



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN



MEMORANDUM

FOR : **The Undersecretaries**
Legal and Administration
Policy, Planning and International Affairs
Field Operations - Luzon, Visayas and Environment

The Directors
Legal Affairs Service
Policy and Planning Service

The Bureau Director
Environmental Management Bureau

The Regional Director for Environment
National Capital Region

FROM : **The Undersecretary**
Special Concerns and Legislative Affairs

SUBJECT : **REQUEST FOR DOCUMENTS RELATED TO THE
OCTOBER 24, 2023 PUBLIC HEARING ON RECLAMATION
FROM THE SENATE COMMITTEE ON ENVIRONMENT,
NATURAL RESOURCES AND CLIMATE CHANGE**

DATE : 08 November 2023

The Senate Committee on Environment, Natural Resources and Climate Change conducted its 2nd Public Hearing on Proposed Senate Resolution Nos. 300 and 759 re: Inquiry on the Reclamation in Manila Bay and other Parts of the Country last 24 October 2023.

During the hearing, the Committee requested the following documents:

1. Briefer with regard to the amount and basis of filing and processing fees prior issuance of environmental compliance certificates and area clearance, as well as the compensation of the review committee of the project impact and mitigating measures - Page 68, TSN;
2. Updated maps of reclamation projects - Page 118, TSN;

3. Follow up reply on the letter of the Office of Sen. Cynthia A. Villar on the revival of the environmental compliance certificate of Alltech Philippines despite declaration of Las Pinas-Paranaque Wetland Park as protected area - Ibid.; and
4. Measures undertaken or will undertake on the issue of overlapping environmental compliance certificates like Frabelle Fishing Corp. - Ibid.

The Committee also communicated that other related documents be included if deemed necessary. In this regard, please provide the above documents requested by the Committee. Kindly course your submissions through the Legislative Liaison Office by sending them to denrlllo@denr.gov.ph on or before 10 November 2023.

Attached herewith is the letter request from the committee and the Transcript of Stenographic Notes (TSN), for your information and reference.


IGNATIUS LOYOLA A. RODRIGUEZ



Republic of the Philippines
SENATE

**COMMITTEE ON ENVIRONMENT, NATURAL RESOURCES
AND CLIMATE CHANGE**

November 6, 2023

Asec. Gilbert C. Gonzales
Director
Environmental Management Bureau (EMB)

Attention: Atty. Michael Drake P. Matias
Engr. William Cuñado

Dear *Asec. Gonzales*,

Greetings!

May we refer to the 2nd public hearing of the Committee on Environment, Natural Resources and Climate Change dated 24 October 2023, participated by Your Honor, Atty. Michael Drake P. Matias and Engr. William Cuñado, among others. In the said hearing, the Committee continued to discuss Proposed Senate Resolution Nos. 300 and 759 re: *Inquiry on the Reclamation in Manila Bay and other Parts of the Country*, introduced by Senators Risa Hontiversos and Aquilino "Koko" Pimentel III, respectively.

In lieu of the discussion, the Committee would like to request for certain documents. A copy of the transcript of stenographic notes is provided for reference. The following are:

- 1) Briefer with regard to the amount and basis of filing and processing fees prior issuance of environmental compliance certificates and area clearance, as well as the compensation of the review committee of the project impact and mitigating measures - *Page 68, TSN*;
- 2) Updated maps of reclamation projects - *Page 118, TSN*;
- 3) Follow up reply on the letter of the Office of Sen. Cynthia A. Villar on the revival of the environmental compliance certificate of Alltech Philippines despite declaration of Las Pinas-Paranaque Wetland Park as protected area - *Ibid.*; and
- 4) Measures undertaken or will undertake on the issue of overlapping environmental compliance certificates like Frabelle Fishing Corp. - *Ibid.*

The Committee acknowledge the agency's expertise to not limit itself on the above enumeration. You may also include other documents or information that will guide us in appreciating the issues and making the appropriate course of action.

We hope for your favorable and prompt action on our request.

Thank you.

For the Chairperson:
SEN. CYNTHIA A. VILLAR



CHARLYNE CLAIRE FUENTES-OLAY
Committee Secretary

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the impact because our mandate is more on the determination of the impact and mitigating measures. So, whatever or whoever the project proponents in terms of the impact, there will be no overlapping of the environmental impact. So, if this environmental impact is applicable to this project proponent, then that will be applicable to the other project proponent.

Nevertheless, Mr. Senator, we are only basing this area on the proclamation, following the procedures of the PRA.

SEN. PIMENTEL. Well, iyon na nga iyon. Magkano ang bayad to secure an ECC? May bayad iyan, hindi ba?

MR. CUÑADO. Filing fee and processing.

SEN. PIMENTEL. Magkano? How do you compute the filing fee? Alam dapat ng DENR iyan kasi ano ninyo iyan.

MR. CUÑADO. About mga 6,000, Mr. Senator.

SEN. PIMENTEL. It does not depend on the size or the scale of the project?

MR. CUÑADO. Regardless of the project. But, however, the project proponents are required to pay the review committee that will be the one in charge of reviewing the project impact and mitigating measures.

SEN. PIMENTEL. Magkano iyon? How do you fix that?

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MR. CUÑADO. It depends on the activities that will be involved in the review process, Senator.

SEN. PIMENTEL. Sigé. I am sure governed ng isang department circular or order siguro iyan, hindi ba?

MR. CUÑADO. Yes.

SEN. PIMENTEL. Can you submit that to the Committee?

MR. CUÑADO. Yes, we will provide you for that.

SEN. PIMENTEL. Samantala iyong area clearance, magkano rin iyon? May fees din doon, hindi ba?

MR. CUÑADO. That will be the DENR who will determine the amount for the fees of the area because—

SEN. PIMENTEL. Dalawa kasi ang kinukuha, hindi ba, area clearance and then the ECC. Tama?

MR. CUÑADO. Yes. The ECC will be approved and processed by the Environmental Management Bureau, and the area clearance will be processed by the DENR.

SEN. PIMENTEL. Ganoon ba ang thinking ninyo, ang bureau parang—pero organizationally, hindi naman independent si EMB, it is part of the DENR, ano?

MR. CUÑADO. Part. It is a bureau—line bureau.

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SEN. PIMENTEL. Yes, line bureau. Hindi naman kayo GOCC or other agency na attached lang, hindi. You are part of the DENR, right?

MR. CUÑADO. Yes.

SEN. PIMENTEL. Pero it betrays the thinking na si EMB, iba, DENR ang the rest.

Okay. Anyway, pahingi na lang ho—so, EMB can give us the fees for the ECC?

MR. CUÑADO. Yes.

SEN. PIMENTEL. Plus iyong compensation noong—among tawag mo doon, the reviewing committee?

MR. CUÑADO. Review committee.

SEN. PIMENTEL. Review committee.

MR. CUÑADO. Uh-huh.

SEN. PIMENTEL. And then which office naman sa DENR can give us the fees sa area clearance?

MR. CUÑADO. We will just provide, incorporate na lang namin.

SEN. PIMENTEL. Kanino iyan? I am sure sa usec, sino—kanino usec iyan? Can you give us lang? Para makita lang—para makita ko lang kung ano.

MR. MATIAS. Yes, sir.

SEN. PIMENTEL. Okay.

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Kasi ganito nga—ganito, Madam Chair, muna. Last point ko. Ang dalawang projects nga na hindi overlapping ... /mpm/peg/agc

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MR. G. GONZALES. Yes, ma'am. We just took note, ma'am, if there is a proposal.

THE CHAIRPERSON (SEN. C. VILLAR). Did you issue an ECC for this, Mr. Cuñado? So, ang in-issue mo lang iyong puro Cavite at hanggang iyong William Tieng ng Las Piñas. Doon ka lang nag-issue?

MR. CUÑADO. Iyong na-mention ko lang kanina, Madam Chair.

THE CHAIRPERSON (SEN. C. VILLAR). From Parañaque to Cavite, iyon lang ang inisyuhan (issue) mo? Iyong Pasay na SM, hindi ikaw ang nag-issue noon?

MR. CUÑADO. Hindi ako, Madam. Wala pang mga ECC iyong sa kuwan.

THE CHAIRPERSON (SEN. C. VILLAR). No, may in-issue sa SM. Iyong una, iyong banda roon. Hindi ba ikaw nag-issue noon?

MR. CUÑADO. So far, Madam, wala sa listahan ko iyong mga iyon.

THE CHAIRPERSON (SEN. C. VILLAR). So, ang talagang pinag-initan mo lang iyong Cavite and Las Piñas, Parañaque?

MR. CUÑADO. I just only acted on any application filed in my office, Madam Chair.

THE CHAIRPERSON (SEN. C. VILLAR). Okay. So, question mark ... /lcp/alcc/agc

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THE CHAIRPERSON (SEN. C. VILLAR). ... So, question mark iyong No. 12?

MR. CUÑADO. Yes, Madam Chair.

THE CHAIRPERSON (SEN. C. VILLAR). So, I would hope that Mr. Cuñado will answer this. You tell Secretary Loyzaga to answer my request, because I wrote it in 2022, there is no answer yet.

MR. CUÑADO. Yes, Madam Chair.

THE CHAIRPERSON (SEN. C. VILLAR). Okay. So, we will suspend the hearing. But I want you to give me a copy of the map that is more accurate kasi mali-mali na itong mapa ninyo.

And then you please answer my request to you about the revival of the Environmental Compliance Certificate of Altech in the Las Pinas-Parañaque Wetland Park, and at the same time, what will happen to the overlap of Fravel and that company, William Quieng.

And I want to remind you that that Fravel that goes to Las Piñas, it's hindering the flow of water of our rivers--of our four rivers in Las Piñas so you have to consider that. Because the reclamation projects were suspended because of the flooding, hindi ba, and that will really cause a flooding in our three cities. Iyong pagharang ninyo ng—pag-approve ninyo ng reclamation within the mouth of our river, you have to consider. And I'm entitled to a three-kilometer buffer zone as a

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legislated protected area. So, I am invoking the three-kilometer buffer zone so that a river will pass through that buffer zone. Ngayon, kung gusto noong Bacoor na sila ay bumaha, huwag na nila kaming idamay. Kasi may dalawang river din doon. Molino passes through us, iyong Bacoor and Imus River. Kaya tayo na-isyuhan ng—what you called it—iyong inisyu (issue) ng Supreme Court na *Mandamus* in Manila Bay because of the flooding in Imus River experienced by Atty. Oposa. Tapos nakita ko iyong plano ninyo na reclamation, nakaharang din sa Bacoor and Imus River. You never consider that.

Si Engineer Cuñado, ewan ko kung ano ang kinonsider (consider) mo pag-approve ng ECC, you never considered the river where the river will flow. Puwede ba iyon? Hindi mo na kino-consider kung mag-flood kami o mamatay lahat iyong aming mga fishermen na umaasa sa Manila Bay for their livelihood, hindi ba? It was never considered. Ang kinonsider (consider) mo lang iyong nag-apply sa iyo na kaibigan mo. Hindi mo kinonsider na kami lahat doon, two million people, will suffer flooding. And then 300,000 fishermen in Manila Bay will lose their livelihood. That was never considered. I want you to answer that.

MR. CUÑADO. Madam Chair, during the evaluation there is a third-party review committee who are deliberately discussed—

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THE CHAIRPERSON (SEN. C. VILLAR). Ikaw ang EMB, hindi mo na kinonsider iyon? Bakit ituturo mo na naman iyong iba? Turo ka nang turo ng iba. Bakit hindi ka na lang nag-stay sa Cebu at doon ka nakipag-away, hindi mo na pinakialaman ang Manila Bay.

We will ask Atty. Jose Lina, president and director of Manila Hotel to say his piece with regards to reclamation kasi affected din sila.

MR. LINA. Thank you very much, Madam Chair.

First of all, Manila Hotel is very happy with the suspension ordered by the President with regard to the reclamation projects in Manila Bay until a full and comprehensive exhaustive study of the reclamation's impact on the environment.

Secondly, thank you also to the Committee on Environment and Natural Resources for undertaking these hearings in aid of legislation. We're very much concerned with the reclamation going on, most particularly with that behind the grandstand which will definitely impact on Manila Hotel. Even before the brouhaha regarding this reclamation erupted, it's a public knowledge and scientists have already warned us that the sea level in Metro Manila is rising by 8.4 millimeter per year, which is almost three times than the average of 3.4 millimeters--global average of 3.4 millimeters a year in the period of 1901 to 2022. And that Metro Manila is in danger of sinking. Manila Hotel is just beside