

**[ DENR ADMINISTRATIVE ORDER NO. 99-03,  
January 28, 1999 ]**

**GUIDELINES GOVERNING THE UTILIZATION AND DISPOSITION  
OF THE SAND AND LAHAR MATERIALS IN THE AREAS DECLARED  
AS MINERAL RESERVATION ESTABLISHED UNDER  
PROCLAMATION NO. 66 AND OTHER LAHAR-AFFECTED AREAS IN  
THE PROVINCES OF PAMPANGA, TARLAC AND ZAMBALES**

Pursuant to Sections 5 and 8 of Republic Act (R.A.) No. 7942 and Proclamation No. 66, the following are hereby promulgated:

*Section 1. Title.* — This Administrative Order shall be known as the "Guidelines in the Utilization and Disposition of Sand and Lahar Materials in the Mineral Reservation and Other Lahar-Affected Areas in the Provinces of Pampanga, Tarlac and Zambales."

*Section 2. Policies and Objectives.* — The policies and objectives of the Government in the lahar-affected areas of the Provinces of Pampanga, Tarlac and Zambales shall be:

- a. To rationalize quarrying operations;
- b. To adequately protect the dikes and other infrastructure for flood protection and risk mitigation;
- c. To ensure adequate environmental protection and the imposition of strict mine rehabilitation measures;
- d. To ensure that quarrying activities complement government priority programs and projects to desilt clogged river systems; and
- e. To ensure that the benefits derived from quarrying shall accrue to the Government, the rightful operators and other legitimate stakeholders.

*Section 3. Scope.* — This Administrative Order covers the regulation of all mining and quarrying applications and operations within the Mineral Reservation established under Proclamation No. 66 and other lahar-affected areas in the Provinces of Pampanga, Tarlac and Zambales

*Section 4. Definition of Terms.* — As used in and for purposes of these Guidelines, the following terms shall mean:

4.1 "*Embankment*" refers to the elevated strip of land adjoining rivers and waterways measuring five (5) meters in urban areas, twenty (20) meters in agricultural areas, and forty (40) meters in forest areas.

4.2 "*Natural Resources Development Corporation (NRDC)*" refers to the government corporation of that name established as a corporate arm of the Department of Environment and Natural Resources (DENR) pursuant to Executive Order No. 786 of March 19, 1982.

4.3 "*Mining Permit*" refers to Quarry Permit and Sand and Gravel Permit.

4.4 "*Mining/Quarrying Applications*" means any application for mining permit.

4.5 "*Mining/Quarrying Operations*" means mining or quarrying activities involving exploration, development and utilization of sand and lahar materials.

4.6 "*Lahar Materials*" shall include the sand, gravel, pebbles, boulders and other pyroclastic components of the lahar deposits, that had been deposited prior to and during the Mt. Pinatubo eruption in 1991.

All other terms herein shall mean as defined in the Department of Environment and Natural Resources Administrative Order (DAO) No. 96-40 or the Revised Implementing Rules and Regulations of the Philippine Mining Act of 1995.

*Section 5. Identification of Quarry Zones.* — The NRDC, in coordination with the Mines and Geosciences Bureau (MGB), DENR Region III and the Department of Public Works and Highways (DPWH) Region III and the concerned Provincial Mining Regulatory Board (PMRB), shall identify and delineate lahar-affected areas within and outside the Mineral Reservation where quarrying of sand and lahar materials may be allowed. It shall mainly take into account technical and environmental considerations in identifying such zones.

The conduct of the programmatic Environmental Impact Assessment (EIA) and the preparation of the pertinent report for the Quarry Zone shall be undertaken by the NRDC in coordination with DENR Region III and MGB.

Only such Quarry Zones identified and delineated may be opened for mining permit application for sand and lahar deposits. Further, any mining permit that may be issued within these zones shall include as an obligation, in addition to those prescribed by law, strict compliance with the terms and conditions of the Quarry Zone. For this purpose, the NRDC, in coordination with MGB, DENR Region III, Department of Agriculture (DA) Region III and DPWH Region III, shall formulate such terms and conditions of the Quarry Zone.

Any mining permit for sand and lahar materials from lahar-affected areas which may henceforth be issued outside of such Quarry Zones shall be deemed null and void.

*Section 6. Permitting.* — Any modes of utilization and disposition of sand and lahar materials in the Provinces of Pampanga, Tarlac and Zambales shall be allowed only upon the issuance of the necessary permits by the MGB pursuant to R.A. No. 7942 and DAO No. 96-40 for mining/quarrying operations within the Mineral Reservation, or the concerned Local Government Units (LGUs) or MGB Regional Office for mining/quarrying operations outside of the Mineral Reservation, and compliance with all other requirements of law including the Environmental Clearance Certificates (ECC's) that shall be issued by the DENR.