

ENVIRONMENTAL MANAGEMENT BUREAU DISPOSITION FORM

*RECORDS-2019-2-386

Subject:	Complaint re: hindrance on the normal flow of water that may damage the concrete dike constructed as buffer zone for flood control due to alleged loading of aggregates for the on-going construction of bridge in Bauang river, Brgy. Acao, Bauang, La Union		
Document Date:	Feb 26, 2019	Document Type:	Letter - Complaint
To/For	Remarks	From	Date

ORD For appropriate action - RECORDS 2/27/2019 12:21:39 PM

Advance copy of Sir Nelson

a/EMED,
for investigation / na pl. ty!

~~By name~~
~~By name~~
~~By name~~

Mark - for investigation (ASAP) C, EMED 2/27/19

- please check where the
backfill is sourced
by the contractor

Mark please revise your letter C, EMED 3/5/19

At Div For signature of RD Pos. 3/7/19

MAR 05 2019

pls. revise 3/8/19

ORD Letter to DPWH Revised Mark-Aquino Jr 3-11-19

MAR 13 2019

Signed 3/15

EMED TC scheduled on May 8, 2019 @ 1:00 P.M.

Action Taken/Status

- | | | |
|---------------------------|---------------------------|-------------------------------|
| A. For approval/signature | G. Please prepare reply | M. For posting |
| B. For appropriate action | H. Please note and return | N. Please attend |
| C. For notation/comments | I. Please file | O. Please send representative |
| D. For recommendation | J. RUSH/URGENT | P. For our record |
| E. For information | K. For Monitoring | |
| F. For Compliance | L. For Investigation | |

Revised

Marty

Pos.

3/19/19



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU

Regional Office No. 1
DENR Bldg., Government Center, Sevilla, City of San Fernando,
La Union

March 4, 2019

ENGR. RONNEL M. TAN, CESO IV
Regional Director
Department of Public Works and Highways – Regional Office 1
Aguila Road, Sevilla, San Fernando City,
La Union

Dear **Engr. Tan**;

This refers to the investigation and monitoring conducted by technical personnel of this Office on March 1, 2019 regarding ECC compliance of your on-going bridge construction along Bauang River located at Barangays Calumbaya and Acao, Bauang, La Union. Monitoring revealed that you had violated condition numbers 02, 06, 08 and 11 of **ECC-OL-RO1-2018-0163** issued on August 13, 2018, to wit:

Condition no. 02 states: **“Adequate and appropriate drainage system and soil erosion control measures including other structural measures which will conform with natural topography shall be constructed/provided to avoid erosion and flooding of the adjoining properties.”** Based on ocular inspection conducted at the project site, there were signs of erosion on the northern banks of the Bauang River since there were insufficient and improperly installed steel pipes which should serve as waterway under the constructed craneway.

Condition no. 06 states: **“Conduct an effective Information, Education and Communication (IEC) Program to inform and educate all stakeholders, especially its contractors, workers, and local residents about the mitigating measures embodied in its IEEC, the conditions stipulated in this Certificate and the environmental and human safety features of the project for greater awareness, understanding and sustained acceptance of the project”.** No proof of IEC was submitted to our Office as of this date.

Condition no. 08 states: **“That an ECC Billboard (3’x 5’) shall be installed at strategic location containing this message: “NOTICE TO THE PUBLIC, THIS *PROJECT* has been issued an Environmental Compliance Certificate [ECC Ref. No.] by the DENR-Environmental Management Bureau Region 1 on [date of issuance],” to inform the general public within ninety (90) days from receipt of the ECC (Memo Circular No. 02, Series of 1996)”.** No ECC Billboard was installed at the project site.

Condition no. 11 states: **“Proponent shall submit Progress Report on the project implementation in a quarterly basis and submit at this Office with proper documentation within fifteen (15) days after each quarter period”.** No Progress Report was submitted since the issuance of the ECC.

May we call your attention to Section 9 of P.D. 1586 (Penalty for Violation) which states:

“Any person, partnership or corporation found violating Sec. 4 of this Decree, or the terms and conditions in the issuance of the Environmental Compliance Certificate, or the standards, rules and regulations shall be punished by the suspension or cancellation of his/its certificate and/or a fine in the amount not to exceed Fifty Thousand Pesos (P50,000.00) for

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every violation thereof, at the discretion of the National Environmental Protection Council".
(Underscored now Environmental Management Bureau)

In view of the above, you are hereby directed to submit an explanation in writing within **ten (10) days** upon receipt of this letter why you should not be held liable for the aforementioned violations and attend a Technical Conference at our Office located at the above address on MAY 13 2019 at 1:00 P.M..

Should you or your authorized representative who can make commitments in your behalf fail to attend the said Technical Conference and submit the required explanation letter, this Office shall be constrained to conduct ex-parte hearing of your case and an "Order" shall be promulgated for the imposition of fines and penalties in accordance to the provision of the aforesaid Environmental Laws.

For your guidance and compliance.

Very truly yours,


ENGR. MARIA DORICA NAZ-HIPE, CESE
Regional Director



NOTC



RECORDS-2019-2-386

March 15, 2019 05:01:58 PM

cc: The RED, DENR I
PENRO, La Union



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU

Regional Office No. 1
DENR Bldg., Government Center, Sevilla, City of San Fernando,
La Union

March 4, 2019

MR. FELIX P. SANCHEZ

Complainant

GREATER GOOD AGGREGATES

Brgy. Acao, Bauang,
La Union

Dear **Mr. Sanchez**;

This is in connection with the complaint letter you submitted to DENR - Environmental Management Bureau (EMB) Region 1 which was received by our office on February 27, 2019 regarding the on-going bridge construction along Bauang River located at Barangays Acao and Calumbaya, Bauang, La Union.

Please be informed that an investigation was conducted by a Technical Personnel of this Office on March 1, 2019. The results of inspection are the following:

1. The construction of a proposed two (2) lane bridge is on-going at the time of inspection located along the Bauang River between the Barangays of Calumbaya and Acao, Bauang, La Union. Observed on-going activities at the site was the fabrication of steel casings.
2. Portion of the Bauang River has been backfilled with mixed sand and gravel forming a craneway with dimensions approximately 8 meters wide and 120 meters in length which will be used during the construction of the bridge. It now stretches to more than half of the width of the river.
3. It was observed that only four (4) steel pipes with a diameter of 2.2 meters were currently installed along the estimated 120 meters length of the craneway. Further, the water barely reaches the steel pipes since they are not installed deep enough. This forces the upstream water to flow through the unimpeded northern portion of the river and erode the northern river bank. Signs of erosion was apparent at the northern river bank although the flow of water was observed to be slow at the time of monitoring.
4. Based on the information gathered from Engr. Laurega of the Department of Public Works and Highways (DPWH)-Regional Office 1, the craneway being constructed is designed to have a total of eighteen (18) steel pipes with diameter of 2.2 meters which will serve as the waterway through the craneway. He also explained that only four (4) steel pipes are installed at the moment since the remaining fourteen (14) are still being fabricated. He further added that the craneway is temporary and will be removed once the bridge construction is complete.
5. Mr. Benny L. Domingo of Vikings Construction and Supply disclosed that they started backfilling the craneway in February, 2019 and it is estimated to be removed by May, 2019 before the rainy season

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In view of the above, a compliance monitoring was conducted and a Notice of Technical Conference was issued to the Regional Director of the **Department of Public Works and Highways – Regional Office 1** for non-compliance with the conditions stated in the Environmental Compliance Certificate (ECC) issued for the said project.

Thank you for bringing the matter to our attention and rest assured that we will be monitoring regularly the compliance of the bridge project to the environmental laws being implemented by our office.

For your information.

Very truly yours,


ENGR. MARIA DORICA NAZ-HIPE, CESE
Regional Director

 Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU RO1
Office of the Regional Director

COMMUNICATION LETTER



RECORDS-2019-2-386

March 15, 2019

05:04:02 PM

cc: RED, DENR I
PENRO, La Union



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU

Regional Office No. 1
DENR Bldg., Government Center, Sevilla, City of San Fernando,
La Union

INVESTIGATION REPORT

Name of Firm : **Department of Public Works and Highways Regional Office 1**
Geographical Coordinates : 16.516724 N; 120.337914 E
Location : Brgy. Calumbaya & Acao, Bauang, La Union
Mailing Address : Aguila Road, Sevilla, San Fernando City, La Union
Nature of Business : Development of Infrastructure Projects
Date and Time of Inspection : March 1, 2019
Date of Report Prepared : March 4, 2019
Investigation Officer : Engr. Ferdinand Marck C. Aquino

Person(s) Interviewed:

Names of Persons contacted	Position	Address
Evelyn Jose (Representative of Complainant)	Secretary/PCO - Greater Good Aggregates	Bauang River, Acao, Bauang, La Union
Mr. Rogelio Garcia and Mr. Rodel Andrada	Barangay Kagawad, Calumbaya, Bauang	Bauang, La Union
Engr. Lino Laurega	Project Engineer – Construction Division, DPWH RO1	Agila Road, Sevilla, San Fernando City, La Union
Benny L. Domingo	Construction Foreman – Vikings Construction and Supply	Brgy. Ipet, Sudipen, La Union

A. BACKGROUND:

On February 27, 2019, Environmental Management Bureau (EMB) Region 1 received a complaint letter filed by Mr. Felix P. Sanchez of Greater Good Aggregates requesting for an investigation regarding the on-going bridge construction along Bauang River located at Barangays Calumbaya and Acao, Bauang, La Union. It was disclosed in the said letter that the construction of a craneway obstructs the normal flow of water in the said river forcing the water to flow to the northern side and erode portions of its river bank.

A technical personnel was dispatched on March 1, 2019 to conduct immediate inspection along the Bauang River near and around the on-going bridge construction located at Barangays Calumbaya and Acao, Bauang, La Union.

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B. DISCUSSION OF FINDINGS AND OBSERVATIONS:

1. The construction of a proposed two (2) lane bridge is on-going at the time of inspection located along the Bauang River between the Barangays of Calumbaya and Acao, Bauang, La Union. Observed on-going activities at the site was the fabrication of steel casings.
2. Portion of the Bauang River has been backfilled with mixed sand and gravel forming a craneway with dimensions approximately 8 meters wide and 120 meters in length which will be used during the construction of the bridge. It now stretches to more than half of the width of the river.
3. It was observed that only four steel pipes (2.2 meters diameter) were installed along the 120 meters length of the craneway. Further, the water barely reaches the steel pipes since they are not installed deep enough. This forces the upstream water to flow through the unimpeded northern portion of the river and erode the northern river bank. Signs of erosion was apparent at the northern river bank although the flow of water was observed to be slow at the time of investigation.


C. REMARKS:

1. Per our Office records, the proponent, **Department of Public Works and Highways (DPWH)-Regional Office 1** was issued an Environmental Compliance Certificate (ECC) bearing number **ECC-OL-RO1-2018-0163** on August 13, 2018 for the proposed Construction of Bypass Road, (Bridge Project) along Bauang-San Fernando-San Juan Diversion Road. The ECC covers the proposed **895.70 linear meters Bridge Project** to be located at Barangays Calumbaya and Acao, Bauang, La Union.
2. Inquiry at the Department of Public Works and Highways (DPWH)-Regional Office 1 disclosed that **Engr. Lino Laurega** is the assigned Engineer of the Project. However, Engr. Laurega was not around at the time of inquiry. He disclosed during our phone conversation that the craneway being constructed is designed to have a total of eighteen (18) steel pipes with diameter of 2.2 meters which will serve as the waterway through the craneway. He also explained that only four (4) out of the eighteen (18) steel pipes are currently installed since the remaining fourteen (14) are still being fabricated. He further added that the craneway is temporary and with be removed once the bridge construction is complete.
3. Mr. Benny L. Domingo, disclosed that the construction of the bridge was awarded to Vikings Construction and Supply, and that he is the Foreman. He disclosed that the sand and gravel used to make the craneway is being delivered by Sonson Concrete Products & Construction Supply. Reportedly, they started backfilling the craneway in February, 2019 and is estimated to be removed by May, 2019 before the rainy season.

RECOMMENDATION:

1. To conduct monitoring of compliance of the proponent with the ECC conditions stipulated on ECC-OL-RO1-2018-0163 issued on August 13, 2018.
2. Inform the complainant of the result of the investigation and actions taken.


Prepared by:


ENGR. FERDINAND MARCK C. AQUINO
ENGR. II

Recommending Approval:


ENGR. ANTONIO L. ESTRADA
Chief, Environmental Management
And Enforcement Division

Approved by:


ENGR. MARIA DORICA NAZ-HIPE, CESE
Regional Director

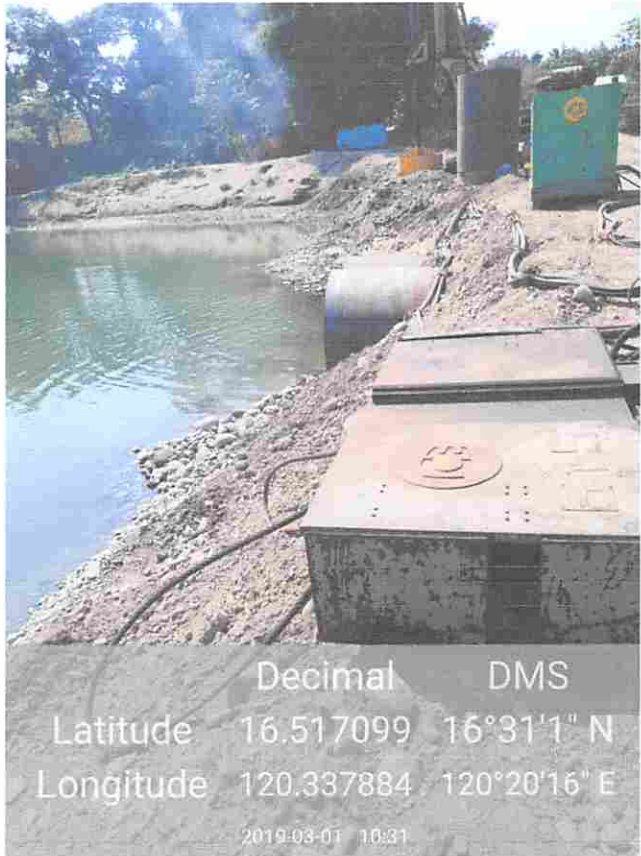
 Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU R01
Office of the Regional Director
INVESTIGATION REPORT

RECORDS-2019-2-386
March 15, 2019 05:04:53 PM akai

PHOTODOCUMENTATION



Constructed temporary Craneway



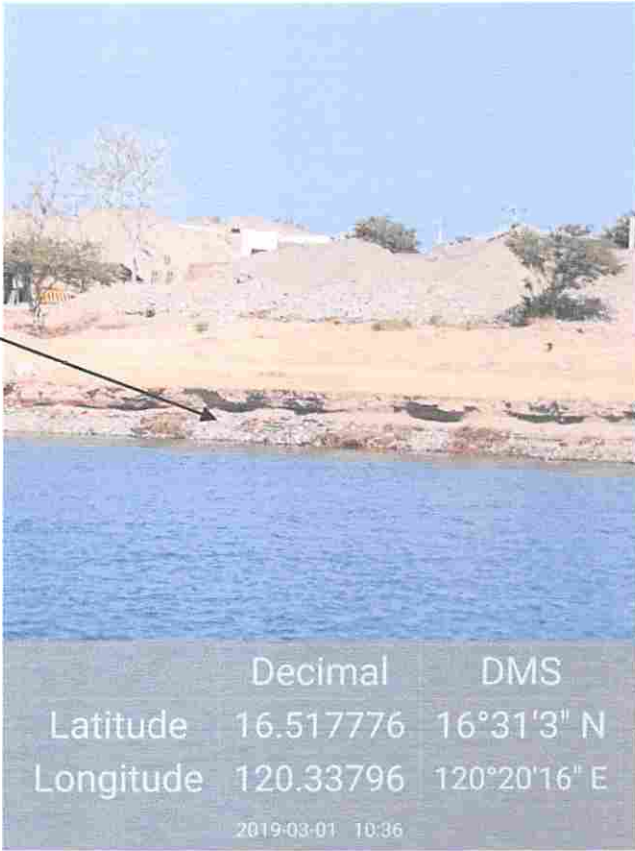
Installed Steel Pipes



Constructed temporary Craneway with four (4) steel pipes



End of constructed crane way



Eroded part of Northern River Bank



GREATER GOOD AGGREGATES

BAUANG RIVER, ACO, BAUANG, LA UNION

Email: greatergoodaggregates17@gmail.com

February 26, 2019

MS. MA. DORICA HIPE

Regional Director

Environmental Management Bureau

Regional Office No. 1

DENR Bldg., Government Center

Barangay Sevilla, San Fernando City

La union

RECORDS UNIT
DATE RECEIVED: 2/27/19
TIME: 11:09
RECEIVED BY: MB

Dear Director Hipe:

Requesting from your good office an immediate ocular inspection of the on-going bridge construction here in Bauang river, Barangay Acao, Bauang, La Union.

As concerned citizen of the community and aware of environmental aspect that supports ecological value of area it's been observed that the loading of aggregates for their heavy equipment road pass hinders the normal flow of water by the river bed coming from the upstream, thus it may damage the concrete dike constructed as buffer zone for flood control and due to high tide pressure of water it tends to spread along the other side and scour the land along our haul road.

In this regard, we appreciate for your immediate action.

Thank you and more power.

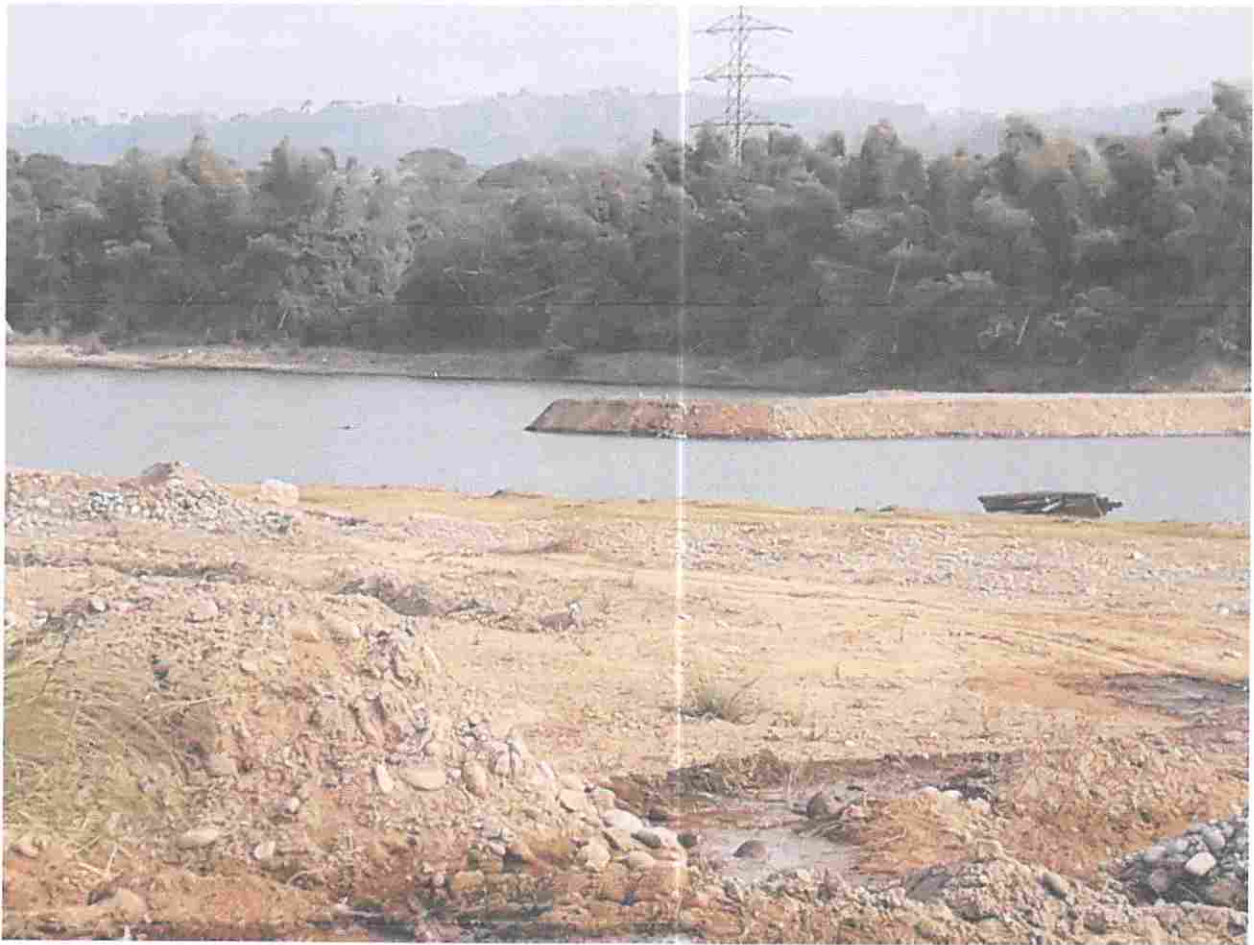
Sincerely yours

FELIX P. SANCHEZ

Permit Holder







BEFORE
BACKFILLING
THE CRANEWAY

