



Republic of the Philippines
Province of Davao Oriental
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
SP Complex, Government Center, Dahican
CITY OF MATI



EXCERPTS FROM THE MINUTES OF THE 41ST REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, APRIL 12, 2023 AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

Hon. Niño Sotero L. Uy, Jr. Vice Governor – Presiding Officer

Regular Members:

District I

Hon. Nelson R. Dayanghirang, Jr.
Hon. Anna Cheryl N. Castro
Hon. Art Benjie C. Bulaong
Hon. Marietta D. Palmera
Hon. Andy A. Monday

District II

Hon. Shella Marie S. Go
Hon. Harold A. Montes
Hon. Rotchie M. Ravelo
Hon. Daud V. Linsag
Hon. Stephen Paul L. Uy

Ex-Officio Members:

Hon. Joselito B. Villademoso	President, Philippine Councilors League (PCL) - Davao Oriental Chapter
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR)
Hon. Ronald T. Lara, Jr.	Sangguniang Kabataan Provincial Federation President (SKPFP)

ABSENT:

Hon. Rustan R. Castellones	President, Liga Ng Mga Barangay (LNB) - Davao Oriental Chapter - Special Privilege Leave
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RESOLUTION NO. 17-406-04-2023

Author : Hon. Eleuterio C. Manaytay
Sponsor : Hon. Eleuterio C. Manaytay

A RESOLUTION RETURNING THE HEREIN ENDORSEMENT LETTER OF MGEN. LEOPOLDO A. IMBANG, JR. (RET) PA, HEAD, PROVINCIAL MINING REGULATORY BOARD SECRETARIAT, NATURAL RESOURCE CONSERVATION AND OPERATION DIVISION, RELATIVE TO THE ATTACHED SKETCH PLAN OF CALAPAGAN SMALL SCALE MINING COOPERATIVE WITH THE PETITION FOR DECLARATION OF MINAHANG BAYAN/PEOPLE'S SMALL-SCALE MINING AREA, WITH THE INFORMATION THAT PETITION DOCUMENTS FROM THE PETITIONER WAS NOT FORWARDED ALONG WITH THE ENDORSEMENT AND FURTHERMORE INFORMING HIM FOR A PROPER ENDORSEMENT EXECUTED BY THE PROVINCIAL MINING REGULATORY BOARD.

WHEREAS, it shall be the policy of the State to promote, develop, protect and rationalize viable small-scale mining activities in order to generate more employment opportunities and provide an equitable sharing of the nation's wealth and natural resources, giving due regard to existing rights as herein provided under RA No. 7076 and further provided under Section 11 of EO No. 79;

Eleuterio C. Manaytay

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WHEREAS, Section 9(a)(5) of the DENR Administrative Order No. 2022-03 or known as the Revised Implementing Rules and Regulations of RA No. 7076, otherwise known as the "People's Small-Scale Mining Act of 1991" states that: "The petitioner shall file with the Board a petition for declaration of an area as Minahang Bayan, specifying therein the coverage of the proposed area described in geographic coordinates of at least four (4) corners of the proposed area(s) following the meridional block system under Section 11 hereof. Within five (5) days upon receipt of the petition, the Board shall forward the same to all Sanggunians concerned for the purpose of the pertinent provisions of Sections 26 and 27 of RA 7160. At least the majority of the Sanggunian concerned shall endorse the declaration of the proposed Minahang Bayan. In case of an opposition of a Sanggunian concerned, said opposition shall be filed within fifteen (15) days from receipt of the notice, with the Board for resolution";

WHEREAS, Section 21 of the same DENR AO No. 2022-03 states that, "The Board shall be composed of the following:

- a. Regional Director concerned or his/her duly authorized representative as Chairperson;
 - b. Provincial Governor or City Mayor or his/her representative as Member;
 - c. One (1) small-scale mining representative as Member;
 - d. One (1) large-scale mining representative as Member; and
 - e. One (1) representative from environmental non-government organization as Member.
- xxx.";

WHEREAS, the Committee on Environment and Natural Resources sent a written notice to MGen Leopoldo A. Imbang, Jr. (Ret) PA, PMRB Secretariat, on March 28, 2023, asking for all the documents needed relative to the application of the above stated small scale mining cooperative as petitioner. However, the same were not forwarded up to this date;

WHEREFORE, on motion of SP Member Eleuterio C. Manaytay, duly and jointly seconded by SP Members Anna Cheryl N. Castro, Andy A. Monday, Daud V. Linsag, Shella Marie S. Go, Harold A. Montes, and Rotchie M. Ravelo, it was

RESOLVED, as it is hereby resolved, RETURNING THE HEREIN ENDORSEMENT LETTER OF MGEN. LEOPOLDO A. IMBANG, JR. (RET) PA, HEAD, PROVINCIAL MINING REGULATORY BOARD SECRETARIAT, NATURAL RESOURCE CONSERVATION AND OPERATION DIVISION, RELATIVE TO THE ATTACHED SKETCH PLAN OF CALAPAGAN SMALL SCALE MINING COOPERATIVE WITH THE PETITION FOR DECLARATION OF MINAHANG BAYAN/PEOPLE'S SMALL-SCALE MINING AREA, WITH THE INFORMATION THAT PETITION DOCUMENTS FROM THE PETITIONER WAS NOT FORWARDED ALONG WITH THE ENDORSEMENT AND FURTHERMORE INFORMING HIM FOR A PROPER ENDORSEMENT EXECUTED BY THE PROVINCIAL MINING REGULATORY BOARD;

RESOLVED, FINALLY, That a copy of this resolution be furnished: MGEN Leopoldo A. Imbang, Jr. (RET) PA, Head, Provincial Mining Regulatory Board (PMRB) Secretariat, Natural Resource Conservation and Operations Division, for his information and guidance.

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CARRIED AND APPROVED.

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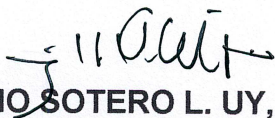
**I hereby Certify to the Correctness
of the foregoing Resolution.**



EVANGELINE UY-PLAZA

*Provincial Government Assistant Department Head
Assistant Secretary to the Sangguniang Panlalawigan
Acting Secretary*

**Attested and Certified
to be duly Adopted:**



NIÑO SOTERO L. UY, JR.

Vice Governor and Presiding Officer