



Republic of the Philippines  
Province of Ilocos Sur  
**MUNICIPALITY OF NARVACAN**

**OFFICE OF THE SANGGUNIANG BAYAN 2019-2022**

Vice Mayor/Presiding Officer:

HON. FABRITO Y. SANIDAD, SR.

Sangguniang Bayan Members:

HON. EDNA C. SANIDAD

HON. JOSEPH A. TEJADA

HON. JOVENNIANO B. AMPO, JR.

HON. CHARITO C. VILORIA

HON. BERNADETTE C. LIM

HON. LORETO C. CABALLES

HON. EMILIANO C. CLARIN

HON. REINA ALEXA V. ANTOLIN

ABC President:

HON. ROMULO C. REA

SK Federated President:

HON. JOEMAR GREY A. CABICO

Attested:

MARIBEL C. CORRALES  
SB Secretary

Approved:

HON. LUIS "CHAVIT" C. SINGSON  
Municipal Mayor

EXCERPTS FROM THE MINUTES OF THE THIRD REGULAR SESSION OF THE SANGGUNIANG BAYAN OF NARVACAN, ILOCOS SUR HELD ON JULY 15, 2019 AT THE MUNICIPAL SESSION HALL

**ORDINANCE No. 02-SS**  
Series of 2019

**AN ORDINANCE DECLARING A TOTAL BAN IN THE OPERATION OF BLACK SAND MINING AND EXPLORATION IN THE MUNICIPALITY OF NARVACAN, ILOCOS SUR**

**WHEREAS**, in the month of July 2014, Ilocos Sur Governor RYAN SINGSON received a notice from the Mines and Geosciences Bureau of an application for permit from a mining firm in order to explore Caoayan, Santa, Narvacan, Sta. Maria, San Esteban and Santiago towns of the Second District of Ilocos Sur for purposes of black sand/magnetite mining;

**WHEREAS**, Gov. Ryan Singson rejected the said application and reiterated that "it has always been the advocacy of (his) administration to preserve, conserve and protect our environment for future generations;"

**WHEREAS**, Gov. Ryan Singson further stressed that black sand/magnetite mining "will open the floodgates wider for private firms to plunder our own mineral resources at the expense of mother nature;

**WHEREAS**, the inclusion of the town of Narvacan among those where black sand/magnetite mining exploration was attempted, indicates that the same effort may be repeated in the future;

**WHEREAS**, the town of Narvacan agrees with the provincial leadership, that black sand/magnetite mining will be detrimental to our town and would negate the commitment of the present leadership, under Mayor LUIS "CHAVIT" SINGSON, against black sand/magnetite mining and his call that we must be vigilant in the protection of our environment and in keeping with the constitutional mandate that "the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

**NOW, THEREFORE, BE IT ORDAINED** by the Sangguniang Bayan of Narvacan in session assembled that:

**Section 1 . TTITLE – AN ORDINANCE DECLARING A TOTAL BAN IN THE OPERATION OF BLACK SAND MINING AND EXPLORATION IN THE MUNICIPALITY OF NARVACAN, ILOCOS SUR**



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**Section 2. STATE POLICY** – Article II, Section 16 of the 1987 Constitution provides that the State shall protect and advance the right of the people to a balance and healthful ecology in accord with the rhythm and harmony of nature.

**Section 3: OBJECTIVE** – To declare the total ban of black sand mining and exploration in the Municipality of Narvacan, Ilocos Sur and lessen the likelihood of the following environmental impacts:

- a. coastal and soil erosion;
- b. exposure to rising sea level and typhoon-related threats;
- c. the intrusion of salt water to agricultural areas, and
- d. adverse effects to fisher folks in the affected coastal barangays in the locality.

**Section 4: LEGAL COMPLIANCE** –

- a. B.P. Blg. 265 prohibits the extraction of gravel and sand and such other activities as would erode or diminish the natural beauty of beaches
- b. Section 79(a) of the Department of Environment and Natural Resources (DENR) Administrative Order No. 2010-21 expressly requires all "Quarry/Commercial or Industrial Sand and Gravel/Government Gratuitous/Guano/Gemstone Gathering Permits" issued by the government to carry out the following prohibition:

*"No extraction, removal and/or disposition of materials shall be allowed within a distance of one (1) kilometer from the boundaries of reservoirs established for public water supply, archaeological and historical sites or of any public or private works or structures, unless the prior clearance of the Government agency (ies) concerned or owner is obtained. No extraction, removal and/or disposition of materials shall likewise be allowed in offshore areas within five hundred (500) meters distance from the coast and two hundred (200) meters from the mean low tide."*

**SECTION 5: SCOPE AND COVERAGE** – Pursuant to the aforementioned B.P. and Administrative Order the Department of Interior and Local Government passed **DILG** Memorandum Circular No. 44, Series of 2014 Directing all Local Chief Executives to be strictly guided by the Legal Restrictions on black sand and beach mining. The well-defined parameters laid down by the Circular include:





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- invalidity of small scale mining permits for purposes of mining black sand
- inapplicability of quarry and sand and gravel permits for use in black sand mining operations
- legal prohibition on quarrying with-in the No-Go Zone (200) and (500) meters demarcations

**SECTION 6: LOCAL IMPLICATION** – The enactment of this Code Sur is a fervent pronouncement of the political will of the present Local Administration and the Narvacaneans opposing and rejecting any and all attempts to conduct any and all exploration or mining activities in the locality, for black sand/magnetite mining or any kind of mining whatsoever, that may be pernicious to its ecology and environment. Any attempts at opening any exploration or mining activity in NARVACAN should be subject not only to the approval of the municipal government, but also with prior extensive public consultation with the people of NARVACAN, especially in barangays and areas affected, and also in compliance with all national laws related thereto.

**SECTION 7: PENAL PROVISIONS**

Non-compliance with the provisions of this Ordinance shall be dealt with in accordance with pertinent laws, rules and regulations.

**SECTION 8: SEPARABILITY CLAUSE**

Whenever for any reason, any provisions, section or part of this ordinance is declared not valid by a Court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgment shall not affect or impair the remaining provisions or sections which shall continue to be in full force and effect.

**SECTION 9: EFFECTIVITY**

This ordinance shall take effect immediately upon approval.

**ENACTED** this 15<sup>th</sup> day of July 2019 at Narvacan, Ilocos Sur.