorium on the issuance of permits shall continue to subsist *except for government roads and infrastructure projects, international commitments or agreements with foreign government and its instrumentalities, and other non-governmental projects as public necessity so demands;*

Sec.4. The Provincial Environment and Management Office shall strictly monitor and ensure that no illegal extraction, transport, selling and/or distribution of sand and gravel shall be undertaken;

Sec.5. Effectivity. This Executive Order shall take effect immediately;

Done in City of Surigao, Province of Surigao del Norte, this 1st day of February, in the year of our Lord, Two Thousand Twenty One.



FRANCISCO T. MATUGAS
Provincial Governor