




Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. VIII
DENR Compound, Jones St. Tacloban City, Philippines



11 February 2022

MR. ART F. SIGA

Board Member
BARUG Maasin, Incorporated
74 R. Garces St. Brgy. Tunga-Tunga,
Maasin City, Southern Leyte
E-mail: art_siga@yahoo.com

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: 
DATE: 3/16/2022
TIME: 3:26 PM

Dear **Mr. Siga**:

Environmental Greetings!

This has reference to your electronic mails submitted to this Office last **24 January 2022** and **31 January 2022**, seeking for clarification on the posting of tarpaulin to the Cease-and-Desist Order issued by the Environmental Management Bureau, Central Office against the construction/development of a Causeway Project in Brgy. Combado, Maasin City, Southern Leyte by the Provincial Government of Southern Leyte.


In relation thereto, please be informed that this Office found it proper to seek for the guidance of the EMB Central Office on the matter, considering that the authority by which the CDO was issued originated from the said office and there was no specific mention within the terms of the said CDO of any order or directive to post a tarpaulin. Thusly, the authority to post a tarpaulin, assuming a directive is provided, falls within the EMB's jurisdiction and not of any other office, e.g barangay local government unit.

Pending response from the EMB Central Office, however, this Office does not intend to arrogate unto itself the authority to decide on the matter. It would then be proper to wait for the guidance of the said office. Of paramount consideration is the fact that the project proponent appears to have yielded to the CDO and the adjudicatory proceedings are in progress before the EMB Central Office.

In addition, this Office would like to remind all parties in interest in this case that only the courts and administrative agencies of competent jurisdiction has due legal authority to pronounce, conclude, or decide, whether a violation has been committed against any provisions of any law, rules, and regulations, subject to the due process requirement of law. Absent or pending any such declarations, parties are encouraged to refrain from making said declarations by themselves, as it may tend to prematurely sway or affect the public's opinion on a matter affecting public interests.

For your information, reference, and consideration. Thank you very much for your cooperation.

Respectfully,


ENGR. REYNALDO B. BARRA
OIC- Regional Director