



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Item No.: 45

Date: 09 2026 JUN

PROVINCE OF LEYTE
 LEGAL OFFICE
 RELEASED

By: *[Signature]*
 Sangguniang Bayan
 Date: 5.24.26 Time: 9:24
 Province of Leyte
RECEIVED

2nd INDORSEMENT
 May 8, 2026

Date: MAY 29 2026
 By: *[Signature]*

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 10 of the Sangguniang Bayan of MacArthur, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 10: **“Municipal Mining Ordinance of MacArthur, Leyte.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance, particularly Article III, is in contravention with RA 7942¹, particularly Sections 43², 46³, 47⁴, and 48⁵. Hence, further review of the Ordinance is recommended.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer *[Signature]*

¹ "Philippine Mining Act of 1995."

² The provincial governor shall grant the permit after the applicant has complied with all the requirements as prescribed by the rules and regulations.

³ Commercial Sand and Gravel Permit

Any qualified person may be granted a permit by the provincial governor to extract and remove sand and gravel or other loose or unconsolidated materials which are used in their natural state, without undergoing processing from an area of not more than five hectares (5 has.) and in such quantities as may be specified in the permit.

⁴ Industrial Sand and Gravel Permit

Any qualified person may be granted an industrial sand and gravel permit by the Bureau for the extraction of sand and gravel and other loose or unconsolidated materials that necessitate the use of mechanical processing covering an area of more than five hectares (5 has.) at any one time. The permit shall have a term of five (5) years, renewable for a like period but not to exceed a total term of twenty-five (25) years.

⁵ Exclusive Sand and Gravel Permit

Any qualified person may be granted an exclusive sand and gravel permit by the provincial governor to quarry and utilize sand and gravel or other loose or unconsolidated materials from public lands for his own use, provided that there will be no commercial disposition thereof.

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-000-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
27 April 2026

PROVINCE OF LEYTE
LEGAL OFFICE

RECEIVED

By: 
Date: 4-27-26 Time: 8:14

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 10, series of 2025 of the Municipality of MacArthur, Leyte**, entitled: **An Ordinance regulating mining activities in the Municipality of MacArthur, Leyte, in compliance with Republic Act No. 7942, the Philippine Mining Act, ensuring sustainable and responsible resource management, and creating s Municipal Mining Monitoring Team.**


FLORINDA JILLS UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

-----oOo-----

Office of the Sangguniang Bayan

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: APR 21 2026
By: *Jam. II*

ENDORSEMENT
April 22, 2026

Respectfully submitting to the Honorable Provincial Board for consideration and approval the herein Municipal Ordinance No. 10, Series of 2025 entitled AN ORDINANCE REGULATING MINING ACTIVITIES IN THE MUNICIPALITY OF MACARTHUR, LEYTE, IN COMPLIANCE WITH REPUBLIC ACT NO. 7942 THE PHILIPPINE MINING ACT, ENSURING SUSTAINABLE AND RESPONSIBLE RESOURCE MANAGEMENT, AND CREATING A MUNICIPAL MINING MONITORING TEAM


MARIE STEPHANIE DE LA CRUZ- PULGA
Secretary to the Sanggunian

Public Service Above Self



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR
-----oOo-----

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: APR 21 2026
By: *[Signature]*

Municipal Ordinance No. 10 Series of 2025

AN ORDINANCE REGULATING
MINING ACTIVITIES IN THE
MUNICIPALITY OF MACARTHUR,
LEYTE, IN COMPLIANCE WITH
REPUBLIC ACT NO. 7942 THE
PHILIPPINE MINING ACT, ENSURING
SUSTAINABLE AND RESPONSIBLE
RESOURCE MANAGEMENT, AND
CREATING A MUNICIPAL MINING
MONITORING TEAM

Attested:



JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


RAUL E. MUNDALA
SB Member


IRENEO G. REMANES JR.
SB Member


RONALD DOMINIC B. BABANTE
SB Member


TRINA C. BURAWIS
SB Member



JONATHAN T. BARQUIN
SB Member

VICTORIANO T. LAZAR
SB Member (Absent)


XANDRIX P. PANTIN
SB Member


GWENDOLYN M. BERISO
SB Member


JOSE A. BARANDA
Ex-Officio Member
President, Liga ng mga Barangay


RALPH MARTIN P. EGOS
Ex-Officio Member
SKF President

Approved:


RUDIN T. BABANTE
Municipal Mayor
Date Approved: APRIL 15, 2026

Section 1. Title

This ordinance shall be known and cited as the "Municipal Mining Ordinance of MacArthur, Leyte."

Section 2. Declaration of Policy

Consistent with Section 2 of Republic Act No. 7942, it is the declared policy of the Municipality to promote the rational exploration, development, utilization, and conservation of mineral resources through the responsible management of mining activities, while ensuring environmental protection, community safety, and sustainable development.

Section 3. Objectives

This Ordinance is enacted to:


1. Regulate mining and mineral extraction within the municipality;
2. Ensure compliance with RA 7942 and other relevant laws and policies;
3. Promote environmentally sustainable practices;
4. Protect the health, safety, and rights of local communities;
5. Impose local taxes, fees, and penalties on extractive operations;
6. Empower the LGU through deputized monitoring personnel under the MENRO.

ARTICLE II – DEFINITION OF TERMS

For purposes of this Ordinance, the following terms shall mean:

- **ECC (Environmental Compliance Certificate)** – A document issued by DENR-EMB for environmentally critical projects.
- **Exploration** – the searching of prospecting for mineral resources by geological, geochemical and geophysical surveys, remote sensing, test pitting, tenching, drilling, shaft, sinking, tunneling or any means for the purpose of determining existence, extent, quantify, and quality thereof and the feasibility of mining them for profit.
- **Large-Scale Mining (LSM)** in the Philippines refers to capital-intensive, high-technology, and regulated corporate extraction of minerals (primarily gold, copper, nickel) authorized through Mineral Production Sharing Agreements (MPSA) or Financial or Technical Assistance Agreements (FTAA).
- **MENRO** – Municipal Environment and Natural Resources Office.
- **MPDO** – Municipal Planning and Development Office
- **Mineral Processing** – the milling, beneficiation or upgrading of ores or minerals and rocks or by similar means to concert the same into marketable products.

Attested:

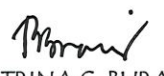

JESUS A. BARANDA
Municipal Vice Mayor


Concurred:


RAUL E. MUNDALA
SB Member



IRENEO G. REMANES JR.
SB Member



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RALPH MARTIN P. EGOS
Ex-Officio Member
SKF President

Approved:


RUDINUT BABANTE
Municipal Mayor

Date Approved: **APRIL 15, 2024**

- Mineral Resources – All naturally occurring deposits of metallic and non-metallic substances.
- Mining – The process of extracting minerals, including quarrying, sand and gravel extraction, and other related activities.
- Municipal Mining Monitoring Team (MMMT) – A multi-sectoral body created by this ordinance to ensure compliance with mining and environmental regulations.
- Permittee – Any person, cooperative, or entity granted a permit to explore, extract, or process mineral resources.
- Progressive Rehabilitation – Continuous restoration of mined areas during the project lifespan.
- Quarry Permit – a document granted to a qualified person for the extraction and utilization of quarry resources on public or private lands.
- Quarrying – The process of extracting construction materials like sand, gravel, and boulders.
- RA 7942 – Republic Act No. 7942, also known as the Philippine Mining Act of 1995.
- Small-Scale Mining – Mining activities that rely on manual labor or simple machinery, in accordance with RA 7076.

ARTICLE III – REQUISITES

Section 4. Requirements

A. Pre-requisites:

a.1. For small-scale mining: All applicants must seek consultation with the following:

- Sangguniang Barangay
- Sangguniang Bayan of MacArthur, Leyte
- Municipal Planning and Development Office
- Municipal Environment and Natural Resources Office
- Municipal Agriculturist Office
- Stakeholders thru Barangay Public Hearing/Barangay Assembly meeting facilitated by the Sangguniang Barangay
- All farmer Associations within the barangay

a.2. For large-scale mining: All applicants must seek consultation with the following:

- Sangguniang Barangay and its adjacent or nearby barangays affected
- Sangguniang Bayan of MacArthur, Leyte
- Municipal Planning and Development Office

Attested:

JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

RAUL E. MUNDALA
SB Member

IRENEO G. REMANES JR.
SB Member

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President, Liga ng mga Barangay

RALPH MARTIN P. EGOS
Ex-Officio Member
SKF President

Approved:

RUDIN T. BABANTE
Municipal Mayor

Date Approved: APRIL 15, 2026

- Municipal Environment and Natural Resources Office
- Municipal Agriculturist Office
- National Irrigation Administration (Satellite Office)
- Mines and Geosciences Bureau
- Stakeholders from the barangay concerned and its adjacent and/or affected barangays thru Barangay Public Hearing/Barangay Assembly meeting facilitated by the host Sangguniang Barangay
- All farmer associations concerned

Documentary Requirements:

No person shall conduct any mining or related activities without securing the following:

1. Municipal Clearance and Mayor's Endorsement
2. Permit from the MGB or the Provincial Mining Regulatory Board (PMRB)
3. Environmental Compliance Certificate (ECC) from DENR
4. Annual Environmental Protection and Enhancement Program (EPEP)
5. Barangay Clearance and Barangay Resolution signifying no objection
6. Transport Permit for every load leaving the mining site.
7. Sangguniang Bayan resolution interposing no objection.
8. Clearance from NIA
9. Clearance from the Department of Agriculture Regional Office

Section 5. Validity of Permits


- Quarry Permit: 1 year, renewable
- Industrial Sand and Gravel Permit: 5 years renewable
- Large-Scale Mining:
 - o Mineral Production Sharing Agreement (MPSA) - 25 years renewable
 - o Financial or Technical Assistance Agreement (FTAA) - 25 years renewable
 - o Exploration Permit (EP) - 2 years renewable
 - o Special Mines Permit - 1 year renewable
 - o Mineral Processing Permit (MPP) - 5 years renewable
- Small-Scale Mining: 2 years renewable
- Processing Permit: 1 year, renewable
- Transport Permit: Per load/trip
- Ore Transport Permit - Transport of ore from mining contract/permit area
 - As per approved volume or tonnage

ARTICLE IV – MONITORING, COMPLIANCE, AND ENFORCEMENT

Section 6. Creation of the MacArthur Mining Monitoring Team (MMMT). There is hereby created the MacArthur Mining Monitoring Team (MMMT) under the supervision of MENRO.

The team shall be composed of:

Attested:

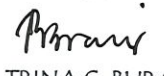

JESUS A. BARANDA
Municipal Vice Mayor


Concurred:


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SB Member



IRENEO G. REMANES JR.
SB Member



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RALPH MARTIN P. EGOS
Ex-Officio Member
SKF President

Approved:


RUDINE T. BABANTE
Municipal Mayor
Date Approved: APRIL 15, 2026

Municipal Environment and Natural Resources Officer (Chairperson)
Municipal Engineer
Representative from the Office of the Mayor
PNP Chief of police or designated PNP Personnel
Municipal Planning and Development Coordinator
Municipal Agriculturist
Representative from the accredited Civil Society Organization
Sangguniang Bayan Chairperson on Environment
Barangay Chairperson of the host barangay
MGB Technical and Legal Representatives
NIA representative
DENR Representative as consultant

Section 7. Specific Functions of the MMMT
The Monitoring Team shall:

1. Conduct monthly/quarterly or as needed inspections of all approved mining and quarry sites.
2. Validate the volume of extracted materials vis-a-vis the declared output.
3. Monitor compliance with ECC conditions, safety protocols, and rehabilitation plans.
4. Recommend issuance of stop orders for unauthorized or harmful operations.
5. Ensure proper posting of warning signs and safety markers.
6. Conduct consultations with affected communities and submit reports.
7. Maintain a municipal mining database of all operations.
8. Prescribe operating hours/schedule to mining operations.

Section 8. Responsibilities of Permit Holders
All permit holders shall:

- Display the copy of their valid permit onsite;
- Maintain road safety, safety signage, access control, and mitigation structures;
- Submit monthly volume reports to MENRO;
- Rehabilitate extraction areas based on their Environmental Plan;
- Pay required extraction, environmental fees and other fees to the Provincial Government and LGU.
- Comply with the operating hours/schedule prescribed by the MMMT.

Section 9. Buffer Zones and Prohibited Areas

Mining and extraction activities shall not be allowed within:

- 50 meters of residential, school, or institutional zones;
- 20 meters of riverbanks and bridges (unless permitted or with clearances by DENR and DPWH);
- Declared protected areas or ancestral domains (without FPIC).


For large-scale mining buffer zones for agricultural areas and Lake Bito shall have 300-500 meters.

ARTICLE VI – PROHIBITED ACTS, FINES AND PENALTIES

Attested:

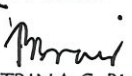

JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


RAUL E. MUNDALA
SB Member


IRENEO G. REMANES JR.
SB Member



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RALPH MARTIN P. EGOS
Ex-Officio Member
SKF President

Approved:


RUDIN T. BABANTE
Municipal Mayor
Date Approved: APRIL 15, 2026

Section 10. Prohibited Acts

- Undertaking any mining activity without the required permits;
- Exceeding allowable extraction limits;
- Extracting Sand and Gravel in riverbanks, danger zones, or protected areas;
- Selling Sand and Gravel extracted under a non-commercial permit;
- Obstructing the inspection activities of the MMMT or DENR;
- Causing environmental damage through unsafe or irresponsible mining practices.
- Incompliant to all the provisions prescribed in this Ordinance or by official order/issuance of the MMMT.

Section 11. Fines and Penalties

A. Administrative Fines (LGV-Imposed)

- Failure to submit monthly report
 - 1st Offense : ₱1,000
 - 2nd Offense : ₱2,000
 - 3rd Offense : ₱2,500 + endorsement to MGB
- Operating without valid ECC or clearance
 - 1st Offense : ₱1,000
 - 2nd Offense : ₱2,000
 - 3rd Offense : ₱2,500 + endorsement to MGB
- Obstruction of inspection by MMMT
 - 1st Offense : ₱1,000
 - 2nd Offense : ₱2,000
 - 3rd Offense : ₱2,500 + endorsement to MGB
- Exceeding SAG volume limit
 - 1st Offense : ₱1,000
 - 2nd Offense : ₱2,000
 - 3rd Offense : ₱2,500 + endorsement to MGB

**B. Penalties Under RA 7942 "The Philippine Mining Act"
Based on Chapter 19**


- False or misleading statement in reports or applications – Fine up to Php10,000;
- Unauthorized exploration or mining – Fine up to Php50,000 and/or imprisonment;
- Theft of Minerals (including illegal SAG extraction) – Imprisonment of 6 months to 6 years and/or fine of Php10,000 to Php20,000 plus damages.
- Destruction of mining/quarry facilities – Imprisonment of up to 5 years and/or civil damages.
- Violation of ECC resulting in environmental damage – Fine Php50,000 to Php200,000 and/or imprisonment of 6 months to 6 years;

Attested:



JESUS A. BARANDA
Municipal Vice Mayor


Concurred:


RAUL E. MUNDALA
SB Member



IRENEO G. REMANES JR.
SB Member

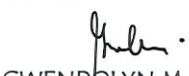

RONALD DOMINIC B. BABANTE
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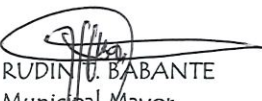

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President, Liga ng mga Barangay


RALPH MARTIN P. EGOS
Ex-Officio Member
SKF President

Approved:


RUDIN U. BABANTE
Municipal Mayor

Date Approved: APRIL 15, 2026

- Obstruction of government duties – Fine up to Php5,000 or imprisonment of up to 1 year.

Section 12. Revenue Utilization

All revenues from administrative fines and fees may be used for:

- Environmental Rehabilitation Projects;
- Capacity-Building activities;
- Operations of the Municipal Mining Monitoring Team (Transportation, Supplies, Training & other expenses relevant to MMMT activity)

Section 13. Repealing Clause

All ordinances or issuances inconsistent with this Ordinance are hereby repealed or amended accordingly.

Section 14. Separability Clause


If any provision of this Ordinance is declared invalid, the remaining provisions shall continue to be in force.

Section 15. Effectivity Clause

This Ordinance shall take effect after the approval from the Sangguniang Panlalawigan and the requirement of posting prescribed in RA 7160 is complied with.

ENACTED by the Sangguniang Bayan in session assembled on March 30, 2026 at the Municipal Session Hall, Legislative Building, MacArthur, Leyte, Philippines.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


MARIE STEPHANIE DE LA CRUZ- PULGA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR
-----oOo-----

Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

THIS IS TO CERTIFY that Municipal Ordinance No. 10, Series of 2025 of the Sangguniang Bayan of MacArthur, Leyte, duly enacted on 30 March 2026 and approved last 15 April 2026 has been posted since 15 April 2026 at the bulletin board of the Legislative Building, at Poblacion Public Market, and at Palale I Outpost pursuant to Section 511 of R.A. 7160.


MARIE STEPHANIE DE LA CRUZ- PULGA
Secretary to the Sanggunian

Public Service Above Self



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

-----OoO-----

Office of the Sangguniang Bayan

Minutes of the Public Hearing of the Committee on Environment and Natural Resources Protection, Tourism and Culture last Wednesday, January 28, 2026 at ABC Hall, MacArthur, Leyte.

PRESENT:

Honorable Gwendolyn M. Beriso	Chairman, Presiding Officer
Honorable Victoriano T. Lazar	Co-Chairman
Honorable Trina C. Burawis	Member
Honorable Ireneo G. Remanes Jr.	Member

ABSENT:

NONE

CALL TO ORDER:

The Public Hearing was called to order at 9:48 in the morning.

AGENDA:

Review and discuss on the proposed Municipal Ordinance No. 10, Series of 2025, "AN ORDINANCE REGULATING MINING ACTIVITIES IN THE MUNICIPALITY OF MACARTHUR, LEYTE IN COMPLIANCE WITH REPUBLIC ACT NO. 7942 THE PHILIPPINE MINING ACT, ENSURING SUSTAINABLE AND RESPONSIBLE RESOURCE MANAGEMENT, AND CREATING A MUNICIPAL MINING MONITORING TEAM".

The Public Hearing started with a prayer and singing of the National Anthem, and MacArthur Hymn. Afterwards, Hon. Vice Mayor Jesus Baranda gave his opening message.

HON. VICE MAYOR: Maupay nga aga ha aton nga tanan. Han aton amay han bungto, Hon. Rudin T. Babante. Han aton Sangguniang Bayan Members—Hon. Lazar, Hon. Burawis, Hon. Barquin, Hon. Echavez, Hon. Beriso. Ha aton ABC President, Hon. Jose Baranda. An aton mga Barangay Captain nga aanhi yana ngan han aton mga concessioner han aton sand and gravel nga nagpapakabuhi dinhi ha aton nga aanhi yana. Ha aton Department Head, MENRO—Engr. Lanza ngan ha Assesors Office. An aton Secretary to the Sangguniang Bayan, Madam Stephanie de la Cruz Pulga. Maupay nga aga ha aton nga tanan.

HON. VICE MAYOR: Ini nga pagtawag naton yana nga public hearing, mahitungod ini han aton Ordinance No. 10. Ginhimo ini nga public hearing kay iton ginhimo nga Ordinanza, iton sanction ngan pati penalty, imprisonment ngan may multa in nagkikinahanglan tun nga magka-ada hin public hearing thru the public mahitungod hini na aton proposed na Ordinanza. Ini nga aton Ordinanza pinangingiroyan ini ni Hon. Beriso ini na aton parte hin mining. So amo ini yana nga nakikit-an para makabatí kami, habaro kami hit iyo reaksyon, komento mahitungod hinin aton proposed Ordinance. Kay basi nga paghimo naton hini, magin han-ay nga ordinansa hini na aton bungto pagproteher hiton aton environment dinhi ha aton bungto. Sanglit importante ini an iyo reaksiyon, an iyo mga ideya kun unanhon ta nga magmaupay pa gud ini nga aton balaud. Or actually an katapusan hini, pagdesisyunan ini han mga tawo nga iyo ginpili nga magdesisyon para han kaupayan han aton bungto. So amo iton nga yana nga aga bangin may mga adverse reaction kun ano dida, but we will come up with a common decision para pagpakaupay han aton bungto. There are negative, there are positive reactions that will be coming in but we will hear from you ano gud it maupay nga buhaton ta para ini ha aton bungto nga magmaupay. Pina-agi hini nga aton usa nga resources ha aton bungto an iton nga mining nga amo iton an usa nga ginkikita natin nga makakuan kita hin income pero kitaon ta liwat kay bangin madistroso it aton tuna. Kinahanglan balansehon ta ini, upayon ta gud nga inin makabulig ha aton bungto. Hilabi na gud la ngada han mga tawo nga nag-uukoy dinhi ha aton bungto. So aton iton responsible, aton iton katungod ngan aton iton dako nga responsibilidad panginano ngan pagpakaupay hit aton bungto. So diri ko na ihaon, ini in importante nga duro. Kinahanglan magkamay-ada gud hin reaksyon kay para gud magmaupay iton aton kabutangan, pagpahamtang hinin aton proposed nga balaud nga ginhimo ni Hon. Beriso. Salamat ngan maupay nga aga ha iyo nga tanan.

MS. BRAO: Thank you Vice. At this moment, may I call on our Secretary to the Sanggunian, Ms. Marie Stephanie de la Cruz Pulga. A round of applause please.

SB SECRETARY: Maupay nga aga ha aton nga tanan. Pagtahod ngadto han amay han bungto, Hon. Rudin T. Babante. To the Sangguniang Bayan with the leadership of Hon. Jesus A. Baranda, our Vice Mayor. An aton mga konsehales nga aanhi yana, hi Hon. Lazar, Hon. Remanes, Hon. Barquin, Hon. Burawis, Hon. Baranda—our ABC President, and of course an aton Chairman, an proponent hini na aton ordinansa. So before we begin, i-acknowledge naton kun hira hino it aanhi yana. Aside from the Sangguniang Bayan Members, aadi gihapon an aton mga Department Heads nga naconcern hini nga aton proposed Ordinance, hi Engr. Norly G. Lanza. An aton MENRO Designate, and hi Maam Anecita de Asas. An aton Municipal Assessor Designate. So aside from that, anhi liwat an aton Punong Barangay nga invited yana. An aton Punong Barangay han Brgy. Liwayway, Hon. Edgardo Gontifias. An sunod liwat hi Hon. Ed Kevin Sab han Brgy. Causwagan, hi Hon. Mundala han Brgy. Romualdez, hi Hon. Loreto Cerro han Brgy. Pongon, hi Hon. Ronnie Belleza of Brgy. Villa Imelda, hi Hon. Pepito Guimalan, an dati gihap ini naton nga ABC President, ngan an aton Kagawad as a representative from Brgy. Villa Imelda, hi Hon. Edwin Bausal. Mayda gihap kita nganhi mga representatives from those mining companies, an mga sand and gravel concessioners. Adi po yana hi Maam Delia Piga, representative han Brenelou. Maupay nga aga Maam. Hi Sir Lawrence Medua MIPC Representative. Welcome sir. So amo iton yana an mga participants nga anhi yana. So before makadto kita han proper, ihatag ko anay han aton Chairperson han Committee on Environment and Natural Resources Protection, Hon. Gwendolyn M. Beriso.

HON. BERISO: To our Vice Mayor, Jesus A. Baranda, my co-SB members, to the SB staff, Department Heads of different offices, Punong Barangays, mga representative of sand and gravel, and mining company, good morning. This Ordinance "AN ORDINANCE REGULATING MINING ACTIVITIES IN THE MUNICIPALITY OF MACARTHUR, LEYTE, IN COMPLIANCE WITH REPUBLIC ACT NO. 7942 THE PHILIPPINE MINING ACT, ENSURING SUSTAINABLE AND RESPONSIBLE RESOURCE MANAGEMENT, AND CREATING A MUNICIPAL MINING MONITORING TEAM." This Ordinance, all the sections or provisions here was taken from the National Law from the Ordinance of the Province. So nagka-ada kita hin public hearing it's because of may ada kita mga fines, penalties ha LGU. Mababasa gihap niyo dinhi nga mayda kita mga fines that was taken from the National Law. An aton hini an kanan LGU fines kay ha National Law, maaram na man gud kita nga before kita magka ada hin business. And then, ma-focus kita dinhi han aton Ordinance. And then the main purpose of this also is to have the monitoring team para naton siring pa man may-ada naton team nga magmomonitor hiton mga sand and gravel extraction han mining in dako an chance nga maprotektaran naton an aton environment. So kun may-ada niyo niyan mga pakiana or kailangan ig-add whatsoever, pwede kamo magpakiana. I would like to call our SB Secretary to please read our Ordinance. But mas maupay siguro kun by section or by provision kay para kun mayda kamo pakiana hiton na section, madali la, sunod-sunod. Babasahin naton anay nga tanan and then an mga question or correction magkaburubaliktao para sunod sunod pagsanction by the end of this Ordinance. Thank you ngean Han iyo pagkanhi para naton masayuran ini na Ordinance. Dako an Akon pasalamat han iyo pagattender nganhi.

HON. BERISO: By the way I would like to thank also, this Ordinance, nabug-os ini na ordinance through the help of our MENRO and of course through the help of our Secretary han pag edit and whatsoever and of course with my SB Members. Thank you.

SB SECRETARY: Salamat kons. Kada usa po ha iyo in mayda kopya. Draft la po iton hiya ha. Bangin dad-on iton naton ha aton, aton ipamarayaw ngadto. Dri pa po iton final. It is for the sake of reference kay bangin magka technical error kita at least makakapadayon la gihapon kita hit aton discussion. So may I start with.

HON. BERISO: By the way, Bangin kamo makasiring na approve na ini na final. No. Public hearing pala ini. Maagi pa ha second reading then maapprovan and makadto pa ini ha province for approval. Amo iton it proseso hiton ordinansa ha LGU. m

SB SECRETARY: Salamat kons han reminder. Maagi pa ini hin damo nga proseso. An kuan hini is makuha la an iyo insights ngan recommendations regarding hini nga ordinansa. So may I read to you the title, it is *Municipal Ordinance No. 10, Series of 2025. 2025, its because dida pa ini han 2025 natikangan pag propose but until now ongoing pa ini it iya procedure. So the title is*

"AN ORDINANCE REGULATING MINING ACTIVITIES IN THE MUNICIPALITY OF MACARTHUR, LEYTE, IN COMPLIANCE WITH REPUBLIC ACT NO. 7942 THE PHILIPPINE MINING ACT, ENSURING SUSTAINABLE AND RESPONSIBLE RESOURCE MANAGEMENT, AND CREATING A MUNICIPAL MINING MONITORING TEAM". So for short title, it iya hini kuan is Municipal Mining Ordinance of MacArthur Leyte under the Section 1. So for the Declaration of Policy, this consistent with Section 2 of Republic Act no. 7942. It is the declared policy of the

Municipality to promote the rational exploration, development, utilization, and conservation of mineral resources through the responsible management of mining activities, while ensuring environmental protection, community safety, and sustainable development.

SB SECRETARY: Duruderistohon ko la anay kutob ngadto han definition of terms before kita mag provision ngan hin open forum kay mga preliminaries pa man la ini han ordinansa. So for the objective han ordinansa,

First to regulate mining and mineral extraction within the municipality. Ika-duha, ensure compliance with RA 7942 and other relevant laws and policies. Ika-tulo, promote environmentally sustainable practices. Fourth, protect the health, safety, and rights of local communities. Ika-lima, impose local taxes, fees, and penalties on extractive operations. Lastly, empower the LGU through deputized monitoring personnel under the MENRO.

SB SECRETARY: So for the definition of terms. Para la ini nga ordinansa dri ini an general nga nagagamit naton, para la hini nga ordinansa. For purposes of this Ordinance, the following terms shall mean:

- *RA 7942 – Republic Act No. 7942, also known as the Philippine Mining Act of 1995.*
- *Mining – The process of extracting minerals, including quarrying, sand and gravel extraction, and other related activities.*
- *Mineral Resources – All naturally occurring deposits of metallic and non-metallic substances.*
- *Quarrying – The process of extracting construction materials like sand, gravel, and boulders.*
- *Small-Scale Mining – Mining activities that rely on manual labor or simple machinery, in accordance with RA 7076.*
- *ECC (Environmental Compliance Certificate) – A document issued by DENR-EMB for environmentally critical projects.*
- *MENRO – Municipal Environment and Natural Resources Office.*
- *Permittee – Any person, cooperative, or entity granted a permit to explore, extract, or process mineral resources.*
- *Municipal Mining Monitoring Team – A multi-sectoral body created by this ordinance to ensure compliance with mining and environmental regulations.*
- *Progressive Rehabilitation – Continuous restoration of mined areas during the project lifespan. So amo po iton hiya.*

SB SECRETARY: So move on to the next Article, the requisites. In this portion po, babasahon ko an section, open forum if you have any suggestions, obligation or deductions regarding han aton provision nga naka state dida. If you a question or something to say, please raise your hand para ma acknowledge po naton.

SB SECRETARY: *Section 4. For requisites. First, the prerequisites.* By the way po, ini hiya dinhi nga portion Bangin kamo kumita ngada han iyo kopya. Waray po ini hiya makasurat kay it's because last kuan na po ini hiya nahabutang. Bago la talaga ini hiya po. Yana la ini hiya nasapong. So prerequisites.

All applicants shall seek consultation with the stakeholders and concerned offices such as Sangguniang Bayan, which is an aton dinhi ha MacArthur Leyte. Sangguniang Barangay kun hain hiya nga barangay concerned kun hain a may mining activities or quarrying, Municipal Planning and Development Office, Municipal Environment and Natural Resources Office and Municipal Agriculturist Office. Any questions regarding hiton aton prerequisites?

SB SECRETARY: Yes po Kap.

HON. GONTIÑAS (PB): Didi hiton aton kuan clearances.

SB SECRETARY: Didto la anay kita ha prerequisites anay kita. Kay actually whatever it is nga iyo recommendation, recorded po kasi para madagmit liwat kita paghimo hin mga amendment in case kuan. So waray kita pakiana ha prerequisites? Adi hi Kap.

HON. MUNDALA (PB): An nakabutang all applicant shall seek consultation with stakeholders and concerned office such as Sangguniang bayan and Sangguniang barangay. So an imo sinisiring kanina an host barangay? Or all stakeholders that belong to that municipality?

SB SECRETARY: Adit proponent po naton it makakabaton hini.

HON. BERISO: Kun let's say small scale la hiya ano.

HON. MUNDALA (PB): We're not talking small scale, we are talking about mining already.

HON. BERISO: The stakeholders an involve na hiton dida nga barangay. Makuha kita han stakeholders then kun let's say large scale na, machoose liwat kita han kuan within the municipality stakeholders.

HON. MUNDALA (PB): So kun kuan, makuan kita han prerequisite, all applicants applicants shall seek consultation with the stakeholders and concerned offices. Amo tun nga mga offices, an Sangguniang Bayan ngan Sangguniang Barangay. So we are focusing here on stakeholder kay kun masiring la Maya, ada nag mina, so an Sangguniang Barangay la han Maya?

HON. BERISO: Oo. Api an Sangguniang Barangay han consultation.

HON. MUNDALA (PB): So an amon mga neighboring barangay nga may be affected hit extraction. Ano ini it kuan ha amon? So waray la kami.

HON. BERISO: Pwede kamo mag suggest if you would like

HON. MUNDALA (PB): Amo it aton ginbubuhay yana diba? Waray man, dri pa man ini final. I suggest an additional nga pati an mga neighboring barangay that's affected for that extraction.

HON. BERISO: Noted Kap. Please note Secretary. So aside from Sangguniang Baranggay we have...

HON. BARANDA (ABC PRES.): I have a clarification, what perhaps Kap Bede is saying is for the sand and gravel extraction, it should be the Sangguniang Barangay concerned because if we to read about mining, mining includes the different barangay. Now for sand and gravel extraction it is specific and that is the reason why there is a certification of objection from that barangay. So there should be specific here. Because if we are talking about mining, which is large mining, it involves different barangay. Now sand and gravel involves specific barangay.

HON BERISO: Okay. Noted. So it must be specified kun iton small mining ngan large mining. If it is sand and gravel only for barangay, only the Sangguniang barangay. If it is large scale, including an mga neighboring barangay. Amo an karuyag ig suggest, ig add.

HON BARANDA (ABC PRES.): That's the reason why we need certification of no objection in our barangay and that's the reason we ask for that.

HON BERISO: Exactly. May I call the attention of MENRO.

ENGR. LANZA: May I add for clarification. when we say mining, that includes a sand and gravel extraction and also a metallic. So pagdating ha mining may ada la kita duha na part, metallic and non-metallic mining. So when we say metallic mining, that includes an mga gold, magnetite. Iton nga aton yana magnetite ito hiya. Tapos it non-metallic amon liwat iton sand and gravel.

HON. MUNDALA (PB): Yes sir. (Inaudible) metallic there are so many differences. There is precious metal and there is an iron. It precious metal amo na iton it sinisiring na gold, silver, caladium. So Ayaw la anay kita hiton pag-abot kay bisan an primero nga kuan an primero nga ano adto nga section, defined na an mining. An mining extraction of any kind of resources from the country. So kuan na, sand and gravel, okay na adto. Maaram na Kami nga an meaning han mining means is extraction. Naka identify naman. Adi na. Okay na ak hadto. The process of extracting minerals including quarrying, sand and gravel extraction, and other related activities. So an dida liwat han sunod amo na iton a mineral resources. Waray Kami hiton problema, an akon ginkukuan hini yana ini nga prerequisite.

ENGR. LANZA: Yes sir. That is for clarification la for everybody nga an ira pagsiring han mining that concludes la han metallic. When we say mining that includes also a sand and gravel naton.

SB SECRETARY: So Kap ano man it imo masusuggest for section hit prerequisites?

HON. MUNDALA (PB): So we have to kuan anay kay makuri it ako la, kukuanan siguro niyo ha Sanggunian tapos we have to harness specific na term para hiton mining. Kay iba iton mining, iba it sand and gravel.

SB SECRETARY: Okay po. Sige po. Well noted po para hit kanan prerequisites. Most specifically to the consultation with the stakeholders but for the succeeding statements, concerned offices, waray na? Okay natun hiya? So karuyag ba iton niyo nga mayda consultation with stakeholders ig didifferentiate an consultation with stakeholders between the small scale and the large scale? (Agrees) Sakto. Amo na. Please ako take note. Specify between the small scale and the large scale mining with consultation with the stakeholders. Yes po Sir Lawrence.

MR. MEDUA: Clarification lang po ano. Tanong lang po since ang pinag-uusapan po natin ay legalidad at ordinansa. Yung isa pong legal basis question, isa po ito, what specific law grants the Sangguniang Bayan, specific law po, National, the authority to pass the said Ordinance and create a mining monitoring body that's separate from the MGB, DENR monitoring mechanism. Clarification lang po ito. Very general po yung nakalagay diyan, yan po yung RA 7942. It is a suggestion na yung specific provision po particular po na nagsasaad para sa creation po ng another layer of monitoring aside from the existing monitoring team mandated by the national law. And then, can we cite the exact provision of the local government code for Philippine Mining Act as regards to the implication of another monitoring team. Kasi I

understand po even sa provincial level meron pong coverage sila na supervision over mga small scale mining. For verification lang po. Thank you po.

HON. MUNDALA (PB): Paki ano mo nga jot down. Anong tanong mo? What is the authority of the municipality to create a monitoring team?

MR. MEDUA: Hindi po.

HON. MUNDALA (PB): What do you mean by that?

MR. MEDUA: Ano po yung specific law.

HON. MUNDALA (PB): Oh kaya nga. Pero Makikita mo na sa 7942 binibigyan ng authority ang isang municipality to create a monitoring team. So bakit ka nagtatanong? Bakit mo kinu-question ang ganitong mga ordinance?

MR. MEDUA: Sir hindi ko tinatanong. Sinasabi ko lang-

HON. MUNDALA (PB): Hindi. Hindi. You're questioning already.

SB SECRETARY: Excuse me po ha. Tag usa-usa la po kay dri kita hini magkakatuhay

HON. MUNDALA (PB): Dri Kay nakuan la ako kay nadiri ako nga maghihimo hin ordinansa iton MacArthur, Leyte tapos they are questioning. Dri ito maupay kay bisan ngani nakakuan na kita kay may ada mandate hit republic act 7942.

SB SECRETARY: Tagan naton hin chance hi Sir Lawrence nga makagkuan po. Sige po.

MR. MEDUA: Very general po yung Republic Act 7942. Hinihingi lang po ano po yung specific statement ng batas na nagbibigay sa Sanggunian, sa isang munisipyo, sa isang siyudad ng authority. Hindi po ako nagkuquestion. Hindi po yung mining company. Yung batas po na i-indicate lang yung provision ng batas na yun na nagcecreate po ng authority.

SB SECRETARY: May I, paki clear nalang po. So you are suggesting, not inquiring. You are suggesting na to put the specific provisions? Sakto po? Under the RA 7942. Sge po. Ihahatag ta po ini ha konsehal nga angay makabaton hini. Adi po hi Doc. Baranda.

HON BARANDA (ABC PRES.): Good morning everybody. I guess RA 7942, this Republic Act also known as the Philippine Mining Act of 1975. This includes all regulatories in the Philippines. Lahat ito applicable in all areas in the Philippines that a certain company would engage in mining. Ito na yung rules and regulations adopting to the local government. So is there a need to create another law for this or any inquiries or legalities because this is very specific already. Thank you.

SB SECRETARY: So okay na po kita under Han requisites na provision po. So let's move on po. For the *documentary requirements*.

No person shall conduct any mining or related activities without securing the following:

- 1. Municipal Clearance and Mayor's Endorsement*
- 2. Permit from the MGB or the Provincial Mining Regulatory Board (PMRB)*
- 3. Environmental Compliance Certificate (ECC) from DENR*

4. *Annual Environmental Protection and Enhancement Program (EPEP)*
5. *Barangay Clearance and Barangay Resolution signifying no objection*
6. *Transport Permit for every load leaving the mining site*

SB SECRETARY: Mayda pa po ito number 7. Waray pa po ito ngada Sanggunian Bayan resolution, kindly include. Sangguniang bayan resolution interposing no objection. Amo na po iton hiya ha documentary requirements. Waray mapakiana ha documentary requirements? Sge po, adi hi Hon. Gontiñas.

HON. GONTIÑAS (PB): Pwede ba masapungan hin kuan, NIA clearance? Kay didto hit pagmina, ada it pasilidad hit NIA. Pwede ba iton mining company mag apply gihap hin NIA clearance or DA clearance gihapon.

SB SECRETARY: Department of Agriculture clearance. Well taken po. Suggestion man la iton po dri man tun pakiana. Adi man an aton secretariat, dri nala naton ireflect ngadi, adi man an aton secretariat. Well taken po an aton suggestion. Nakasurat. An aton po yana procedure is recorded han aton didi secretariat po. Well taken po iton hiya. So for the documentary requirements aside from the Sangguniang Bayan resolution, we have additional documentary requirements as suggested by Hon. Gontiñas which is the Municipal Agriculture Office? Kanan municipal ano po nga clearance?

HON. GONTIÑAS (PB): Region siguro. NIA region, DA Region.

SB SECRETARY: NIA Region ngan DA Region. So klaro. Okay. Thank you. So sunod didi kita han-

HON. BERISO: Pwede gihapon magka ada hin public hearing han concerned hiton nga barangay.

SB SECRETARY: So adto hiya ha prerequisites? So balik kita ha prerequisites. So under the prerequisites of consultation ig kuan ta ini large scale ngan small scale. Sakto? Under a public hearing. Okay na? Okay sige. Yes po Kap.

HON. GONTIÑAS (PB): Clarification la han pag add han... isapong gihapon dida nga ma involve gihapon an mga farmers association ba. Like han farmer's irrigators association ito dida gihapon ha prerequisites. Dri la an ngatanan nga katawhan pati gihapon an aton mga farmers association labi na an farmer's irrigators association kay hirat mas nakakuan hito Kay hira gud it parag uma.

SB SECRETARY: So ha aton stakeholders ig specify naton dida po an kanan mga farmers association within han concerned area. Taken? Thank you. Can we move on na to the next provision?

*Validity of permits under Section 5. Quarry Permit: 1 year, renewable.
Industrial Sand and Gravel Permit: 5 years, renewable. Processing Permit: 1 year, renewable. Transport Permit: Per load/trip.*

SB SECRETARY: Waray kita pakiana po?

HON. MUNDALA (PB): Kay ano Waray ngada a mining? Kay it nakabutang dida diba? Quarrying permit: 1 year renewable. Industrial Sand and Gravel Permit: 5 years. An kanan mining ano an kuan naton hiton? Hain hiya nabelong hito?

SB SECRETARY: An hain po na mining po? Let's go back to the definition of terms nga an mining is gingamit hiya in a general term.

HON. MUNDALA (PB): Amo lagi kay nagamit kita hin mining pero nagspecify kita yana kun ano. An part han mining diba an quarry that is part of mining on definition of terms han mining. Industrial sand and gravel under gihapon han mining. Tapos kay ano nga nagspecify kita hini nga mga kuan tapos waray nala naton ideretso han mining? Kay an mining damo hiya an nakakuan nga under. Quarrying, industrial sand and gravel tapos, kay ano waray man lakip ngada an mga kuan iron kun ano man copper kun ano na mga mining extraction.

SB SECRETARY: Kinds of mining activities. So ano man kons. Suggestion man la adto ano po. To include-

HON. MUNDALA (PB): Kay napausa ako, naobserbaran ko nga baga mayda na naton meaning han mining tapos gin tagusa-usa nga an quarrying 1 year renewable tapos industrial sand and gravel 5 years renewable tapos processing permit okay la 1 year renewable. Kay ano waray man iton naton ibutang an other extraction of mineral resources?

SB SECRETARY: Sige. Suggestion man la iton ano Kap. So aton iton hiya igkoconsider. By the way po an aton mga suggestions, recommendations, it is still subject for the approval on the committee and the Sangguniang Bayan. Okay la po kita magsuggest pero does not mean po bangin magexpect kamo later on hit Ordinansa nga waray didto sumulod an iyo gin recommend, mangaway kamo ha akon ngan han SB members.

HON. MUNDALA (PB): Dri kami mangaway. Need la namon explanation. Kay nag suggest kami tapos waray niyo iapil. Bali waray la niyo. Kay ano nga gin imbitar kami hin usa nga public hearing for consultation tapos waray la namon sabot kun kay ano nawara an amon suggestion.

SB SECRETARY: I'll put it this way la ano kay maagi pa iton hin deliberation pa liwat.

HON. MUNDALA (PB): Maaram ako. Tapos kinahanglan namon hin explanation kun kay ano nga waray an amon suggestion waray karawta.

SB SECRETARY: Waray na valid. Naintindihan ko po kay mapuput into waste. Pero singpaman, pagbuburubalansehon ta anay ini. So okay na kita han Validity of Permits? So recommendations ni Kap is to include other mining activities. Move on to the Monitoring, Compliance, and Enforcement.

Section 6. Creation of the MacArthur Mining Monitoring Team (MMMT)

There is hereby created the MacArthur Mining Monitoring Team (MMMT) under the supervision of MENRO. The team shall be composed of:

- *Municipal Environment and Natural Resources Officer (Chairperson)*
- *Municipal Engineer*
- *Representative from the Office of the Mayor*
- *PNP Chief of police or designated PNP Personnel*
- *Municipal Planning and Development Coordinator*
- *Municipal Agriculturist*
- *Representative from the accredited Civil Society Organization*
- *Sangguniang Bayan Chairperson on Environment*
- *Barangay Chairperson of the host barangay.*

SB SECRETARY: Sige po. Ano po an aton pakiana?

HON. BELLEZA (PB): An akon pagdugang la. Iglakip ta gihapon dida iton NIA.

SB SECRETARY: Hino specifically ha NIA?

HON. BELLEZA (PB): Region. Waray municipal satellite.

HON. MUNDALA (PB): Dri kay ini nga kuan kanan municipal ini kuan. Municipal satellite nala.

HON. BELLEZA (PB): Kun dri pwede ha region, satellite office dinhi ha MacArthur.

SB SECRETARY: Municipal ngan ha local. NIA satellite. An ira head?

HON. BELLEZA (PB): Basta bahala hira.

SB SECRETARY: Representative didi han satellite.

HON. MUNDALA (PB): Amo iton it ginkuquestion ni Lawrence yana nga ini nga pag create naton, is this legal. Amo iton it iya ginquestion. Diba Mr. Lawrence? An kanina?

SB SECRETARY: Yes po sir Lawrence.

MR. MEDUA: Clarification lang po. Hindi po ito roll call but rather ito po ay mga pangalan ng tao at representative na bumubuo ng existing Multi-part time Monitoring Team ng MGB. Francis Combinido, Florentino Ramos from MGB, Atty. Ramil A. Macalalad from DENR, two (2) EMB Representative, one (1) PENRO Representative, one (1) CENRO Representative and then DENR. Dito po sa LGU MacArthur, Reynaldo T. Babante, our Municipal Administrator. Lany Barbosa from the National Irrigation Administration. Hon. Pepito C. Guimalan, Brgy. Chairman of Brgy. Maya. Hon. Edgardo D. Gontiñas, from Brgy. Liwayway and Hon. Rey Belleza from Brgy. San Pedro. Ito po yung 13 member composition ng MMT. Every quarter po nag-memeeting sila. Ito po naman yung aking katanungan. This is regarding po sa Municipal Monitoring Team. In case of, assuming lang na na-approve yung Ordinance. In case of contradictory monitoring results, which body findings will remain? Yung sa Macarthur, kung may conflict po, or yung MMT ng MGB? Yun po yung una. And will the Municipal Monitoring Team or the technical inspection already within the exclusive competence ng Mines and Geosciences Bureau? Yun po ang pangalawang tanong. And will there be a consultation with the Mines and Geosciences Bureau with regards to the proposal, of this proposed Ordinance? Yun lang po yung clarification ko po.

SB SECRETARY: Okay ighahatag. Hinot pwede makabaton. Adi it aton Chairperson.

HON. BERISO: May I request our MENRO to please give some answer to the query of Mr. Lawrence.

ENGR. LANZA: In our composition of our Monitoring Team for mining, we will include the MGB as our consultant also. I suggest po to include the MGB as our technical, one of our technical on the monitoring team.

MR. MEDUA: Papano po sir ang PENRO at saka CENRO and then the DENR.

ENGR. LANZA: Since you have partly suggested, we can include in general the DENR. So whichever involve for the monitoring needed na technical namon, we will seek guidance ha DENR.

SB SECRETARY: Klaro. Okay well taken po. Yes po another.

MR. MEDUA: Ano po ang magiging resolution kung yung tanong po na magkaroon po ng disagreement or conflict dun sa magiging monitoring reports between the MMT ng MGB at saka yung MacArthur Mining Monitoring Team? Sino po ang magpeprevail?

SB SECRETARY: So between the two, from the National and Local kuan. Yes po

HON. MUNDALDA (PB): Kun makaginterrupt ako kay

SB SECRETARY: Bangin usa ha aton mga kapitan it makahatag hin kuan

HON. MUNDALDA (PB): Dri kay an meaning han MMT, Municipal Monitoring Team and then we have to choose within the municipality, pero ang binigay mong mga pangalan, may provincial tapos meron tatlo na municipality. There are composing thirteen (13) person, so makikita mo na lugi na ang nasa municipality. Guimalan, Rey, Babante, and Gontiañas.

MR. MEDUA: Kung sino man po ang magiging concern na—

HON. MUNDALDA (PB): Yung nga yung inaano natin ngayon kaya gumagawa ng ordinance ang Sanggunian para yung under the municipality they have there own Municipal Team to monitor for these mining companies.

MR. MEDUA: Tanong ko lang po—

HON. MUNDALDA (PB): Kaya nga. So syempre, kung sino ang nandito, everyday, every minute na pwede makikita ang mining, they have to obey what's the decision of the MMT ng local.

SB SECRETARY: Sige adi hi Vice po. Bangin may masapong.

HON. VICE MAYOR: We always should remember that we are creating this Ordinance to make, to conclude of what is happening, especially mining. Because we are the concerned, Local Government. So National Government, they are an institution but they have to respect local government. But anyway, this Ordinance is going to pass to Sangguniang Panlalawigan before they have to be approved. So we are attracting you to come up with the need that we have to implement in order to protect our constituents.

HON. BARANDA (ABC PRES.): May I suggest? (undecipherable). Now at some of the representative, it should be equal from the national down to the local. So that whatever it is the comment or the suggestion it should not be unanimously approved by the people of the province. It should also be heard from the people of the local. Thank you.

SB SECRETARY: Okay. Hopefully it answers the question. Okay last question.

MR. MEDUA: Point of clarification lang po as regards to dun sa. Hindi ko po kinu-question ang authority or the participation at wala po akong objection. Ang tinanong ko lang po kanina your honors,, ay tungkol po dun sa composition at kung, yung conflict lang po kung sakaling dun sa report, kung sino lang po. Wala po akong intensiyon na—

SB SECRETARY: Okay. Adi po hi Konsehal Barquin to give his answer.

HON. BARQUIN: Okay thank you, thank you very much sir Lawrence representative by the MIPC. An trabaho han Legislative han Sangguniang Bayan to create an ordinance parti dinhi hit kanan MacArthur Yana in ini nga Ordinansa na ginpapasa ni konsehala Beriso ngan namon,

na sana puhon ma approve para ini hit aton magigin Municipal Municipal Monitoring Team. Yana tim pakiana, kun diri ka kontento hit amon report may bias hit amon report hit Munisipyo, makadi ka igbaw. Kay kami manginginano kami tam munisipyo. Amo tam purpose hini kay diri kami maghuhulat it National agency it manginano dida hit iyo activities. Pagbuhata hini nga Ordinansa kay it amon munisipyo manginginano kamit activities hiton dida na company. Kun diri kamo kontento amo tim karuyag sidngon, kasi parang parang may bias. Pano kung ang report nyo mag resulta sa aming suspension, sino ang papanigan namin? Yung National o sa Munisipyo, eh pumunta kayo dun, ireport nyo yung report namin. Saan ba didto yung saktó. Parang dun kasi yung punta yung sinasabi nyo sir diba? Who will be prevail? The Municipal report, ireport nyo yung kabuuan nitong ano Ordinansa is to report anong nangyayari sa isang company jan. sino sino ba ang babasehan namin, yung munisipyo, yung munisipyo na issue violation daw kami tapos pagdating sa National wala naman kaming violation, edi dun kayo mag report ireklamo nyo kami na mali yung report namin dito. Yung amin lang ginawa naming ang ordinansang ito para mayroong kaming monitoring sa munisipyo na dali dali agad. Hindi kami maghihintay tatawag ang National, tignan mo nga yung ano namin dito yung activities, yung sand and gravel, tignan mo yung activities dito hintain pa naming yung anon a hinatayin pa naming si boss yung mayor namin na bigyan kami ng authority to, ang tagal pa, oh diba?. yung ginawa namin sir, kasi dun yun papunta yung question nyo po. Saan yung mapiprevail yung report, report yung pinagbabasihan natin dito o resulta ng inyong monitoring munisipyo or magpapamonitor naman kayo sa National. Ginawa namin ito para ma ma atleast naman lang may ginawa ang Sanggunian na monitoring team para makita natin yung mga activities natin dito. Yun yun sir?

MR. MEDUA: Yan ho

HON. BARQUIN: Okay

SB SECRETARY: Okay, I hope it answers the question, okay let's move on po. To the kuan

Specific Functions of the MMMT or the triple M T the monitoring Team shall: first Conduct monthly or quarterly inspections of all approved mining and quarry sites. Number 2, validate the volume of extracted materials vis-à-vis the declared output. Number 3, monitor compliance with ECC conditions, safety protocols, and rehabilitations plans. Number four, recommend issuance of stop orders for unauthorized or harmful operations. Number 5, ensure proper posting of warning signs and safety markers. Number 6, conduct consultations with affected communities and submit reports. Number 7, maintain a municipal mining database of all operations.

Mayda po kita pakiana or addition? Yes po adi hi sir Norly.

ENGR. LANZA: As part hiton monitoring ahh team for the office of the MENRO, ahh I suggest ahh quarterly inspection since monthly would be parang ahh impossible since ako ha office nakon usa la ako no, and also ahh mayda pa kita other kuan furtherly it could be good enough and aside quarterly, poydi gehapon siguro ini as (inaudible) kung kailangan no kasi what if mag aantay pa kita hin kuan tapos kailangan hit mga tawo mag answer mga sugad hiton, sugad yana, very timely namamakiana it mga tawo diri kita maaram kuna no it aton ibabaton kay waray pa kami kuan so, either quarterly or as needed sugad hiton .

SB SECRETARY: Adi hi additional hi konsehal Pantin.

HON. PANTIN: I would suggest nga isugad nala hiya conduct monthly ahh quarterly or monthly, if necessary, para klaro hiya hit kuan kay kun para kay masiring diri poydi kay waray monthly so, pwede kita magbutang hin monthly if necessary butangi nala. It kuan niton niya it iyo gud tun trabaho is quarterly pero you can conduct monthly if necessary.

HON. MUNDALA (PB): Klaro naba nga duro kay an iya gin gamit slash waray hiya mag siring nga diba Nakita naton, slash an iya gin gamit that is very understandable na poydi hiya mag monthly poydi liwat quarterly. Waray na diri na kita hiton mag kuan pa nga necessary the word itself a the sentence itself clarify na an gin gamit na kuan slash waray hiya mag gsmi hin or, amo na iton dina ah sakto na iton na kuan na sentence.

HON. VICE MAYOR: It might be monthly or quarterly

HON. MUNDALA (PB): Yes, poydi hiya mag conduct hin monthly inspection or quarterly kay an aton gin gamit slash man gud ,waray kita oh waray kit magkuan hin iba.

HON. PANTIN: Kay suggested han monthly nga iya tatanggalon an monthly, ayaw pag tanggala an monthly kay you cannot conduct monthly kun tanggalon ta it monthly kay quarterly la an iyo conduct han iyo monitoring.

HON BARQUIN: Poydi pa ngani iton A-S-A-P as soon as possible as if needed. Kay kun monthly bangan kita may aruan kita hiton report kun may diri la kita maaram remalasa kun ano.

SB SECRETARY: as necessary as as as kuan as needed.

HON MUNDALA (PB): Ako, nakuan ba ko kay an iyo gin gamit nga kuan kamo tun naghimo ha okay na slash, fact ba nga duro na waray bis it waray na nga as needed kay okay naman ito.

SB SECRETARY: So klaruhon ta po ha, conduct monthly/quarterly or as needed iton, klaro na? quarterly inspection of all mining activities. So waray na po pakiana hito dida po? Okay nackita? Cge let's move on to the

Responsibilities of Permit Holders. Ngadi kita all permit holders shall display the copy of their valid permit on site; Maintain safety signage, access control, and mitigation structures; Submit monthly volume reports to MENRO; rehabilitate extraction areas based on their Environmental Plan mayda pa sumpay Pay required extraction, environmental fees and other fees to the Provincial Government and LGU or the Local Government Unit.

Mayda po ba kita pakiana hini?

HON. GONTIÑAS (PB): About hini nga bufferzone.

SB SECRETARY: Anay la po dito la anay kita ha igbaw. Chill la po chill. Adto pala kit kita han permit holder, oo oo kay aton ini ig hihinay hinay po, okay so okay na jita hiton waray na problema han permit holders, okay ig igbaw kuno anay didto han permit holders. Cge pa an didipay required extraction environmental fees. Yes po maam Delia? Okay

MRS. PIGA: Good morning, iton kuan ngani it tiini nga kuan kuan man ini ano nga passes all mining activities. So, it kami nabayad kami ha province depende kun maubos na it amon volume, so kun mag rerequired pa hin pagbayad extraction dinhi ma double na. maupay kun baga poydi la it akon suggestion, iton pre-requisite diba mayda didto metallic katapos an mga

kuan pa kun ano hiyanga klase nga mining dinhi hini nga pair quart extraction kuna no pa iton na fees maupay kun ma specify kun ano gud. Kun mining kun kuan kun large scale ba katapos hi sand and gravel i-specify liwat kay kun mag bayad pa kami dinhi mabayad pa kami didto ha province double na iton amon jeopardy.

SB SECRETARY: Okay na po? Okay, any kuan ahm mayda recommendations ni maam kuan.

HON. BARQUIN: Amo ngani gin bibiling ko an tax code, an aton tax code lakip ba an required an extraction. Mayda gehap unta additional ba unta kun ma poydi la iton ba dida, igkuan na gud anay loy cge pa iton ba dida nga ahh cge nasobrahan liwat sige pa. it sapit hiton. Naobserbahan ko kasi nga didi ha maya kun natabok na it ira mga truck, tiini nga mga nagkakataktak na mga baras bagan delikado may nadisgrasya na iton dida ilakip gihap iton dida ha pag maintain safety gehapon all permit holders shall kun ano tat ibutang hiton dida kay damot nagkakataktak actually kun kikiton Talaga hit kanan overloading na iton ngani. It tiinin nga nagkakataktak nga mga baras kay delikado iton may nadisgrasya may namatay na ngani tun dida. Kun anot maupay hiton dida. Although han una, gin kit-an ko hira mayda hira parag limpyo nga parag kuan hin tubig amo it nag wawipe out (inaudible). Kanan safety iton promotion.

SB SECRETARY: So, ma additional anay kita hin another statement regarding han maintain road safety haen kita hiton dida? Ha 108, maintain safety signage, maintain road safety, safety signages, access control and mitigation structures, so amo iton dida it ig aaddition plus an consideration han suggestion ni maam Delia, oh oh ig kukuan naton igdidiscuss yes take note nalang okay na? klaro haat secretariat? Okay, so well taken maam an imo recommendation. so shall we move to the buffer zones and prohibited areas basahon kola sir. Okay,

Buffer zones and prohibited areas. Mining and extraction activities shall not be allowed within 50 meters of residential, school, or institutional zones, 20 meters of riverbanks and bridges unless permitted or clearances by DENR and DPWH. Declared protected areas or ancestral domains without FPIC.

HON. GONTIÑAS (PB): Poydi na?

SB SECRETARY: Yes po, Sige kap go

HON. GONTIÑAS (PB): Baga nalipay ak kanena han siring ni vice maincome kita ha munisipyo pero kinahanglan diri kita madistroso. So iklaro naton dida it mining naton yana, inin nagpakiana ako ha EMB dida han amon MMT nasiring an MMT it balaod nga gin hatag ha ira nga buffer zone kun kalsada 50 meters, kun lining canal iton hiya 25 meters kun katakip magtakip diri naka mining an usa an usa nagpa mining kinahanglan mayda bufferzone nga 25 meters. So, it nahatabo dida yana waray na ngani mag duha ka metros.

SB SECRETARY: Diin nga dida kap, poydi nat ma specify for the record.

HON. GONTIÑAS (PB): Ha kuan ha Liwayway mining area nira. Amo ngani hera na suspende dida han 2022 kay an ira gin buhat ira gin guba an lining canal nga bag o pal gin turn over pala han contractor katapos han ira pag mina kay an driver intsik waray man mag intindi ha aton, imbis nga 25 meters waray na ngani mag 2 meters nag ka rumpag ngani an iba An kan ahh Maldos ngani naka bayad hera (inaudible) kay waray naman buffer zone waray na distansya na.

SB SECRETARY: Poydi tun naton ma pa kun hin o tun na hera pwede nat ma specify iton for the record.

HON. GONTIÑAS (PB): Mining, mining company adi man hi sir Lawrence

SB SECRETARY: Taga mining company an ngaran han

HON. GONTIÑAS (PB): Ahh MIPC

SB SECRETARY: MIPC okay for the record la po

HON. GONTIÑAS (PB): It akon hini gin kuan la nga ipatuman naton an balaod han han EMB nga buffer zone paglikay hin samok.

SB SECRETARY: Okay adi hi konsehal lazar po para mag hatag hin provision

HON. LAZAR: Thank you. Ahh we are talking about buffer zone ano pero ig specify anay naton kay an large scale ahh mag kaiba iton hiya han aton buffer zone ngadto han aton ahh ahh sand and gravel extraction. When we say ngadto han ahh sand gravel extraction. An gin sisiring dida nga buffer zone an aton mga gin (inaudible) na diri it hiya madistroso so different iton hiya han mining didto it ohh amo ito nga dida waray naton kinahanglan maspecify naton an mining nga buffer zone para ngadto han kanan extraction han gravel and sand. It tiini pamati ko dida ini han kanan mining.

SB SECRETARY: So with the buffer zones kailangan po naton ig specified between the small scale which is the sand and gravel and large scale which is same hiton yana ngada so amo po iton klaro nakita? Okay aw adi pa hi kap

HON. BELLEZA (PB): Ahh verification lat akon inin pakiana la ako it ti ito yanan na matikang na mining ano tun hiya large scale or small scale,so kay didi hit kuan siring pa nimo Engineer kanena, ahh diri amo an kuan siguro diri inin kanan large nga buffer zone oo

HON. LAZAR: Cge okay la oo

HON. BELLEZA (PB): Aaa didi hit 20 meter of ano ini river bank and bridges so ha akon pag inoido aa ahh gutiay ini kun ikompara yana nga maabot nga large large scale mining kay sugad ha akon ahh mayda mayda ako lake diba mayda kami lake bito didto. So gin poprotektahan namon tam lake bito pero kun susundon ini nga 20 meters diri poydi gutiay inimahuhubas it amon lake kun kalaw kalaw sumulod. Ig akon la kaklaruhon kun baga mahimodidto hit easement hit amon territory hit amon Barangay Villa Imelda in gumawas hiya nga 300 or 500 meter hiya nga buffer zone tungod nga mayda kami gin proprotektaran nga lake bito. Although inin diri pa gad kita sigurado kun masulod bat hira ngadto. Pero maprotektar la kami as a Punong Barangay hit am Barangay Villa Imelda maprotek la kami hit amon toriteri hit amon barangay ahh territory. So karuyag ko maindicate dida hit am teretoryo hit bug-os tam Barangay Villa Imelda ma Agricultural land man o ma lake bito hiya ahh for the record inin karuyag ko ahh 300 to 500 meters nga diri gud masakop kanan mining or large or small mining company.

SB SECRETARY: Ahh well taken po

HON. BELLEZA (PB): Thank you.

SB SECRETARY: 200 to 300 aw 300 to 500 sorry po 300 to 500 meters for those agricultural and lake bito. Okay well taken.

HON. GONTIÑAS (PB): Maam

SB SECRETARY: Yes po kap cge po

HON. GONTIÑAS (PB): Last na ini diri naak mapakiana, inin poydi ba naton iton mining company tagan la kun pira it aton tugot ka metros it ira pag buho kay makaradlok man it bantog hadi nga kwarenta metros tipa ilarom haen nat dagat anhi ha igbaw adi na kita ha ubos bangen kita hini pag lunupon. So dapat ig specify naton kun pera la ka metros it ihatag naton pag tugot ha ira pag buho.

SB SECRETARY: Okay, so an iya depth cge adi MENRO

ENGR. LANZA: Adi kita ano nag ahh nag re-(inaudible) ako hin kuan hin environmental profile certificate na ha EMP pero diri kay kahuman nira naka provide han pertaining to depth of noh so kun aton babasehan han copy environmental company certificate kun nasusunod nira an ira depth han ira extraction kay ano kay adto katon hit mga provision diba (inaudible)kun kayan certificate. So, ini ahhh dakot kapasidad nga kita han han Environment provide certificate issued by the EMP that is why voluntary requirement talaga ano mga ma-a maisubmit or an mahatag ha aton is an ECC nga (inaudible) anay.kay damot portion hiton hit aton monitoring. Labi naan ira mga petition didto ha ECC so I guess adi hi (inaudible) based han ira taken (inaudible)

SB SECRETARY: So adto adto hiya makuan ha documentary requirement sir, asya na? okay sige kindly ahh kuan ibutang dida to check ngada ngadto han kanan documentary requirements han to include the ECC. Sige yes maam.

MRS. PIGA: About ba hiton nga 20 meters ano, inin nahibaro ako nga nga bagat damo iton dams hini nga irrigation dams dinhi ha NIA MacArthur kay na assign na ako dida. So poydi na suggest ako kun poydi nasiring unless permitted or with clearances from DENR, NIA, and DPWH or other kuan tun government agency concern kun poydi maha insert dida. Thank you.

SB SECRETARY: Well, taken po so consider ahh adding clearances by the NIA and other concerned agencies Okay cge po. So, next makadto kita han

Prohibited Acts. Prohibited Acts fines and penalties. So, undertaking any mining activity without the required permits, exceeding allowable extraction limits, extracting Sand and Gravel in riverbanks, danger zones, or protected areas, selling Sand and Gravel extracted under a non-commercial permit, obstructing the inspection activities of the MMMT or DENR, causing environmental damage through unsafe and irresponsible mining activities

may pakiana? Addition or other recommendation hini, yes po adi hi

HON. BARANDA (ABC PRES.): I would like to clarify in this ahh number 125 selling sand and gravel extracting ahh under non-commercial permit. Ahmm you know what there are ahh schools nga kailangan nira pag pilingan hin baras actually they are not ahh they are not selling but they are that extracting is that allowed for government purpose iton na ginagamit.

ENGR. LANZA: Ahh for that for the purpose nga gagamiton for (inaudible) la gehap we have to secure gratuitous permit ha ha ha province gehapon, gratuitous permit sir.

HON. BARANDA: What about if the people of the province are the one for that purpose iton they they are from the province being (inaudible) permit para ipakita sa amin. Di paman

actually because what happens we request it from the provincial government pag tambakan an skwelehan nag extract hera didto pero we are not asking the because that is for public purposes now if we will do that again, we will ask permit from them kay request man na ito kun baga diri man na not selling man government an sources from that area gagamitan dun sa area din sa skwelahan kailangan gehapon? Okay just saying ahh yung sa ano we did not asking (inaudible) it was the (inaudible) by the Governor. So, kung mag request ulit kami ngayon, (unrecognize voice) oo government to government yun talaga wala naman ibang request nun. Okay cge thank you.

SB SECRETARY: Okay damo nga salamat Doc. So ngadi na kita ha fines and penalties aww adi pa sorry sorry maam.

MRS. PIGA: Pertaining hiton ano nga kuan nga idea ano iton government ugsa ka maghimo hin project may budget. So, maybe I clarify na naton anay kun iton hiya nga project may budget ba. Labi na kon contractor kay amo it iira igin di maupay nga ginbubuhay nakuha hira ha riverbank without paying the exact taxes

HON. BARANDA (ABC PRES.): It was it was a different story, they did pass to use for the building purposes construction it was for filling the ground kay hamubo hiya amo gin pilingan an ground. It was not the (unrecognized voice) diri diri gud

MRS. PIGA: Amo ngani na kun poydi ma clarify naton dida kun iton gud hiya nga project iton nga waray ba gud tun hiya budget kay kun may budget dapat aton aaruan kay para maka income pero kun waray depende amo lagi (inaudible) oh kay actually ano ha amon ano damot nangangaro nangangaro hit bato baras kay para hiton kuan hiton ano ini school labi nat school nakakaintindi ako kay kun iton imo way gutiyokyok depende hiton school. So, amo tun anay gusto ko maklaruhan anay ugsa kita mahatag kun ano gud it hiya hit nahatabo mag i-in mag i-investigate kita anay kun ano gud it sakto kay kun pananglitan iton waray gud kasi boluntaryo pag hatag para mamay project la nga school kay fifilingan mo tun anay labi nakun himubo pa iton iya kuan an iya an iya sub base mga sugad hito so depende hit situation, poydi? Thank you.

SB SECRETARY: Okay ahh taken an kuan an suggestion po nimo maam. Okay anything, yes po usa pa kay para maka move on.

HON. BELLEZA (PB): Hundred twenty-seven causing environmental damage through unsafe or irresponsible mining practices. Anot kuan hito kay since han una nga mga tuig diba nagkamay ada mining actual it akon ha inin pag recall la ba nagkamay ada hin fish kill an amon lake bito hadto nga 2012 ba adto kun dik nagsasayop 11 ba or 12 so nag demand an mga ahh fisher fisher folks ha barangay through han ira damage Kay an tubig han mining na backflow ngadi haamon lake bito nasakob an ira waste amo nga an amon amon kuan opis it amon it amon talaga hadto an amon baga gin survey an cause gud han pagkamatay han isda an waste gud han mining nakuan naman hira na ano ito nak un baga ha na poison na hira. So, ha pagka yana nagkamatay na an mga tag iya han fishpen waray la gehap hira magbayad han ira damage ha pagka yana kay pera na katuig ahh mga dose o trese na katuig waray hira mag bayad so haen hira so haen ba iton dida masulod kun diri hera mag bayad hit ira mga damage it mining ano a not sanction.

SB SECRETARY: Siguro po mababatun iton kitaon ta kun ano an fines and penalties which is amo an masunod na section.

HON. BELLEZA (PB): Ahh gin kuan kola kun ano ba it ira sanction hini nga ordinance kun diri mag tuman han hit balaod.

SB SECRETARY: Amo ngani po to answer han imo question makadi kita han fines and penalties kun diri hera nagpatutuman hit angay nira nga tumanon kuan .

HON. BELLEZA (PB): Kay hasta ya hasta yana waray gud hira mag bayad

SB SECRETARY: Okay sige kap haen na kita hadto fines and penalties so makadi na kita okay na kita han prohibited acts ano to answer the question amo in inga aton mga fines and penalties kun diri masusunod an hadto nga mga igbaw nga provisions so, under section 11 fines and penalties, administrative fines under the LGU imposed. So, mayda kita tulo nga offense the first second offense tapos adi an mga series of ahm violations so,

First failure to submit monthly report first offense one thousand, second offense two thousand, third offense two thousand five hundred plus endorsement to MGB. Okay ika duha, operating without valid ECC or clearance one thousand, second offense two thousand, third offense two thousand five hundred plus endorsement to MGB. Third obstruction of inspection by MMT, one thousand for the first offense, second offense two thousand, for the third offense two thousand five hundred and again endorsement to MGB. Then exceeding SAG or the Sand and Gravel volume limit one thousand for the first offense, second offense two thousand pesos, the third offense two thousand five hundred plus endorsement to MGB down please so penalties so aside from the LGU imposed ma imposed gehap kita han kanan National which is the R.A 7942 or the Philippine Mining Act based on chapter 19. False or misleading statement in reports or applications – Fine up to 10,000 pesos, an anay move kadali la ha fines and penalties ubos pa po okay, Unauthorized exploration or mining – Fine up to Php50,000 and/or imprisonment. Theft of Minerals (including illegal SAG extraction) – Imprisonment of 6 months to 6 years and/or fine of Php10,000 to Php20,000 plus damages. Destruction of mining/quarry facilities – Imprisonment of up to 5 years and/or civil damages. Violation of ECC resulting in environmental damage – Fine Php50,000 to Php200,000 and/or imprisonment of 6 months to 6 years. Obstruction of government duties – Fine up to Php5,000 or imprisonment of up to 1 year.

So an pakiana kanena ni kap kun haen ma fall an sugad hito na damages nga naincorejustincase manabo sunod na panahon haen ma fall an penalties amo na kap? Okay hin la daw it poydi makabaton.

HON. BELLEZA (PB): Siguro gutiay adto na mga fines an kanena nga gin basa ni

SB SECRETARY: Yes an kanan LGU

HON. BELLEZA (PB): Kay kun sugaron la iton na mga penalty kadagko inin magpatakas la tun hira pagsinayop kay kaya manlat nira.

SB SECRETARY: Poydi po siguro ini aw sorry sorry poydi ko siguro ini batunon kap ano it the local government the Sangguniang Bayan has the limit pareho ba ha barangay up to one thousand manla kamo ano , hi kami gehap didi ha Sangguniang Bayan is maximum of two

thousand five hundred. Amo ngani po nga gin sulod ta an RA RA 7942 para mas may bug-at oo so bali naduha iton it iya penalty so mayda in ahh kanan LGU ngan hit kanan national kay diri Man poydi magpatakas liwat an LGU pag penalty kay maha boomerang iton hiya ngadi so amo po iton hiya.

HON. BELLEZA (PB): Well gusto kola ipakuan na an damage ngadto han mga affected liwat nga nga kinahanglan liwat diri la kay mapreso la hiya mag babayad gud hiya.

HON. MUNDALA (PB): kay adto man mayda man.

SB SECRETARY: An civil damages.

HON. MUNDALA (PB): Ada ba? Taadi nga 145 violation of ECC resulting in environmental damages PhP50,000.00 to PhP200,000.00 plus imprisonment

HON. BELLEZA (PB): Kay aamo iton tak nakukuanan kay inin nawara nala an ira dati dida nga waray gud intalon hira mabayari an mga affected farmers ngan han fisherfolks pera adto ka tonelyada nga sub (inaudible) nga mga isda, bisan doling nga piso wa gud hira maka maka avail (inaudible) so amo tun it nakuanan ako nga baga diri maupay an resulta han dati nga mining activity.

SB SECRETARY: Okay nakuha naton po an imo sentiment and I hope po nga nabaton liwat an imo pakiana kun haen dapit an penalties so amo na po, okay so okay na tun hiya for the penalties okay adi pa.

MRS. PIGA: The failure to submit monthly reports para ba mahabaro it body ano hi kami nga SAG I don't know kun iton pertaining iton iton large scale or small scale man kami so iton nga monthly reports ini ha province gin rerequire gud kami dire kami tatagan han delivery receipt ngan di kami makabiyaha kun waray namon reports maupay siguro kun ma specify iton hiya kay kun poydi kun anot gin submit ha province amo nala it susubmit namon depende manla ito kun nauubos na it amon DR kay gin rerequire gud kami. So, kun baga poydi ma klaro thank you.

SB SECRETARY: Adi man an Chairperson hit aton triple MT amot makabaton.

ENGR. LANZA: Haen hi maam ahh were pertaining to to the actual (inaudible) na pag transform naton in a monthly basis noh, so whatever report na igsusubmit ha province ahh poydi nala naton ngadi copy furnish hadto nga report na iyo ha province po so that may may copy kami kun an number of volumes importante po adto

MRS. PIGA: Diri man gud man kami kay sugad hit amon ano diri man gud kami kuan damo na tam na e-extract kay tungod hito kay gin lilimit man namon kay para ini nga (inaudible) continuous it amon.

ENGR. LANZA: Pero as per han balaod ma'am monthly an gin aaro diba nga report ha iyo

MRS. PIGA: Depende hit ira gin kukuan kun di kami tatagan hin DR so we are obliged to report kay diri kami tatagan hit DR kay diri poydi nga waray DR dapat it amon truck.

ENGR. LANZA: Ahh how about ahhh quarterly reporting for Sand and Gravel.

SB SECRETARY: So, ahh ig so dinhi po ig coconsider naton an kuan han monthly report for the sand and gravel for for quarterly okay sige po, taken? Okay thank you. Next, so penal human naman kitan ano so sunod is the

Revenue utilization. All revenues from administrative fines and fees may be used for; Environmental Rehabilitation Projects, Capacity-Building activities, Operations of the Municipal Mining Monitoring Team (Transportation, Supplies, Training & other expenses relevant to MMMT activity)

so amo po iton hiya it makakadtuan han han revenue, may pakiana po kita? So far waray so

Repealing Clause, all ordinances or issuances inconsistent with this Ordinance are hereby repealed or amended. Separability Clause, If any provision of this Ordinance is declared invalid, the remaining provisions shall continue to be in force.

Effectivity Clause, so an mga final provisions na inin hiya anyways mayda ki final provisions diri naman gud iton hiya kuan so mayda po ba kita pakiana? Additional information na we need to clarify okay adi hi konsehal Lazar

HON. LAZAR: Thank you. I address kola ini kan sir ahh mining ahh the ECC (inaudible) to the determining the depth of extraction Lawrence noh who will determine the depth han extraction of a large mining if it is (inaudible). Now another is the permission of the (inaudible) from the MGB and the there is also ahh regulatory consideration what are these regulatory consideration to specified didit limits for requirement of extraction sand ahh sand nga ig e-extract then from MGB there is also an assessment tikang ahh ahh governmental feedback assessment regarding han ahh (inaudible) address or mitigation (inaudible) may assessment hiton pero gusto kola mahibaruan haimo because with with in this an aton consideration han depth limit mayda kita ahh company plan may plano kita han kompanya which is I know nga maaram ka with that considering nga ada iton nga gin ma-mining niyo mayda ahh tikang ha iyo nga plano mayda kamo kino-consider na depth han consideration nga iyo pinapa approve niyo ha MGB. Pwede namon mabatian an kahilarom. Pipiplitin ko pong intindihin yung sinabi ninyo.

HON. LAZAR: Utruhon ko, yes

MR. MEDUA: Ahh lilinawin ko po

(unrecognize voice)

HON. LAZAR: Ahh utruhon ko, an ahh pag determine to determine sa depth han lalim na kukunin na minerals para jan sa mining ang mag aahh reregulate nyan dun kayo kukuha ng (inaudible) sa MGB sila ang mag de-determine kung ano ang depth, tapos mayron kasunod yan ahh environmental impact assessment okay para maregulate kung ahh ahh yung gaano ka lalim. An sunod mayroon kayong plano you are required han MGB nga plano kun gaano kalalim kung hanggang saaan kayo doon ang lalim ang iyong i-extract to submit to the MGB for approval. Yana tinatanong ko dahil mayroon kayong plano, gaano ba ka lalim ang gusto niyo doon sa i-extract

MR. MEDUA: Kasi po yung mining activities namin especially yung extraction una po hindi pa nga po deneklara na under ng MPSA na yun pong isang area bawat tawag po dun technically ay block isang block po. So, yung block na yun like for example above two thousand hectares yun po ay declare as MPSA. Ngayon, yung nabanggit po kanena regarding buffer zone na malapit doon establish na po yun na atleast should be 5 meters from the (inaudible) property na hindi mo dapat kuhanin po. As to the depth depende po kasi yun dun po sa ginawa naming

exploration before prior po na magmina kasi ho yung isang MPSA na area like for example yung two thousand. Before inaplay pa po yan sa MGB and before applying mag conduct po yan ng exploratory so ahh more or less nadedetermine mo yung laman nung isang area at meron din po yung coded whether dito po ay marami kung dito po sa area nato ay kakaunti. So, depende po yun sa ahh ahh projection o dun sa anticipation nahuhukayin dun sa lugar (inaudible).

HON. LAZAR: Ahh thank you. Ahh (inaudible) ibig sabihin po ano yung laman nag dedepende doon sa (inaudible) sa exploration ninyo. Ganito ahh kung halimbawa, 20 meters below pa yung ahh nanduduon na mineral na ahh sa MPSA na area na kukunin ninyo. Marami ang apektado unang una ang stability na tataas ang high pressure ng water pressure nyan noh ahh magiging ano yan magiging sapa tapos lalo na pag below sea level mayda na hiton portion na tubig galing ng dagat. Pangalawa, ang stability ng lupa halimbawa sand or clay ahh mag babackdown kaya nagiging problema ngayon yung buffer zone. Kaya ang tinatanong ko ngayon, ano yung ano yung specified dun sa plano nyo na depth na inaprobahan ng MGB.

MR. MEDUA: Yung yung nagawa na po namin noon is around 10 meters po.

HON. LAZAR: 10 meters?

MR. MEDUA: Yes 10 meters down lang po dapat

HON. LAZAR: 10 meters down?

MR. MEDUA: Opo 10 meters po

HON. PANTIN: It ano? It kahilarom an kuan ahh ma may question kami didi. It kuan ba it buffer zone ha balaod iton ba na katakip kay kanena nabatian ko 5 meters la, gin baligya nala iton it mga tuna

HON. GONTIÑAS (PB): 25 meters ha EMP it kuhaon EMP, MGB?

HON. PANTIN: Ang nadining ko is 5 meters so yung katabing lupa

MR. MEDUA: Correction po

HON. PANTIN: Aww yun, dahil naka record tayo ahh 25 to be cleared ano 25 meters okay thank you.

MR. MEDUA: Ahh irere-confirm ko po sa MGB para sigurado

HON. PANTIN: Da da dahil yung a anot balaod

HON. GONTIÑAS (PB): Ha EMB na balaod kay dida pala han Friday nag MMT kami gin personal ko ma'am, anot balaod hit EMB partit buffer zone nasiring hiya 50 meters kun NIA kuin Barangay Road, 25 meters kun lining canal, 25 meters kun katakip ngan 25 meters kun irrigable area. Nak maam it ira gin mina irrigable area naman hala bawal iton 25 meters (inaudible)

HON. PANTIN: Para fair ba fair kay para kami mayda namon ipasabot ha mga tawo (inaudible)

HON. MUNDALA (PB): Ahh Mr. Lawrence yung ina ano ko lang yung tanong ni ano konsehal, when you conduct sampling diba may ano pa kayo may kung ilang meters kang may mineral na makukuha

MR. MEDUA: Opo

HON. MUNDALA (PB): So, kung umabot umabot ng umabot ng 20 meters kukunin

MR. MEDUA: Depende po yun sa ahh kung aabutin pa

HON. MUNDALA (PB): Hindi kasi kasi na a kasi ano lang kami ngayon ha, may I agam-agam ba kami na naglagay kayo ng mas malaking dredging kasi nakikita ninyo sa ahh base on your sampling na that is more than 20 meters, that is true?

MR. MEDUA: Hindi po hindi (inaudible) kung masyadong malalim na yung (inaudible)

HON. MUNDALA (PB): Maski yung Malaki na yung dredging ninyo na ilalagay

MR. MEDUA: Maximum kung di siguro ho 15

HON. MUNDALA (PB): Diko ma kasi

HON. PANTIN: On record ha ito on record

HON. MUNDALA (PB): Kasi kung ma ma ma yung unang unang mining kasi (inaudible) mining na up to 20 meters ngayon nakikita ninyo na mas maraming minerals kung malalim pa kaya baka siguro hindi nyo ano dahil wala akong record na maipapakita mas malaking (inaudible).

MR. MEDUA: Ang paglalagay po nung ahh upgrade ng dredger po ay para po sa volume volume po na nakukuha kasi yung maliit dredger less po ang volume yung capacity yung capacity at tsaka yung (inaudible).

HON. MUNDALA (PB): Sige lang kay ina inaano ko lang yung query ni Honorable Lazar noh ahhh so in inaano ko lang na may possibility ang ang kompanya na lalalim ang ano nyo na (inaudible) minerals

SB SECRETARY: okay, sige po ahm klaro na po an aton main purpose didi po is the Ordinance, an mga provisions hini ku ano an aton recommendations, insights pero anay klaro naman po kita ano?

HON. MUNDALA (PB): Diri diri we are pre diri in nga aton Ordinance nag create pala kita

SB SECRETARY: Yes, yes yes asya ngani nga gin drafted

HON. MUNDALA (PB): Honestly, Engineer Lazar poydi naton tun ma insert kay waray hira dida depth

SB SECRETARY: So kanena ahm kanena po if I could remember well the depth is being answered kanenan ni Engineer Norly, right? An regarding ma based an ECC han MGB (inaudible)

HON. MUNDALA (PB): Aww a amo lagi tak gin kukuan tun amo pa anot namon pag determine nga (inaudible) an kanan MGB

SB SECRETARY: MMT

HON. MUNDALA (PB): oo amo lagi kay amot kay we are creating an Ordinance now salit iton nga mga queries na kinahanglan pamation naton diri naton igkukuan nala nga balewaray kay mayda an baton ni Engineer Lanza na mag (inaudible) kanan MGB anhon man naton kn

mag kuan na hira mag talapas hito nga kuan kay para para makag (inaudible) kita nga daan kun may ada mga pag talapas hito nga mga.

SB SECRETARY: So ma over na kita han ira suppose

HON. MUNDALA (PB): Violation so so we are prepared for that Ordinance.

SB SECRETARY: Okay, so amo na siguro po masulod an kun kay ano nag momonitor an triple MT for them to determine what are the violations with (inaudible) by the company whether the sand and gravel or the large-scale mining company. So, diri na siguro naton ano po kinahanglan ig-specify an depth kay diri man kita an nagkukuan so ada naman ha monitoring once they had found out na diri compatible an actual extraction with the issued ECC

HON. MUNDALA (PB): So, kun amo ito kun baga makuan naton may violation waray naton penalty waray na kay waray man naton ordinance kay nagsusunod la kita hit kanan kuan ha MGB hit ira requirements

SB SECRETARY: May ada po kita kanena han kanan other than penalties an extraction po depth

HON. MUNDALA (PB): Han extraction la pero an depth waray

(unrecognize voice)

HON. MUNDALA (PB): sige la sige la kay (inaudible) any provision of this Ordinance (inaudible)ahh kuan na iton (inaudible) okay okay pero didi ha repealing clause okay man it akon la nga ma specify la kay pag pag oo waray kuan ba kay we are creating ordinance kinahanglan preparado na kita any of ideas nga masulod ig kukuan na ton ito ig igko-consolidate ta kay para into kun nakuan gud ba naton an ha Ordinance.

SB SECRETARY: Comprehensive sige po adi po hi Vice

HON. VICE MAYOR: Maupay ito nga na ahh observation ta inin ahh ibutang ta gehapon iton kay actually kinahanglanon ma kuan naton masigurado gud naton nga iton ngaran hini mayda iton ig (inaudible) after that that would be violation, otherwise waray hito naton mahihimo kun hilarom hin duro and I think the proponent should ahh make a research on this to sum up with ha MGB kun ano gud kahilarom an ira ahh (inaudible) depth so that on the time nga mag lapos hira hit ira depth we have to impost the sanction.

SB. SECRETARY: So, well-taken ahh ahh ig i-include an depth amo na ba kons? Ig ko-consider an kanan kahalarom for consideration for further research ni kuan MENRO regarding hiton adi hi konsehal last na po ini oh sige ano po

HON. BARQUIN: Poydi ba poydi ba ipakiana ta nala gehap ini ano in inga kay anhi naman ini nga mining maaram kita nga nag operate na ini han una nga bag ana suspend poydi ba dida ig consider it time hit ira operation labi na hit extraction kay bangin ini hera mag operate hit gabi magpa disturb hit mga tawo mga (inaudible) ha mining. Ngadto liwat kita hit sand and gravel kun mayda kita dinhi han aton ahh crusher poydi ba kita magbutang hin oras la kay bangen it mga herani na mga balay nakadisturbo na (inaudible) Ha ha akon la kay ada naman it mining ada naman it it it crusher. Kay bangen di maka control hit gabi nga amot panmahuway la poydi ba kita mag hatag hin time hit ira operation.

SB SECRETARY: So, another provision to consider is include ahh time of operation for both sand all mining activities in general.

MRS. PIGA: Actually, ano iton allow may tun nira ha province nga it ira operation la amo iton nga eight to five. Hi kami liwat inin nakiki kuan gud kami nakikisama hitoin mga tawo kay nadiri kami nga diri kami maka renew hit amon mga permit kay amo gud it (inaudible) aw requirements hit amon dida so hi kami baga (inaudible) amo gud kami ngan diri ngani kada adlaw kay gutiay namanla tam mineral kay maydas man ha igbaw.

HON. BARQUIN: Klaro na kita ha crusher na mayda nira eight to five an mining liwat an extraction oo

MRS. PIGA: iton lugod kay (inaudible) kay syahan ano usahay babalikon ta (inaudible) sige (inaudible) tun hira makaka himo hine nga project kun waray feasibility study amo it bottom line hine. So didto poydi kamo maka aro kay makikita iton didto kun haen it ira market haen it ira kukuhaan (inaudible) mga gastos adto iton didto nakikita it iyo kun baga desidido gud kita didto kita hit ira FS kay para makit-an naton kay once kun kuan diri iton hira makaka kuan dinhi ha aton (inaudible) kay usa tun yana nga igin present kay didto ha MGB inin in inga kinahanglan gud ini nga feasibility study. So didto may compasses iton ngatanan nga activities kun ano nga Negosyo. So, ma answer iton kun makakuha kamo hin kopya. So, amo la it akon makukuha kay basi han akon pag inchindi di waray ako kuan pro mining ako diri ako against hit mining it akon la point ano nga dir imadistroso it aton kalibungan balikon ko an estorya ni vice nga maka income kita at the same time kuan liwat iton nga ano ini ma proteksyunan it aton aton kalibungan dinhi ha McArthur specifically dinhi hit aton bungto so amot aton gin kukuan iton nga para kita maka avoid hiton kay makuan na kairo man it next generation so sanan maklaruhan kita anay ugsa kita hini ma kuan iton maka enter hira kay kun bagat it akon pag a I don't know kun nagsasayop ba ko iton kun baga it mahitabo hiton mintras mayda mineral ira kukuhaon diba? Kay it ira Dredging dako nakikita ko dida ha facebook so diri laak nag rereact kay diman ak maaramkun anot maupay so amo ito dida akon kaklaruhon kay para (inaudible) sing pan akon maka baton kamo labi nat mga honorable naton dinhi so amo lat akon hangyo damo it ways pag determine kun haen gud it ira kuan it ira it ira depth haen it ira mga boundaries kay adto iton hira nakikita kun ngain ito pag transport amot gagamiton kun tikain adto tun it bottom line hiton FS Feasibility Study kay diri tun hira makanhi kun diri tun mag e-earn hera diba? Waray tawo nga mag nenegosyo kun losing hiya diba? Amo tun yana it akon aton la bagat taga dinhi man kita magburublig kita thank you.

SB SECRETARY: Well said damo nga salamat so ahh to end hit ini nga aton public hearing first magpapasalamat po anay ako ahh yes po sige last po.

MR. MEDUA: ahh pasensya na po ahh tungkol naman po dun sa ahh mag sa submit nalang po kami position paper sa (inaudible) dun sa ano at yung mga tinanong po kanena isasama nalang po sa position paper na isa-submit po sa committee on Environment salamat po.

SB SECRETARY: Thank you po, salamat po ahm so on behalf of the Legislative Secretariat ahh damo po nga salamat han iyo pag tambong hini nga public hearing, ihahatag ko po yana an mic ngadto han aton proponent hini po han ahh hini na Ordinance Honorable Gwendolyn Bersiso para pag hatag han iya closing remarks.

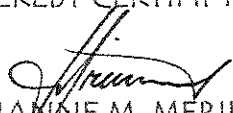
HON. BERISO: Thank you Steph, our SB Secretary ahm well I as observe ano nagin nag enhance an aton Proposed Municipal Ordinance then we will be ahh all the comments, suggestions, additions ahh raised we it was noted by the secretariat and with that ahh there is still a second reading for that Ordinance. So, sana ngatanan na iyo gin suggest gin add ahh kun diri kun waray man mag mag oppose pwede iton naton mahasulod didi ha Ordinance but then ahh ito

nga Ordinance once ma approve ha SB need pa ito ma approve ha Sangguniang Panlalawigan. So, we have so wait but then thank you so much for coming and for all the tanan na iyo mga igin suggest so with that Ordinance an aton gud la iton panuyo is to protect our environment that's why the most important of this is creating the MMT. So, again thank you thank you for the support and also to the SB Member, to Vice, to the MENRO, ha iyo ngatanan damo damo-i nga salamat.

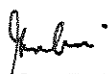
ADJOURNMENT:

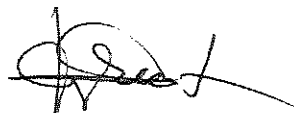
There being no more business to be discussed, Hon. Lazar declared the meeting adjourned at 11:55 in the morning.

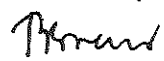
I HEREBY CERTIFY to the correctness of the foregoing minutes.

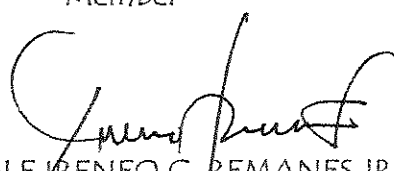

ARIAKNE M. MERILO
Temporary Secretary

Committee on Environment and Natural Resources Protection, Tourism and Culture


HONORABLE GWENDOLYN M. BERISO
Sangguniang Bayan Member
Chairman/Presiding


HONORABLE VICTORIANO T. LAZAR
Sangguniang Bayan Member
Co-Chairman


HONORABLE TRINA C. BURAWIS
Sangguniang Bayan Member
Member


HONORABLE IRENEO G. REMANES JR.
Sangguniang Bayan Member
Member



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR
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Office of the Sangguniang Bayan

ATTENDANCE SHEET

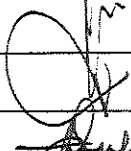
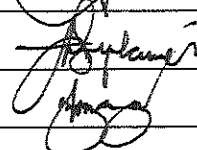
PURPOSE: PUBLIC HEARING

MUNICIPAL ORDINANCE NO. 10, Series of 2025, An ORDINANCE REGULATING MINING ACTIVITIES IN THE MUNICIPLAITY, IN COMPLIANCE WITH R.A NO. 7842 THE PHILIPPINE MINING ACT, ENSURING SUSTAINABLE AND RESPONSIBLE RESOURCE MANAGEMENT, AND CREATING A MUNICIPAL MINING MONITORING TEAM.

VENUE: ABC HALL, Municipal Compound, Macarthur, Leyte

DATE & TIME: January 28, 2026 (Wednesday) @ 9:00 in the morning

NO.	NAME	DESIGNATION & BUSINESS NAME	SIGNATURE
1.	HORLY G. LANZA	MEMRO DESIGNATE	
2	LAWRENCE M. MEDUA	MIPC REPRESENTATIVE	
3	ANICETA C. DE ASAS	ASSESSOR DESIGNATE	
4	DELIA U. PIGA	representative of Primula	
5	EDUARDO D. GONTUJAS	P. B Brgy. Liwayway	
6	BO KEVIN C. JAO	P.B. CONSULTANT	
7	JOSE A. BARANDA	ABC PRESIDENT	
8	KRIZIA C. LUNES	XDR CONST. AND SUPPLY REPRESENTATIVE	
9	BEDO E. MUNDALA	P.B. Brgy. Donvaldez	
10	^{Loretto} JOYCE M. CERRA	P.B. Tergon	
11	Ronnio A. Belloza	P.B. Villa Dmalda	
12	BOWEN J. BARCEL	Brgy. Legud., Villa Imelda	
13	PEPITO CUIMARAN	P.B Brgy. Maya	
14	DOMINGO ROCA	ABC	
15	JONEL S. ANG-OS	MPDG - STAFF	
16	JESUS A. BARANDA	MUNICIPAL VICE BARANDA	
17	JONATHAN T. BARQUIN	SB MEMBER	
18	XANDRIX P. PARTIN	GRS m. HEALTA + AGRICULTURE	
19	IRENEO G. REMANES JR.	SB MEMBER	
20	VICTORIANO T. LAZAR	SB MEMBER	
21	TRINA C. BURANIS	SB MEMBER	
22	CWENDOLYN M. BERLO	SB MEMBER	
23	ALEXA JEXN E. BODOL	SB STAFF	
24	ARIANNE M. MERILO	SB STAFF	
25	JOYE D. CREEK	SB STAFF	

26	JOHN MARK D. ABELLA	SB STAFF	
27	LOM CRIS S. TRUON	SB. STAFF	
28	MARIE STEPHANIE D. PULGA	SECRETARY TO THE SANGGUNIANG	
29	CLARISS B. BRAD	SB STAFF	
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Republic of the Philippines
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MUNICIPALITY OF MACARTHUR

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Office of the Sangguniang Bayan

DOCUMENTATION

Public Hearing
(Wednesday, January 28, 2026)



