

Republic of the Philippines
Province of Leyte
Palo, Leyte
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Sangguniang Panlalawigan

Explanatory Note

The issuance of Resolutions Interposing No Objection (RINO/RENO) by local government units has become a critical step in the Environmental Impact Assessment (EIA) process, especially for projects with potential ecological and social consequences. However, the absence of clear, standardized guidelines has led to inconsistent practices, limited stakeholder engagement, and risks of environmental compromise.

This Ordinance seeks to institutionalize a transparent, accountable, and participatory framework for the issuance of RINO at the provincial, municipal and barangay levels. Anchored on the Leyte Environmental Code, Presidential Decree No. 1586, and DENR Administrative Order No. 2003-30, it outlines procedural safeguards, substantive criteria, and enforcement mechanisms to ensure that local endorsements are informed, inclusive, and environmentally sound.

It likewise empowers the Local Chief Executive to issue cease and desist orders, suspend activities, and blacklist violators, thereby strengthening local environmental governance and protecting the rights of communities to a balanced and healthful ecology.

Ordinance No. ___, Series of 2025

AN ORDINANCE PRESCRIBING GUIDELINES IN THE ISSUANCE OF PROVINCIAL, MUNICIPAL AND BARANGAY RESOLUTIONS INTERPOSING NO OBJECTION (RINO) TO PROJECTS SUBJECT TO ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

Sponsored by: Hon. RONNAN Christian "Bolingling" M. Reposar
Atty. Carlo P. Loreto

WHEREAS, Article II, Section 16 of the 1987 Philippine Constitution declares the State's policy to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Presidential Decree No. 1586 established the Environmental Impact Statement System to ensure that projects with significant environmental effects undergo proper assessment and public consultation;

WHEREAS, Sections 26 and 27 of the Local Government Code of 1991 mandate prior consultation and approval from affected local government units for projects with environmental implications;

WHEREAS, the Leyte Environmental Code requires a multi-level LGU consultation and consent before any environmentally critical project can proceed. Specifically, sections 15, 21 and 27 of the said code requires the issuance of a Resolution Interposing No Objection (RINO) by the concerned barangay, municipality/city, and the Provincial Government before any environmentally critical project may proceed;

WHEREAS, the absence of clear guidelines has resulted in inconsistent issuance of RINO, undermining environmental safeguards and community participation;

WHEREAS, there is an urgent need to institutionalize a standardized, transparent, and participatory process for evaluating and issuing RINO, ensuring alignment with national laws, local development plans, and ecological integrity;

WHEREAS, empowering the Local Chief Executive to issue cease and desist orders, suspend activities, and blacklist violators reinforces the accountability of project proponents and upholds the rule of law in environmental governance;

NOW THEREFORE, be it ordained by the Sangguniang Panlalawigan of Leyte, in session duly assembled, that:

Section 1. Title - This Ordinance shall be known as the "RINO Guidelines Ordinance of Leyte."

Section 2. Declaration of Policy - It is the policy of the Province of Leyte to uphold the constitutional right to a balanced and healthful ecology and to ensure that local development projects comply with environmental safeguards. The issuance of Resolutions Interposing No Objection (RINO) shall be governed by the Leyte Environmental Code, Presidential Decree No. 1586, and DENR Administrative Order No. 2003-30, ensuring transparency, public participation, and ecological integrity.

Section 3. Legal Basis - This Ordinance is enacted pursuant to the following legal provisions:

- The Leyte Environmental Code, which mandates that no environmentally critical project shall proceed without a Resolution Interposing No Objection from the concerned barangay, municipality/city, and the Provincial Government;
- Sections 26 and 27 of the Local Government Code of 1991, which require prior consultation and approval from affected LGUs for projects with environmental implications;
- Presidential Decree No. 1586, establishing the EIA system and,
- DENR DAO 2003-30, implementing rules and procedures for the EIA process.

Section 3. Coverage - This Ordinance shall apply to all requests for RINO from the Provincial, Municipal and Barangay LGUs within Leyte for projects classified as Environmentally Critical Projects (ECPs) or located in Environmentally Critical Areas (ECAs) under the EIA system.

Section 4. Definition of Terms

- **RINO** – Resolution Interposing No Objection, a formal expression of non-opposition by a local government unit to a proposed project;
- **CERTIFICATE OF NON-COVERAGE (CNC)** – a certificate issued by the Department of Environment and Natural Resources through the Environmental Management Bureau (EMB) certifying that a certain project is not classified as an environmentally critical project or is not within an environmentally critical area.
- **EIA** – Environmental Impact Assessment, a process required for projects with potential significant environmental effects;
- **ECA** – Environmentally Critical Areas as identified is a location that is environmentally sensitive or vulnerable, where any development or project may pose significant risks to ecological balance, public health, or cultural heritage, such as:
 - Watersheds and recharge areas
 - Mangrove forests and coastal zones
 - Critical habitats and wildlife sanctuaries
 - Ancestral domains and indigenous lands
 - Areas frequently hit by natural disasters
 - Tourism zones with fragile ecosystems
 - Urban areas with high population density
 - Cultural and historical sites
- **ENVIRONMENTALLY CRITICAL PROJECTS** – Projects declared by the President or its agent, which has potential impact on the environment and which are required to secure an Environmental Compliance Certificate (ECC).
- **ECC** – Environmental Compliance Certificate issued by the DENR;
- **Stakeholder Consultation** – Inclusive engagement of affected communities, CSOs, and sectoral representatives.

Section 5. Mandatory RINO Requirements - The following activities shall require RINO prior to ECC issuance or project commencement:

- a. Mining and quarrying, to include sand and gravel operations;
- b. Waste management facilities;
- c. Industrial and manufacturing plants;
- d. Large-scale infrastructure (dams, reclamation, ports, flood control projects);
- e. Agricultural/aquacultural expansion over 25 hectares;
- f. Subdivision and real estate development over 10 hectares;
- g. Projects within ECAs (watersheds, coastal zones, ancestral domains);
- h. Projects and activities as mentioned in Sections 15, 21 and 27 of the Leyte Environmental Code;

The LGUs concerned are not precluded to require a RINO for other projects affecting the Local Development Plan, Local Climate Change Action Plan (LCCAP), and Local Disaster Risk Reduction and Management (LDRRMF). LGUs in the exercise of their local autonomy may enact their own ordinance to fill in details which may not be included in this ordinance.

Section 6. Procedural Guidelines - Before the issuance of any RINO, the following steps shall be strictly observed:

Barangay RINO

- Required for projects directly affecting a barangay;
- Must be preceded by a barangay assembly/public consultation;
- Passed by majority vote with attached documentation;
- Forms part of the basis for municipal and provincial RINO

City/Municipal and Provincial RINO

- Proponent submits project documents and EIA/IEE;
- Technical review (if needed) and public consultation;
- Recommendation submitted to the Sanggunian;
- RINO issued only upon majority vote and compliance with criteria

General Procedure

a. Submission of Request - The project proponent shall submit a formal request to the concerned LGU, accompanied by:

- Project Description
- Initial Environmental Examination (IEE) or EIA Report
- Proof of DENR screening and classification
- Proposed mitigation and management plans
- Affidavit of Undertaking submitted by the proponent, requester or applicant that he/she or it shall undertake:
 - a. To furnish the barangay council, municipal and provincial government a copy of the ECC, contract, permit, license as the case may be, before commencing its operation;
 - b. To furnish the barangay council and the municipal government all operation plan (*sanitation, waste management etc.*) and rehabilitation strategy, maps and such other documents in relation to its operation whichever is applicable, if requested by the LGU concerned;
 - c. For mining, quarry, and sand and gravel operations, furnish the LGU concerned a report in relation to the volume of extraction, if requested;
 - d. To allow the Local Government Units concerned or any of their duly authorized representatives to enter into its premises or place of operation for purposes of inspection; and,
 - e. Payment of such regulatory fees as may charge by the barangay and/or the municipal and provincial government as mandated by existing ordinances.

b. Technical Evaluation – for projects which requires technical evaluation, the LGU concerned shall seek assistance from local functionaries and government lined agencies and shall request for their assessment and recommendation which shall then form part of the basis for approval or denial of the request for RINO.

c. Public Consultation - At least one public consultation shall be conducted in the affected barangay/s, with proper notice and documentation. Minutes and attendance sheets shall be attached to the committee report.

d. Legislative Action - The Sanggunian may issue a RINO only upon majority vote, and only if:

- The project poses no significant unmitigated risk;
- Stakeholders have been adequately consulted; and,
- The proponent commits to compliance with ECC conditions

Section 7. Substantive Criteria - No RINO shall be issued unless the following are satisfied:

- The project is not prohibited by existing land use plans or zoning ordinances;
- The project does not encroach on protected areas, ancestral domains, or critical habitats;
- The proponent has demonstrated capacity and commitment to implement environmental safeguards; and,
- The project contributes to local development without compromising ecological balance

Section 7. Transparency and Documentation - All RINOs shall be published in the LGU website or bulletin board within five (5) days of approval. Copies shall be furnished to the DENR, EMB, and affected barangays.

Section 9. Enforcement and Penalty Clause - To ensure compliance with this Ordinance and uphold environmental safeguards, the following administrative sanctions and enforcement mechanisms shall apply:

A. Administrative Sanctions

1. First Offense – a fine of P5,000 each for all persons involved and suspension of all activities, within 60 days without prejudice to the payment of indemnity for actual damages after evaluation if applicable;

The 60 days period is considered the rectification period wherein the project proponent is given the opportunity to comply with requirements mandated by this ordinance and other existing relevant laws.

2. Subsequent Offenses / Continuing Violation - Each day of non-compliance after the lapse of the rectification period shall constitute a separate offense, subject to an additional fine of ₱3,000.00 per day and per person involved, and may trigger executive enforcement actions; such as the issuance of:

- a. *Cease and Desist Order (CDO)* issued by the Provincial Governor or Municipal Mayor
- b. Permanent *Blacklisting* of the project proponent from future endorsements, permits, or RINO issuances within the Province of Leyte.

B. Authority of the Local Chief Executive - Pursuant to Section 444 and 465 of the Local Government Code of 1991, and Section 15, 21 and 27 of the Leyte Environmental Code, the Municipal Mayor or Provincial Governor, as the case may be, shall have the authority to:

- Issue Cease and Desist Orders (CDOs) against any project found to be in violation of this Ordinance or operating without a valid RINO;
- Order the Suspension of Activities pending investigation or compliance;
- Recommend Permanent Blacklisting of violators to the Sangguniang Panlalawigan or concerned regulatory agencies;
- Coordinate with the DENR-EMB, PENRO, and CSOs for monitoring, enforcement, and public disclosure of violations.

Section 9. Separability Clause - If any provision of this Ordinance is declared invalid, the remaining provisions shall remain in full force and effect.

Section 10. Repealing Clause - All ordinances, resolutions, or issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 11. Effectivity - This Ordinance shall take effect fifteen (15) days after publication and posting in accordance with law.