



Republic of the Philippines
Province of Benguet
Municipality of Itogon
Office of the Municipal Mayor
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FILE

ANGGUNIANG BATAN OFFICE
ITOGON, BENGUET

RECEIVED
DATE: FEB 23 2021
BY: *[Signature]*

EXECUTIVE ORDER NO. 02
Series of 2021

INTENSIFYING ACTIONS TO IMPLEMENT NATIONAL AND LOCAL LAWS, ORDERS, DIRECTIVES, AND ALL RELATED ISSUANCES AGAINST ILLEGAL SMALL SCALE MINING OPERATIONS TO INCLUDE UNAUTHORIZED MILLING AND PROCESSING OF ORES AND MINE TAILINGS IN THE MUNICIPALITY OF ITOGON.

WHEREAS, to carry out the September 18, 2018 Stoppage Order of DENR Secretary Roy P. Cimatu against all small scale mining activities in the entire Cordillera Administrative Region, the Provincial Government through the PMRB and the municipal government of Itogon issued various orders which seek to stop all small scale mining, milling and processing activities within their respective areas of jurisdictions pending the issuance and/or renewal of Small Scale Mining Permits and Processing Permits by the MGB to qualified small scale mining organizations and processors;

WHEREAS, to carry out other related functions and mandate of the National Task Force Mining Challenge in the local level, as well as to implement related orders issuances and directives by the PMRB and other concerned agencies/bureaus of both DENR and the DILG, the Local Chief Executive issued Executive Order No. 04, series of 2019 which established the Municipal Task Force against Illegal Mining in Itogon, Benguet;

WHEREAS, amid the COVID-9 pandemic, this office had been receiving reports of violations of the Stoppage Order resulting in the pollution of water bodies due to indiscriminate disposal of mine wastes and contaminated water generated from illegal small scale mining activities, hence the promulgation of Administrative Order No. 17, series of 2020 dated 27 May, 2020 that seeks to maintain continuing actions to enforce national and local laws, orders, policies issuances, rules and regulations to stop illegal small scale mining activities and all forms of unauthorized milling and processing operations in the municipality of Itogon;

WHEREAS, despite concerted efforts to address the causes of previous occurrences of fish kills at Tinongdan, another case of water contamination along Baloy River was reported on January 26, 2021 to the Environmental Management Bureau and after conducting ocular inspection and water sampling thereat, the team composed of personnel from the bureau's Water and Air Quality Monitoring Section came out with the recommendation that the Stoppage Order on small scale mining be fully and strictly implemented and for the Municipal Task Force on Illegal Mining to intensify inspection and monitoring activities on SSM activities;

WHEREAS, as per findings of the EMB, the water contamination along the Baloy River and even along the Ambalanga River could be attributed to small scale mining activities in the upstream barangays from where mine wastes and other contaminants are generated and carried downstream by strong water current most especially during heavy rain fall;

WHEREAS, this administration fully understands that small scale mining has always been a part of our tradition being the indigenous means of economic survival yet, there are options available for us under our laws that would legitimize small scale mining operations which is subject to the power of the State to regulate in order to prevent environmental degradation and operational abuses to ensure perpetual existence of our natural resources for the use and enjoyment of the present and future generations;

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NOW THEREFORE, by virtue of the powers vested in me as Local Chief Executive, I, **ATTY. VICTORIO T. PALANGDAN**, Municipal Mayor of the Municipality of Itogon, Benguet Province, hereby ORDER as follows;

Section 1. Combined Efforts to Pursue Continuous Actions. The Municipal Task Force on Illegal Mining shall be joined by the MENRC through its Committee on Mines and Geosciences and Committee on Environmental Management, the MDRRMO, the MENRO-Designate, all barangay officials including barangay tanods with respect to their areas of jurisdiction, and the Itogon Municipal Police Station shall jointly pursue continuous actions against illegal small scale mining operations and milling and processing activities. In coordination with MGB and EMB, the combined group shall conduct regular monitoring and inspection along river banks and its nearby areas to ensure that no illegal small scale mining, ore milling and tailings processing activities are being conducted thereat.

Section 2. Dismantling of Structures. All structures used in illegal small scale mining, unauthorized milling and processing activities including shanties which are found along or near river banks and other bodies of water such as creeks, streams, springs and the like shall be dismantled.

Provided further, that structures erected on areas declared as “No Build Zones” or “Danger Zones” pursuant to the Order issued by the Local Chief Executive on September 27, 2018 and those included under Administrative Order No. 17, series of 2020, and such other areas to be declared under subsequent issuances or orders shall be demolished to prevent loss of lives and limbs.

Section 3. Continuing Implementation of Previous Orders. The Memorandum dated August 5, 2019 issued by the Local Chief Executive and reiterated in section 3 of Administrative Order No. 17, series of 2020 ordering the cessation of operations of all processing plants such as Carbon-in-Pulp and Carbon-in-Leach in the entire municipality especially those near water bodies shall be a continuing action and is hereby adopted to form part of this Executive Order.

Section 4. Augmentation of Local Police Force by Higher Command. The Municipal Mayor may request assistance from higher PNP) command to augment existing number of local Police force. For this purpose, the Chief of Police shall advise the Municipal Mayor of the necessity for additional police personnel to assist the Itogon Municipal Police Station in implementing the Stoppage Order.

Section 5. Separability Clause. If for any reason, this Executive Order or parts hereof has been declared invalid or unconstitutional by competent authority, parts thereof not affected by such declaration shall remain in force and effect.

Section 6. Repealing Clause. All Executive Orders and Issuances inconsistent herewith or parts hereof are deemed repealed and/or modified accordingly.

Section 7. Effectivity. This Order shall take effect immediately.

DONE this 23rd day of February, 2021 at Itogon, Benguet.


ATTY. VICTORIO T. PALANGDAN
Municipal Mayor