Republic of the Philippines
PROVINCE OF SURIGAO DEL SUR
TANDAG CITY

BAGONG PILIPINAS

Office of the Governor

SUBJECT: **LETTER DATED OCTOBER 20, 2026, RE: FURNISHING OF COPIES OF RESOLUTION NOS. 398 AND 415, SERIES OF 2026**

RELEASED
PGO-SURIGAO DEL SUR
ARNIN C. CORDOVEZ
SIGNATURE OVER PRINTED NAME
CONTROL NO: DATE: TIME:

1st Indorsement

November 5, 2026

Respectfully returned to **Mr. Edgar G. Perez, II, J.D., Secretary to the Sangguniang Panlalawigan,** this Province, the herein basic communication form Jethro P. Lindo, Secretary to the Sanggunian, Municipal Government of Lingig, for your appropriate action.

SANGGUNIANG PANLALAWIGAN
RECEIVED
11/6/25
4:25 pm
TANDAG CITY, SURIGAO DEL SUR

JOHNNY T. PIMENTEL
Provincial Governor

By Authority of the Governor:

MARJORIE V. PAGARAN
Assistant Provincial Administrator

PROVINCE OF SURIGAO DEL SUR
Office of the Secretary to the Sangguniang Panlalawigan
Tel. No.: 086-2115832
Email: ossp@surigaodelsur.gov.ph
OSSP-26-06515

PGO RECORDS/MVP/CHA

Republic of the Philippines
PROVINCE OF SURIGAO DEL SUR
Municipality of Lingig

OFFICE OF THE SANGGUNIANG BAYAN

October 26, 2026

RECEIVED
PGO-SURIGAO DEL SUR

Hon. **JOHNNY T. PIMENTEL**
Provincial Governor
Province of Surigao del Sur
Tandag City

Sir:

Respectfully furnishing you herewith Resolution No. 415, Series of 2026, of the 12th Sangguniang Bayan of Lingig, Surigao del Sur entitled:

"A RESOLUTION EARNESTLY REQUESTING THE HONORABLE ATTY. JUAN MIGUEL T. CUNA, CESO I, SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), TO DIRECT THE IMMEDIATE CONDUCT OF A COMPREHENSIVE, INDEPENDENT, AND ONSITE INVESTIGATION INTO THE ALLEGED GOLD MINING AND BALL MILL PROCESSING *(BOLMELAN)* OPERATIONS AT SITIO NAPO, ROAD 5M AND ROAD 50, BARANGAY CAATIHAN, MUNICIPALITY OF BOSTON, DAVAO ORIENTAL, IN VIEW OF REPORTED ENVIRONMENTAL VIOLATIONS AND THEIR POSSIBLE ADVERSE EFFECTS ON THE RAJAH CABUNGSOAN RIVER, PAGTILAAN RIVER AND THE DOWNSTREAM COMMUNITIES OF BARANGAY RAJAH CABUNGSOAN AND BARANGAY PAGTILAAN, ALL IN THE MUNICIPALITY OF LINGIG, SURIGAO DEL SUR, AND TO UNDERTAKE THE NECESSARY REGULATORY AND ENFORCEMENT ACTIONS IF WARRANTED BY THE FINDINGS"

for your information and appropriate support.

Truly yours,

JETHRO P. LINDO
Secretary to the Sanggunian

Republic of the Philippines
PROVINCE OF SURIGAO DEL SUR
Municipality of Lingig

12TH SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 62nd REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF LINGIG, SURIGAO DEL SUR HELD AT SB SESSION HALL, LEGISLATIVE BUILDING, DATED OCTOBER 19, 2026, 9:00 AM.

Present:

Hon. ARNOLD T. MALAQUE	*Municipal Vice Mayor – Reg. Presiding Officer*
Hon. RECHI S. GAYLO	*Regular SB Member/Temp. Pres. Officer*
Hon. KEONREY A. ORILLO	*Regular SB Member*
Hon. ROMIE M. BENTAYAO	*Regular SB Member*
Hon. MOMAR A. DELOSO	*Regular SB Member*
Hon. BELZAR MAE L. CANOY	*Regular SB Member*
Hon. LIBERATO M. ARTIZA	*Regular SB Member*
Hon. MARY AILYN CHRITINE M. PALER	*Regular SB Member*
Hon. REYNALD T. GAY-OD	*Ex-officio Member, Sectoral Representative, IPMR*
Hon. REY ANTHONY F. SALIGUMBA	*Ex-officio Member, Pres., Liga ng mga Brgy*
HON. SHERICA YVONNE A. EVANGELIO	*Ex-officio Member, Pres., Pederasyon ng mga SK*

On Sick Leave:

Hon. PAUL C. SEREÑO	*Regular SB Member*

Absent:

Hon. MOMAR A. DELOSO	*Regular SB Member*

RESOLUTION NO. 415
Series of 2026

Sponsored by: COMMITTEE ON ENVIRONMENTAL PROTECTION
Chairperson: Hon. Sherica Yvonne A. Evangelio Members: Hon. Reynald T. Gay-od, Hon. Rey Anthony F. Saligumba

Movant: Hon. Reynald T. Gay-Od Seconder: Unanimous

A RESOLUTION EARNESTLY REQUESTING THE HONORABLE ATTY. JUAN MIGUEL T. CUNA, CESO I, SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), TO DIRECT THE IMMEDIATE CONDUCT OF A COMPREHENSIVE, INDEPENDENT, AND ONSITE INVESTIGATION INTO THE ALLEGED GOLD MINING AND BALL MILL PROCESSING *(BOLMELAN)* OPERATIONS AT SITIO NAPO, ROAD 5M AND ROAD 50, BARANGAY CAATIHAN, MUNICIPALITY OF BOSTON, DAVAO ORIENTAL, IN VIEW OF REPORTED ENVIRONMENTAL VIOLATIONS AND THEIR POSSIBLE ADVERSE EFFECTS ON THE RAJAH CABUNGSOAN RIVER, PAGTILAAN RIVER AND THE DOWNSTREAM COMMUNITIES OF BARANGAY RAJAH CABUNGSOAN AND BARANGAY PAGTILAAN, ALL IN THE MUNICIPALITY OF LINGIG, SURIGAO DEL SUR, AND TO UNDERTAKE THE NECESSARY REGULATORY AND ENFORCEMENT ACTIONS IF WARRANTED BY THE FINDINGS

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, empowers local government units to promote the general welfare of their constituents, including the protection and preservation of the

environment, the maintenance of ecological balance, and the safeguarding of public health and safety;

WHEREAS, the Sangguniang Bayan of Lingig has received reports and concerns from residents of Barangay Rajah Cabungsoan regarding the alleged gold mining and ball mill processing *(bolmelan)* operations at Sitio Napo, Road 5M and Road 50, Barangay Caatihan, Municipality of Boston, Province of Davao Oriental, and the potential environmental consequences of such activities on the downstream communities of Lingig, Surigao del Sur;

WHEREAS, reports have been received alleging that the said gold mining and ball mill processing *(bolmelan)* activities have contributed to the deterioration of the water quality of the Rajah Cabungsoan River and the death of aquatic resources, including fish, shrimps, and other riverine organisms that serve as important sources of food, livelihood, and ecological sustenance for the affected communities;

WHEREAS, residents of Barangay Rajah Cabungsoan have likewise expressed serious apprehension over the possible contamination of the river arising from the alleged use of hazardous substances, including cyanide and mercury, in the reported mining operations, which, if established, could pose substantial risks to human health, aquatic biodiversity, and the overall ecological integrity of the affected river system;

WHEREAS, concerns have also been raised regarding the alleged absence or inadequacy of the permits, licenses, environmental clearances, and other regulatory authorizations required under applicable mining and environmental laws, the truth of which must be established through a thorough and impartial investigation by the competent government authorities;

WHEREAS, while the reported gold mining and ball mill processing *(bolmelan)* activities are situated within the territorial jurisdiction of the Municipality of Boston, Davao Oriental, the possible environmental effects may extend beyond its territorial boundaries and adversely affect the water resources, aquatic ecosystem, public health, and livelihoods of the downstream communities of Barangay Rajah Cabungsoan and Barangay Pagtilaan, all in the Municipality of Lingig, Surigao del Sur, thereby necessitating appropriate inter-local government cooperation and intervention by the concerned national government agencies;

WHEREAS, on June 23, 2026, the Sangguniang Bayan of Lingig adopted Resolution No. 331, Series of 2026, seeking a dialogue with the Municipal Mayor of Boston, Davao Oriental, to address the alleged gold mining and ball mill processing *(bolmelan)* activities at the aforementioned locations and their reported adverse effects on the Rajah Cabungsoan River, Pagtilaan River and the downstream communities of Barangay Rajah Cabungsoan and Barangay Pagtilaan, all in the Municipality of Lingig, Surigao del Sur, a copy of which is attached hereto for reference;

WHEREAS, a copy of the said Resolution was personally delivered by members of the Sangguniang Bayan of Lingig to the Office of the Municipal Mayor and the Office of the Sangguniang Bayan of Boston, Davao Oriental, on July 13, 2026, in an effort to initiate constructive dialogue and encourage coordinated action in addressing the environmental concerns raised by the affected residents;

WHEREAS, despite the foregoing initiative, no formal response from the Municipal Government of Boston regarding the proposed dialogue has been received by the Sangguniang Bayan of Lingig to date, leaving the serious concerns raised by the

affected communities without the intended inter-local government discussion and resolution;

WHEREAS, during the 62nd Regular Session of the 12th Sangguniang Bayan of Lingig held on October 19, 2026, the Municipal Indigenous Peoples Mandatory Representative (IPMR), Hawudon Reynald T. Gay-od, delivered a privileged speech reiterating his concerns regarding the alleged continuing gold mining and ball mill processing *(bolmelan)* operations in the aforementioned area and their reported adverse environmental effects on the river and the affected communities, a copy of which is attached hereto and made an integral reference to this Resolution;

WHEREAS, photographs depicting the alleged gold mining/ball mill processing *(bolmelan)* operations have also been made available and are attached hereto as supporting materials to assist the appropriate authorities in identifying and assessing the reported activities, without prejudice to the need for actual on-site inspection and independent verification;

WHEREAS, the seriousness and continuing nature of the reported concerns warrant an immediate, comprehensive, and independent investigation by the DENR Central Office to establish the actual status of the mining operations, determine whether violations of applicable environmental and mining laws have occurred, assess the extent of any environmental damage, and identify the appropriate measures necessary to prevent further harm;

WHEREAS, Republic Act No. 7942, otherwise known as the *Philippine Mining Act of 1995*; Republic Act No. 9275, otherwise known as the *Philippine Clean Water Act of 2004*; Republic Act No. 6969, otherwise known as the *Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990*; Presidential Decree No. 1586, establishing the Philippine Environmental Impact Statement System; and other applicable laws, rules, and regulations provide the legal and regulatory framework for evaluating mining operations, environmental compliance, pollution risks, and the protection of natural resources, as applicable to the facts established by the investigation;

WHEREAS, an investigation conducted under the direction or oversight of the DENR Central Office, with the participation of technically qualified and impartial personnel, is necessary to ensure the credibility of the findings, minimize the possibility of undue influence, and uphold the principles of transparency, accountability, and equal enforcement of the law;

WHEREAS, the Sangguniang Bayan of Lingig recognizes that the responsible utilization of mineral resources must not be pursued at the expense of environmental protection, public health, ecological sustainability, and the welfare of communities dependent on rivers and other natural resources for their food, livelihood, and daily needs;

WHEREAS, this Sanggunian emphasizes that the requested investigation is intended to establish the truth, verify the reported allegations, and ensure that appropriate regulatory, administrative, civil, or criminal actions are undertaken when supported by the evidence and authorized by law, without prejudging the rights or liabilities of any person or entity;

NOW, THEREFORE, on motion of Hon. Reynald T. Gay-od, unanimously seconded by all the SB Members present, be it

RESOLVED, AS IT IS HEREBY RESOLVED, by the 12th Sangguniang Bayan of Lingig, Province of Surigao del Sur, in session duly assembled, to earnestly request the Honorable Atty. Juan Miguel T. Cuna, CESO I, Secretary of the Department of Environment and Natural Resources (DENR), to direct the **immediate conduct of a comprehensive, independent, and onsite investigation** into the alleged gold mining and ball mill processing *(bolmelan)* operations at Sitio Napo, Road 5M and Road 50, Barangay Caatihan, Municipality of Boston, Davao Oriental, in view of the reported environmental violations and their possible adverse effects on the Rajah Cabungsoan River, Pagtilaan River, and the downstream communities of Barangay Rajah Cabungsoan and Barangay Pagtilaan, all in the Municipality of Lingig, Surigao del Sur;

RESOLVED FURTHER, that the DENR Secretary be requested to designate an impartial investigation team, under the direction or oversight of the DENR Central Office, composed of technically qualified personnel who can independently assess the reported activities and environmental impacts, with due consideration for any potential conflict of interest or undue influence;

RESOLVED FURTHER, that the investigation include, but not be limited to, the following:

1. Conducting an actual on-site inspection of the reported mining areas to establish the nature, extent, operational status, and compliance of the mining activities with applicable laws, rules, and regulations;
2. Independently collecting and testing water samples from the Rajah Cabungsoan River and other potentially affected water bodies, including appropriate upstream and downstream sampling locations, through a competent and appropriately accredited laboratory, to determine the presence or concentration of cyanide, mercury, or other harmful substances, as warranted by the evidence;
3. Assessing the reported deterioration of water quality, alleged fish kills, and possible damage to aquatic resources and the river ecosystem, including the environmental, health, and livelihood implications for downstream communities;
4. Verifying the validity and sufficiency of the applicable mining permits, licenses, environmental compliance certificates, pollution-control authorizations, discharge permits, and other required regulatory approvals, as appropriate;
5. Examining the adequacy of the mining operator's environmental safeguards, waste management practices, pollution prevention measures, and other measures required to prevent or mitigate environmental degradation;
6. Determining the extent of any environmental damage and identifying the corrective, preventive, rehabilitation, and enforcement measures necessary to protect the affected communities and restore any damaged ecosystem, where appropriate;

RESOLVED FURTHER, that the concerned offices of the DENR, including the Environmental Management Bureau and the Mines and Geosciences Bureau, be requested to provide the necessary technical expertise, regulatory records, laboratory testing, and other relevant assistance to ensure that the investigation is evidence-based, thorough, and impartial;

RESOLVED FURTHER, that should the findings establish violations of applicable environmental or mining laws, rules, or regulations, the DENR and other competent authorities be earnestly urged to undertake the necessary regulatory and enforcement

actions, which may include the issuance of lawful compliance orders, the suspension or cessation of activities when legally warranted, the imposition of administrative sanctions, the requirement to undertake environmental rehabilitation, and the institution or referral of appropriate civil or criminal proceedings;

RESOLVED FURTHER, that if the preliminary findings establish an imminent or continuing threat to the health and safety of the affected communities or a substantial risk of environmental damage, the concerned authorities be urged to promptly implement such interim protective measures as may be authorized by law, without prejudice to the appropriate administrative and legal proceedings;

RESOLVED FURTHER, that the DENR Secretary be respectfully requested to furnish the Sangguniang Bayan of Lingig with a written report on the results of the investigation, including the verified findings, relevant water and environmental assessment results, violations established, enforcement measures undertaken or recommended, and proposed measures to prevent further environmental degradation, subject to applicable laws and regulations on confidentiality and disclosure;

RESOLVED FURTHER, that copies of this Resolution, together with the supporting documents and photographs, be furnished to the DENR Central Office, the concerned DENR Regional Offices, the Environmental Management Bureau, the Mines and Geosciences Bureau, the Office of the Municipal Mayor and the Sangguniang Bayan of Boston, Davao Oriental, the Provincial Government of Davao Oriental, the Provincial Government of Surigao del Sur, the Office of the Municipal Mayor of Lingig, and other concerned government agencies for their information, appropriate action, and support;

RESOLVED FINALLY, that this Resolution be transmitted to the Honorable Secretary of the Department of Environment and Natural Resources for immediate consideration and appropriate action, in the interest of environmental protection, public health, ecological integrity, accountability in the enforcement of environmental laws, and the general welfare of the people of Barangay Rajah Cabungsoan, Barangay Pagtilaan, and other potentially affected communities.

ADOPTED, this 19th day of October 2026, at the Sangguniang Bayan Session Hall, Legislative Building, Municipality of Lingig, Province of Surigao del Sur, with all the Members present voting in favor thereof.

ARNOLD T. MALAQUE, REE
Municipal Vice Mayor
Regular Presiding Officer

ATTESTED BY:

JETHRO P. LINDO
Secretary to the Sanggunian

Republic of the Philippines
PROVINCE OF SURIGAO DEL SUR
Municipality of Lingig

OFFICE OF THE SANGGUNIANG BAYAN

PRIVILEGE SPEECH

62nd Regular Session of 12th Sangguniang Bayan

DATED: October 19, 2026

Greetings!

Honorable Presiding Officer, distinguished members of this Honorable Body, and fellow public servants, good day.

I rise today to bring to your attention a serious environmental concern involving the reported improper disposal of mining waste from the Bolmelan Gold Mining operation in Sitio Napo, Barangay Caatihan, Boston, Davao Oriental.

This issue raises concerns about the possible contamination of Manawi Creek, which flows toward the Simulao River, affecting nearby communities that depend on these waterways for their daily needs and livelihood.

During the flooding last week, residents reportedly noticed that the river water had developed an unpleasant odor and caused an itchy sensation upon contact. These observations raise alarm about possible water pollution and its potential effects on human health, fish, and other aquatic organisms. `There have also been reports of dead fish, including tilapia and haloan, found in the river, further raising concerns about the possible effects on aquatic life and the environment.

If this problem is not addressed immediately, what resources will remain for the next generation? Our children and grandchildren deserve clean water, a healthy environment, and sustainable natural resources. We must act now before the damage becomes irreversible and leaves future generations with nothing to inherit but a degraded environment.

What is more concerning is that this matter was already raised during a previous committee meeting, yet the community continues to seek appropriate action.

As the Municipal Indigenous Peoples Mandatory Representative (IPMR), it is my duty to stand for the rights and welfare of our Indigenous Cultural Communities and Indigenous Peoples, especially when their health, livelihood, and natural resources are at risk.

Therefore, I respectfully call upon the concerned authorities to conduct an immediate investigation, undertake water quality testing, and implement the necessary

measures to address this concern. I also urge this Honorable Body to ensure proper monitoring, accountability, and timely action to protect the affected communities.

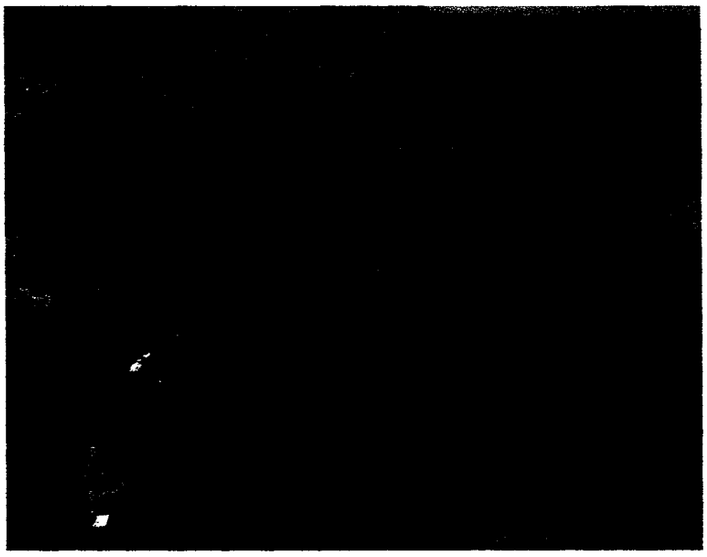
We must not wait for irreversible environmental damage before we act. Protecting our rivers means protecting our people's health, livelihood, and future.

I stand with the affected community and urge everyone concerned to treat this matter with urgency and responsibility. Thus, I believe that all of us here in this Honorable Sangguniang Bayan share the same goal: to work for the good and welfare of our community. That is why I respectfully seek your full support in addressing issues like this. Through our unity and collective action, we can protect our people, preserve our environment, and ensure a safer and better future for everyone. Thank you, and may we continue to serve our people.

HON.REYNALD T. GAY-OD
Municipal IPMR
Chairman - Committee on Tribal Affairs

Alleged Gold Mining and Ball Mill Processing (Bolmelan) Operations at Sitio Napo, Road 5M and Road 50, Barangay Caatihan , Municipality of Boston, Davao Oriental





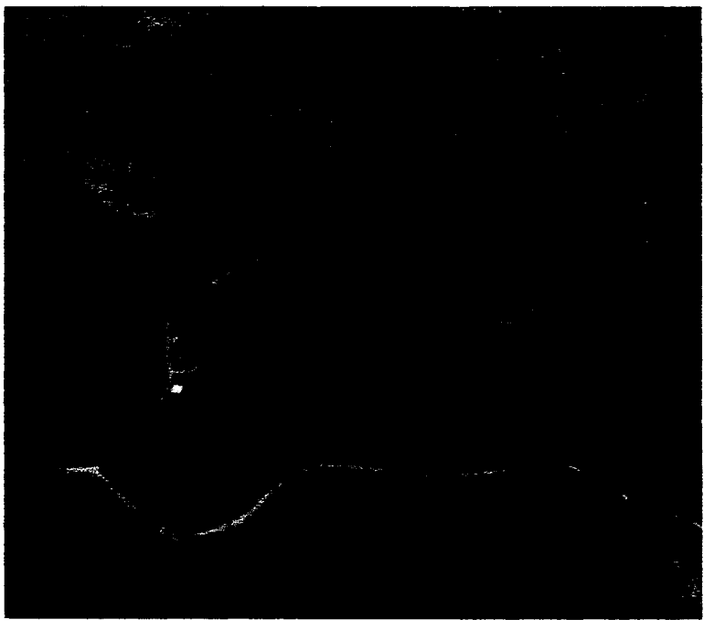




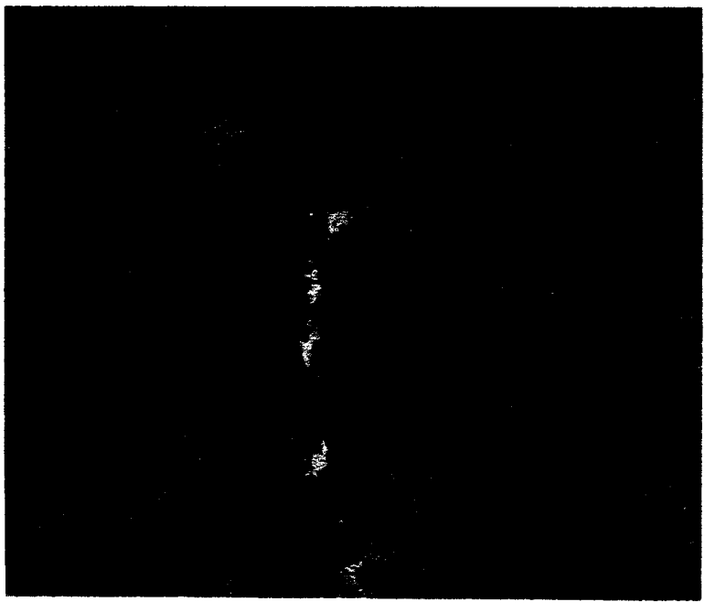






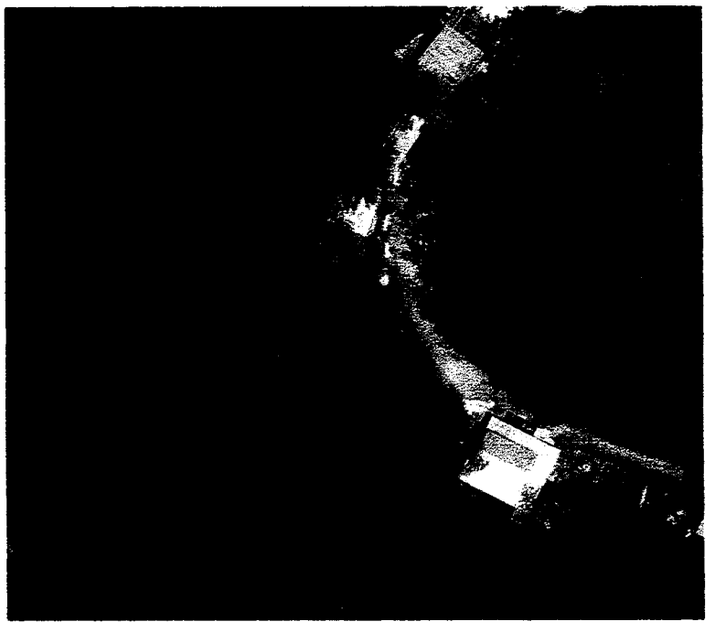
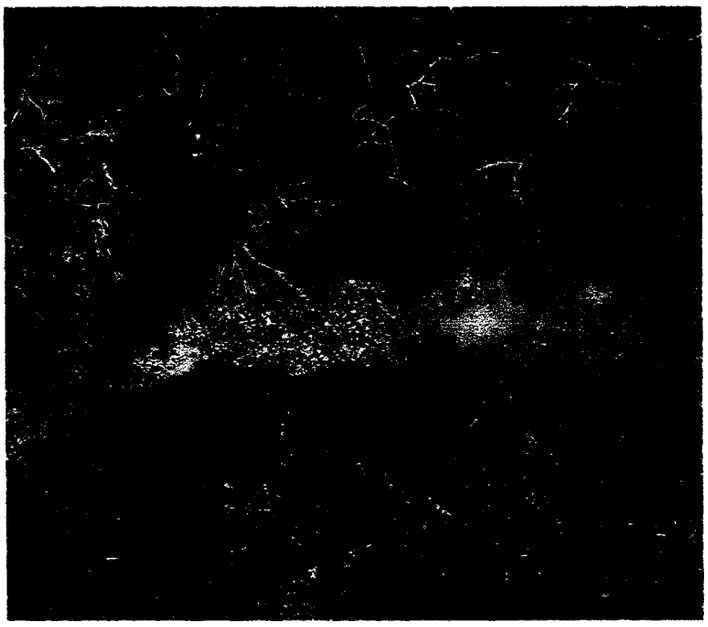
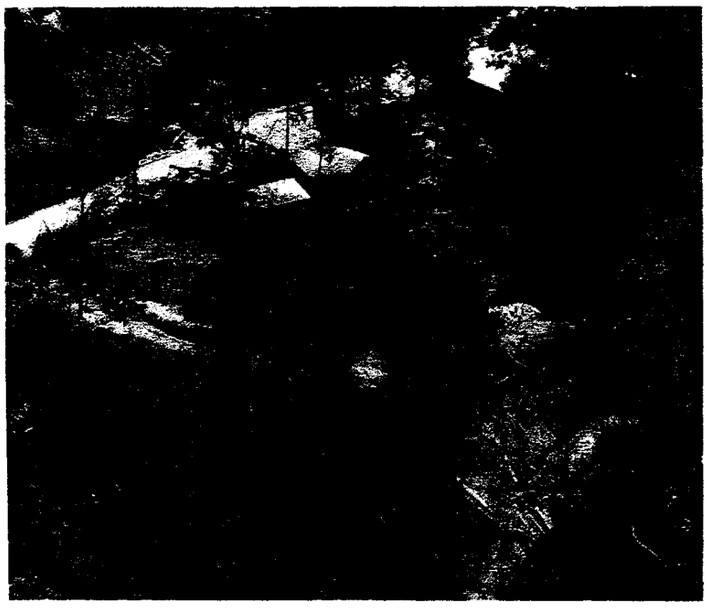







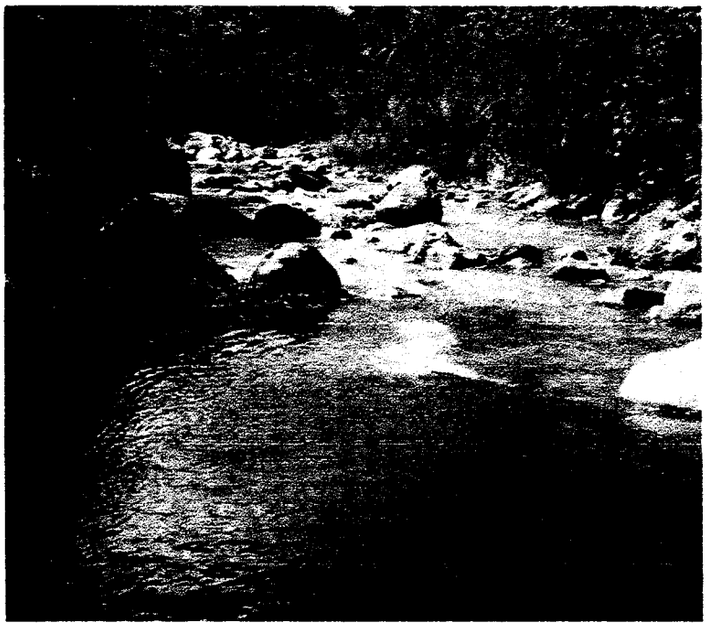




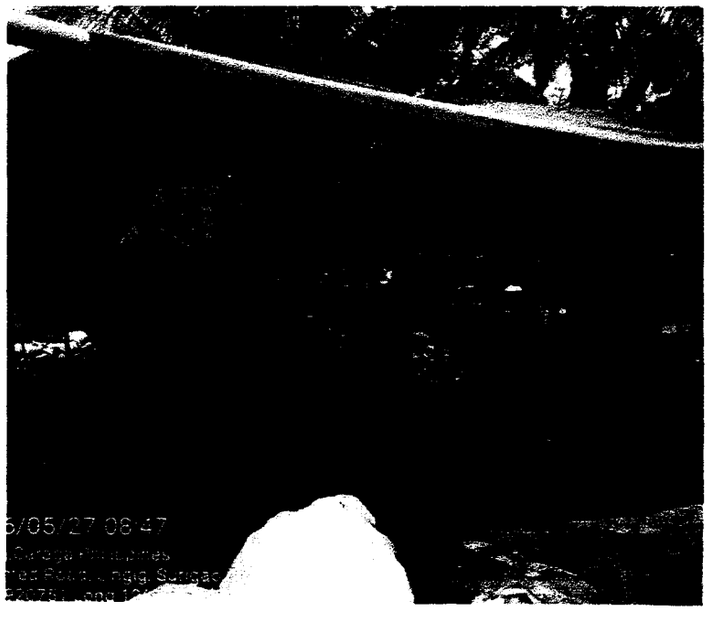





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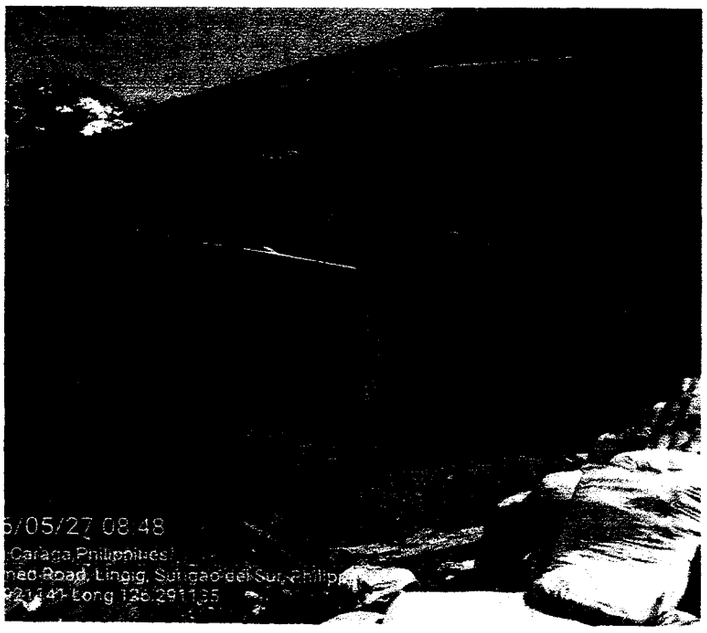


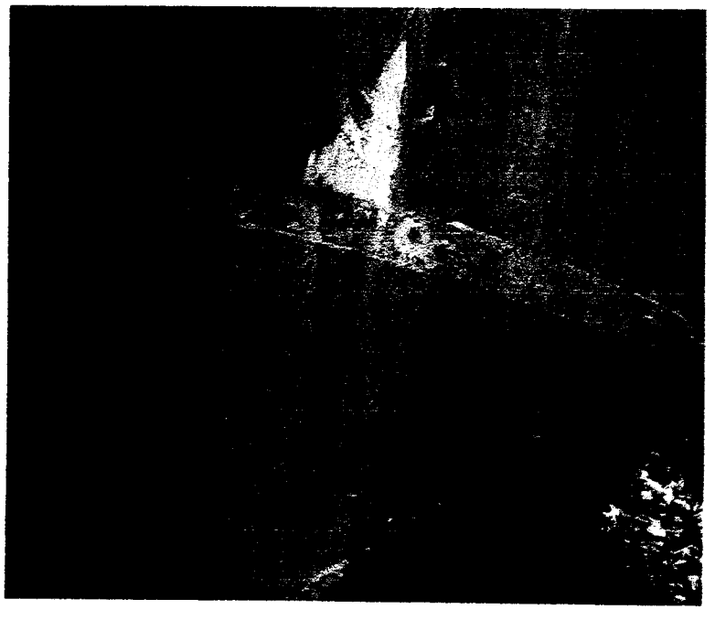



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