



**ENVIRONMENTAL LEGAL ASSISTANCE CENTER INC.
EASTERN VISAYAS**

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Brgy. Naga-naga, Palo, Leyte 6501
Email Address: elaceasternvisayas@gmail.com

Item No.: 16
Date: 02 2025 APR

March 19, 2025

ENGR. ALEX D. JIMENEZ

Regional Director

Environmental Management Bureau - Region 8

**Subject: Inquiry on ECC Issuance for Excavation and Construction Activities in
Sitio Caloogan, Brgy. San Jose, Palo, Leyte**

Dear Director Jimenez,

Greetings from ELAC!

We, write to you today to inquire whether an Environmental Compliance Certificate (ECC) has been issued for ongoing excavation and construction activities within the Crown Estates development in Sitio Caloogan, Barangay San Jose, Palo, Leyte. This is in light of reports coming from members of the community that certain activities are being undertaken in the area, encroaching upon Guinhangdan Hill and affecting a portion of its designated protected area, prompting concerns about potential environmental and legal implications.

As you may not be aware, **Municipal Ordinance No. 2018-01 of Palo, Leyte** declares Hill 522 (Guinhangdan Hill) as a War Memorial, a Mini-Forest Protected Area, and a Religious Municipal Park. **Section 4 of the said ordinance** expressly prohibits destructive and extractive activities, including the construction of permanent or semi-permanent structures without permission from the Municipality of Palo. Given this ordinance, any activities in the area should be closely monitored to ensure compliance with environmental laws and local regulations.

In light of the foregoing, we respectfully request the following information:

1. Whether an ECC has been issued for the ongoing excavation and construction activities in Sitio Caloogan, Brgy. San Jose, Palo, Leyte;
2. If an ECC has been issued, a copy of the ECC and related documents.
3. If no ECC has been issued, any action taken or to be taken by the EMB Region 8 regarding the matter.

Like your office, we understand importance of ensuring that all activities in the area comply with environmental regulations, particularly considering its historical, cultural, and ecological significance. Your prompt response to this inquiry would be greatly appreciated to guide necessary legal and environmental interventions.

For your reference, attached are photos of the ongoing construction activities in the area as well as a copy of **Municipal Ordinance No. 2018-01 of Palo, Leyte**.

Should you require further details or wish to discuss this matter further, please do not hesitate to contact us at **elaceasternvisayas@gmail.com**. Thank you for your time and cooperation.

Sincerely,


ATTY. RAFAEL GREGGORRE T. PAJARES
Deputy Executive Director
Environmental Legal Assistance Center


Copy furnished:

SANGGUNIANG BAYAN
Municipality of Palo, Leyte

**SANGGUNIANG BAYAN
PALO, LEYTE**

RECEIVED
BY: 
DATE: 3-20-25

SANGGUNIANG PANLALAWIGAN
Province of Leyte

SANGGUNIANG PANLALAWIGAN
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PROVINCE OF LEYTE

Annex
**Photographs of Ongoing Construction Activities in Sitio Caloogan, Barangay San Jose,
Palo, Leyte**







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Municipality of Palo**

SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON JANUARY 23, 2018 AT THE SB SESSION HALL (NEW MUNICIPAL BUILDING).

Present:

Vice-Mayor Ronnan Christian M. Reposar – Presiding
SB Member Jonathan P. Chiquillo
SB Member Wilson S. Uy
SB Member Ciriaco D. Agner, Jr.
SB Member Magdalena M. Torres
SB Member Imelda B. Parado
SB Member Myra V. Nalda
SB Member Rey Anthony Y. Lejarde
SB Member Chiqui Ruth C. Uy – LIGA President

Absent:

SB Member Gregorio P. Dolina, Jr.

MUNICIPAL ORDINANCE NO. 2018-01

**AN ORDINANCE DECLARING HILL 522 (GUINHANGDAN HILL) A WAR MEMORIAL, A MINI-FOREST PROTECTED AREA, AND A RELIGIOUS MUNICIPAL PARK
(In furtherance of Municipal Resolution 96-95, s. 1996)**

WHEREAS, the town of Palo is written in the annals of world History with the successful beachhead of the allied liberation forces on October 20, 1944 led by Gen. Douglas Mac Arthur and ably supported by the Filipino Guerillas;

WHEREAS, Palo being the entry point of the liberation forces to the other occupied towns of Leyte, was threatened by the seemingly impregnable fortress at Hill 522 pregnant with its labyrinthine tunnels, well-fortified bunkers, and cleverly hidden pill boxes and trenches;

WHEREAS, the allied forces of the 19th Infantry First Batallion charged with the mission of neutralizing this Japanese stronghold, suffered many casualties in the two days heavy fighting before they silenced the guns of the Japanese forces;

WHEREAS, cognizant of the many lives lost in defense of freedom, it is a fitting and proper gesture to declare Hill 522 as a Historical Site to commemorate and honor the soldiers and people who perished during the war;

WHEREAS, pursuant to Executive Order 23, s. 2011, The National Greening Program (NGP) of the national government and as a climate change adaptation strategy, the local government unit of Palo adopts the intergeneration responsibility to protect the environment and to prevent both man-made and natural disasters by declaring Hill 522 as a mini-forest protected area;

WHEREAS, pursuant to Executive Order 23, s. 2011, the National Greening Program (NGP) of the national government and as a climate change adaptation strategy, the local government unit of Palo adopts the intergeneration responsibility protect the environment and to prevent both man-made and natural disasters by declaring Hill 522 as a mini-forest protected area;

WHEREAS, Palo, Leyte because of its historical and cultural significance, is among the regions recognized tourism and pilgrimage destination. Before the Second World War, the people of Palo built a Wooden Cross on top of Guinhangdan Hill which was considered Holy which eventually



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became an identity of faith and religion of the the people of Palo. During the World War II, Guinhangdan Hill became one of the stronghold camps of the Japanese and because of the war, the Wooden Cross on the hill was destroyed. Since said Cross symbolizes the faith of the people of Palo, the Cross on the hill was rebuilt the redesigned into a concrete Cross, which is now among the significant landmark of the municipality. Also found in the hill is the La Purisima Shrine which is already more than a century old. It was constructed in the year 1887 by the Spaniards.

WHEREAS, Palo, Leyte has also been recognized as among the pilgrimage destinations during Lenten Seasons and among the religious site frequently visited is Hill 522 (Guinhangdan Hill) because of the religious landmarks found thereon, such as the Holy Cross and the La Purisima Shrine; In fact, the Local Government Unit of Palo has institutionalized the Lenten Season locally known as "Pamalandong" as among its major religious tourism events through Municipal Ordinance 2012-03;

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Sec. 1: Title - This Ordinance shall be called as "AN ORDINANCE DECLARING HILL 522 (GUINHANGDAN HILL) A WAR MEMORIAL, A MINI-FOREST PROTECTED AREA, AND A RELIGIOUS MUNICIPAL PARK."

Sec. 2: Declaration of Policy. - It is hereby declared the policy of the municipality:

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- a. To protect and promote Hill 522 as a tourism and pilgrimage destination being both a religious landmark and a historical site;
 - b. To manage and regulate activities within the hill's premises in a manner consistent with the principle of eco-tourism and sustainable development;
 - c. To enhance/promote and sustain tourism activities in the municipality through conservation and protection of various tourist destinations, especially those landmarks of cultural and historical significance found in Hill 522; and,
 - d. To enhance people's participation in the management, protection and regulation of activities in Hill 522.

Sec.3. *Definition of Terms*. - As used in this ordinance the following terms and phrases shall mean as follows:

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- a. Destructive Activities – shall mean those activities that bring & cause damage or destruction to life-habitat and established facilities of Hill 522;
 - b. Tourism Wardens; refers to volunteer residents, recognized and deputized by the municipal government, whose task is to monitor, prevent or police Hill 522 and such other areas within the town with tourism, historical, cultural and religious significance against all sorts of illegal activities committed by any natural or judicial person.
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- c. Extractive Activities – taking out, catching or collecting of any living & non- living things within the hill;
- d. Hill – Hill 522 or Guinhangdan Hill;
- e. Persons – natural or juridical entities such as individuals, associations, partnership, cooperatives corporations;
- f. The Municipal Council for Tourism, Culture and the Arts – the duly authorized council that has been organized by the municipality charged with management and promotion of Hill 522 pursuant to this ordinance;
- g. Vandalism - any action involving deliberate destruction of or damage to public property or to any facilities, landmarks and structures found in the Hill.

Sec.4. General Prohibitions-

- a. All destructive and extractive activities are prohibited within the hill. Access and use of the hill shall be regulated and the following shall be declared as prohibited activities within and on the area of the hill:
 - 1. Gathering collection, and/or destruction of any kind of wildlife comprising the hill's natural flora and fauna;
 - 2. Treasure hunting;
 - 3. Cutting of any tree species, natural growth or planted;
 - 4. Littering;
 - 5. Squatting or illegal occupation in the hill such as construction of houses, cottages and the like whether temporary or permanent;
 - 6. Destruction of facilities and any existing structures thereat; and
 - 7. Gathering of any object of historical value;
 - 8. Any act of vandalism ; and
 - 9. Construction of any permanent/semi-permanent structure without the permission of the Municipality of Palo.
- b. Camping, pilgrimage, trekking and other cultural and religious activities are allowed in the Hill, provided that all activities that require overnight stay in the hill shall be with a clearance from the Municipal Tourism, Culture and the Arts Officer subject to such guidelines and regulations which may be imposed by the council for maintenance of the hill, structures and facilities thereon, maintenance of peace and order, safety and security.
- c. Any other activities other than the traditional activities every Lenten season and those mentioned in sub-paragraph (b) hereof, shall be required a mayor's permit.

Sec. 5: Management of the Hill – The Enchanting Palo Municipal Tourism, Culture and the Arts Council shall be responsible for planning, management and enforcement of the Hill. Pursuant thereto, the council shall:

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- a. Organize programs that encourages and enhances the community's participation in the management and protection of the hill such as but not limited to (1) Information and Education, (2) Protection and Enforcement (3) Monitoring and Evaluation and (4) Tourism Promotions. It may likewise establish other programs as the need arises in furtherance of the policies set forth under this ordinance;
 - b. Prepare a 3-year Management Plan and ensure that regular maintenance budget shall be allocated for the maintenance and upgrade of the facilities of the hill and for such activities necessary for the promotion and protection of the hill; and,
 - c. Prepare such guidelines, implementing rules and regulations which may be necessary for the implementation of this ordinance pursuant to the policies set forth herein subject to the approval of the local chief executive.
 - d. Be authorized to construct structures on areas of the hill for the purpose of enhancement, development and promotion of Tourism, Culture and the Arts, pursuant to the provisions under Section 2 of this Ordinance and as may be allowed by existing ordinances, laws and regulations.

Sec.6: Administrative and Penal Provision. - Any person or persons violating any of the provision of this ordinance shall be subject to the following penalties:

Sec. 6.1 Administrative Fines: An administrative fine shall be imposed upon any person or persons violating any provisions of this ordinance;

1st Offense - A fine of One Thousand Five Hundred Pesos (P1,500.00) plus confiscation of any tool or paraphernalia used in the commission of the offense;

2nd Offense - A fine of Two Thousand Pesos (P2,000.00) plus confiscation any tool or paraphernalia used in the commission of the offense;

3rd Offense - A fine of Two Thousand Five Hundred Pesos (P 2,500.00) and confiscation of any paraphernalia or tool used in the commission of the offense;

Sec. 6.2 Penal Provisions - Fourth Offenders and any person or persons that will commit any of the prohibited activities under Sec. 4 sub paragraph a shall be fined Two Thousand Five Hundred Pesos (P 2,500.00), confiscation of any paraphernalia or tool used in the commission of the offense and imprisonment of six (6) months at the discretion of the court, except for the violation of Sec. 4 subparagraph a1 and a3 which may be punished under PD 705 or the Revised Forestry Code of the Philippines and RA 9147 or the Wildlife Resources Conservation and Protection Act of the Philippines, depending on the circumstances surrounding the said violations.

Sec. 6.3. Imposition of Fines and Penalties. All violators shall each be fined and penalized separately. If the violator is a juridical person, the person who shall be fined and penalized shall be

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the manager or president or any person of the same rank heading the company or corporation. Other staff, employees or any person representing the company or corporation who have participation shall likewise be fined and penalized.

Tools or paraphernalia used in the commission of the offense shall be declared forfeited in favor of the municipality.

Sec. 7. Allocation, Management and Disbursement of Funds Derived From the Fines. The fines from the arrest of offenders shall be distributed as follows:☐

- i. 50% will go directly to the LGU funds for the inclusion in the budget for maintenance of the facilities of the hill and Solid Waste Management;
- ii. 30% Tourism Wardens' enforcement operations, administrative expenses such as honorariums, uniforms and identification cards, trainings, basic first aid and other similar activities that will help enhance and improve the enforcement of this ordinance;
- iii. 20% to the apprehending team or person/s who conducted the actual arrest as incentives.

Sec. 8. Appropriation – The local government shall set aside funds which shall be allocated for the purpose of setting up the necessary institutional campaign, paraphernalia, and administrative requirements that will ensure the effective implementation of this ordinance.

Sec. 9. Repealing Clause. - All previous ordinances, rules and regulations or parts which are inconsistent with this ordinance are hereby repealed and modified accordingly.

Sec. 10. Separability Clause. - If, for any reason or reasons, any part or provisions of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and in effect.

Sec.11. Effectivity. - This ordinance shall take effect upon approval and after the posting and publication requirements are satisfied.

CERTIFIED CORRECT:

EDGARDO P. PEDROSA
Sanggunian Secretary

ATTESTED:

RONNAN CHRISTIAN M. REPOSAR
Vice-Mayor
Presiding Officer

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ATTESTED LIKEWISE:


JONATHAN P. CHIQUILLO
SB Member


WILSON S. UY
SB Member


CIRIACO D. AGNER, JR.
SB Member


MAGDALENA M. TORRES
SB Member


IMELDA B. PARADO
SB Member


MYRA V. NALDA
SB Member


REY ANTHONY V. LEJARDE
SB Member


CHIQUI RUTH C. UY
SB Member
LIGA President

APPROVED Feb. 15, 2018.


REMEDIOS L. PETILLA
Municipal Mayor