

**\*\*Title:\*\***

Province of Rizal, Municipality of San Mateo, Pintong Bocaue Multipurpose Cooperative, et al. v. Executive Secretary, Secretary of Environment & Natural Resources, Laguna Lake Development Authority, et al.

**\*\*Facts:\*\***

On 17 November 1988, the Department of Public Works and Highways (DPWH), the Department of Environment and Natural Resources (DENR), and the Metropolitan Manila Commission (MMC) signed a Memorandum of Agreement (MOA), allowing a portion of the Marikina Watershed Reservation in San Mateo, Rizal, to be used as a landfill. Despite a local resolution banning Metro Manila garbage dumpsites in the area, the landfill operation began in 1990, leading to environmental concerns.

In 1989, the Sangguniang Bayan of San Mateo opposed the creation of the dumpsite. Later investigations revealed that the land was part of the Marikina Watershed Reservation, which violated Presidential Decree No. 705 (Revised Forestry Code). Subsequent reports highlighted environmental damage and non-compliance with necessary permits.

Despite objections from various agencies, Proclamation No. 635 was issued on 28 August 1995, excluding certain parcels of land from the watershed for use as a landfill. By 1996, local residents and officials repeatedly requested reconsideration of the Proclamation without success.

By 1997, litigation began when the petitioners sought certiorari and prohibition with the Court of Appeals. The petition was denied in 1997, prompting the petitioners to seek review by the Supreme Court. The continued expansion of the dumpsite caused significant local opposition and led to a temporary closure agreement with President Estrada in 1999, followed by an attempt to reopen it in 2001 due to a garbage crisis, which was temporarily restrained by the Supreme Court.

**\*\*Issues:\*\***

1. Whether Proclamation No. 635 was based on a forged document.
2. Whether the landfill operated with a spurious Environmental Compliance Certificate (ECC).
3. Whether Proclamation No. 635 violated R.A. 7586, requiring an act of Congress for modifying a protected area.
4. Whether objections from various government entities and environmental reports were

properly considered.

5. Whether the landfill was properly located within a “buffer zone” of the Marikina Watershed.

6. Whether the Local Government Code’s requirements for local consultation and approval were violated.

7. Whether the permanent closure of the landfill was mandated by Republic Act No. 9003.

**\*\*Court’s Decision:\*\***

1. **\*\*Forgery of Proclamation No. 635:\*\*** The Court tackled the issue that the basis for the Proclamation was a recommendation alleged to be forged. The DENR Secretary confirmed that his signature on the recommendation was falsified. The Court concluded that Proclamation No. 635 is illegal and null due to this procedural flaw.

2. **\*\*Spurious Environmental Compliance Certificate:\*\*** The Court found that the landfill’s ECC was subject to suspension due to improper development and its negative environmental impact, as indicated by DENR’s investigations.

3. **\*\*Violation of R.A. 7586:\*\*** The Court emphasized that any modification of a protected area requires legislative action, and thus, Proclamation No. 635 was not within legal bounds.

4. **\*\*Environmental Reports and Governmental Objections:\*\*** The Court determined that the cumulative findings from competent government bodies and environmental watchdogs regarding health risks and ecological damage were gravely overlooked.

5. **\*\*Location within “Buffer Zone”:\*\*** The Court critically evaluated the respondents’ argument that the landfill was located in a buffer zone and not within the actual watershed reservation, deeming it legally indefensible given the environmental statutes intended to safeguard such areas.

6. **\*\*Violation of Local Government Code:\*\*** The Court found clear violations of mandatory terms requiring consultations and approval from local governing bodies prior to implementation of national projects with potential ecological impact.

7. **\*\*Effect of Republic Act No. 9003:\*\*** The Court affirmed that R.A. 9003 mandates compliance with environmental impact standards and restricts landfill operations in areas designated as watershed reservations, supporting the permanent closure of the landfill.

**\*\*Doctrine:\*\***

The case reinforces that:

1. Presidential proclamations must adhere strictly to procedural and substantive law, especially recommendations from appropriate secretaries.
2. The Local Government Code mandates consultations with local entities for projects impacting their jurisdiction.
3. Modifications to protected areas require legislative action.
4. Environmental compliance certifications must be rigorously adhered to and can be suspended for procedural or environmental breaches.
5. The Regalian Doctrine emphasizes state ownership and protection of natural resources.
6. Ecological Solid Waste Management Act mandates sustainable solutions and closure of non-compliant landfills.

**\*\*Class Notes:\*\***

- **\*\*Regalian Doctrine:\*\*** All lands of the public domain belong to the state, emphasizing conservation and national interest.
- **\*\*Local Government Code (Sections 2(c) & 27):\*\*** Requires local consultations and approval for national projects impacting local communities.
- **\*\*Republic Act No. 7586:\*\*** Limits changes to protected areas to legislative actions.
- **\*\*Republic Act No. 9003:\*\*** Sets standards for ecological waste management, barring landfills in sensitive areas like watershed reservations.

**\*\*Historical Background:\*\***

This case arose from the urgent need for garbage disposal in Metro Manila, amid conflicting interests of environmental protection and public health. The Marikina Watershed, a critical ecological area, became a contentious site due to its exclusion from protected status for landfill use by Proclamation No. 635. The continued opposition from local entities underlined the conflict between rapid urbanization pressures and environmental sustainability obligations, further shaping Philippine environmental jurisprudence.