



NOV 05 2004

MEMORANDUM ORDER
NO. 2004 - 13

SUBJECT: Moratorium on All Quarry and Sand and Gravel Operations, Including the Acceptance of New Applications and Approval of Pending Applications for Mining and Environmental Compliance Certificates, in the Province of Quezon.

In order to provide adequate protection to the environment, especially in view of indiscriminate and heavy extractive operations in the Province of Quezon, and to rationalize mining/ quarrying/ crushing operations as mandated under Republic Act (RA) No. 7942, the Philippine Mining Act of 1995, RA No. 7160, the Local Government Code of 1991, the small-scale mining laws (Presidential Decree No. 1899 and R.A. No. 7076), the environmental laws, and other pertinent laws, rules and regulations, a **MORATORIUM** on all sand and gravel mining and quarrying operations, including the acceptance of all new applications and approval of pending applications and renewal applications for mining/quarrying/crushing and Environmental Compliance Certificates (ECCs) in the said Province is hereby ORDERED for the guidance and compliance of all concerned.

To fully implement this Order, the following guidelines shall govern:

A. Coverage of the Moratorium

The Moratorium shall cover the following:

1. All mining/quarrying/crushing operations covered by existing Mining Contracts, Quarry Permits, Sand and Gravel Permits and Mineral Processing Permits for quarry and/or sand and gravel resources, as well as their corresponding ECCs, in the Province of Quezon, especially in the floodplains of Mt. Banahaw.
2. The acceptance of all new applications and approval of all pending applications for mining tenements enumerated above, including the corresponding ECCs, for the same areas in the Province of Quezon.


B. Multi-Sectoral Committee on Mining/Quarrying/Crushing Operations

1. There is hereby created a Multi-Sectoral Committee on Mining/Quarrying/Crushing Operations in Quezon, which shall be chaired by the Department of Environment and Natural Resources (DENR) Region IVA (CALABARZON) Regional Executive Director (RED) and co-chaired by the Provincial Governor of Quezon or his/her duly authorized representative, with membership composed of representatives from the regional offices concerned of the Mines and Geosciences Bureau (MGB) and Environmental Management Bureau (EMB), the protected areas sector of DENR Region IV-A (CALABARZON), the PENRO/CENRO concerned, the Provincial Mining

Regulatory Board (PMRB) of Quezon, the Municipal Governments concerned, an environmental non-government organization, and other sectors concerned as may be designated by the Committee.

2. The Committee shall have the following functions;
 - a. Ensure that the Moratorium Order is effectively enforced and adequately monitored;
 - b. Evaluate and assess current status of mining/quarrying/crushing operations in the area;
 - c. In coordination with the Local Government Units and the communities concerned, immediately formulate and submit to the DENR Secretary the strategic development plan and guidelines to rationalize all mining/quarrying/crushing operations taking into account the environmental carrying capacity of the locality and the adverse environmental impacts of all ongoing and future mining/quarrying/crushing operations in the area.
 - d. Undertake investigations of complaints and any violations of mining and environmental laws, rules and regulations, and the ECC conditionalities;
 - e. Prepare and submit to the DENR Secretary specific recommendations and actions plans to implement any necessary actions and impositions to adequately address complaints, violations and/or issues;
 - f. Submit monthly reports on its observations and recommendations to the DENR Secretary thru the Undersecretary for Mining and Legal Affairs; and
6. The RED/Chairman of the Multi-Sectoral Committee shall prepare and submit to the DENR Secretary specific rationalization plan and timetables to effectively implement the said plan within seven (7) days after the effectivity of this Order.
7. All expenses to be incurred by the Multi-Sectoral Committee in the discharge of its functions shall be charged against the funds of the respective offices of the Committee member/s concerned, subject to the usual government accounting and auditing rules and regulations.

This Order shall take effect immediately and shall remain in force and effect until formally lifted or terminated by the DENR Secretary.


MICHAEL T. DEFENSOR
Secretary
BR 4. 20