

****Title:****

Bangus Fry Fisherfolk et al. v. Judge Enrico Lanzanas et al., 453 Phil. 479

****Facts:****

1. ****Issuance of ECC:**** On June 30, 1997, Antonio G. Principe, the Regional Executive Director (RED) of DENR Region IV, granted an Environmental Clearance Certificate (ECC) to the National Power Corporation (NAPOCOR) for constructing a temporary mooring facility at Minolo Cove, Puerto Galera, Oriental Mindoro. The cove was declared an eco-tourist zone due to its mangrove area and breeding ground significance.
2. ****Relocation Necessity:**** The mooring facility was essential for relocating NAPOCOR's power barge from Calapan to a safer location to ensure a continuous power supply for Oriental Mindoro.
3. ****Appeal and Filing:**** Local fisherfolk opposed the ECC and sought reconsideration on July 15, 1997, which RED Principe denied. Subsequently, on July 21, 1997, they filed a complaint with the Regional Trial Court of Manila, Branch 7 (Manila RTC), seeking to annul the ECC and stop the construction. They amended their complaint to include several government officials and entities.
4. ****Temporary Relief:**** A 20-day Temporary Restraining Order (TRO) was initially issued on July 28, 1997, against the construction, but it was lifted on August 6, 1997, based on the revelation that the provincial government was handling the construction.
5. ****Motion to Dismiss:**** Respondents, including ORMECO and provincial officials, moved to dismiss the case on August 28, 1997, arguing a lack of administrative remedies exhaustion and lack of jurisdiction by the Manila RTC.
6. ****Trial Court Ruling:**** On November 7, 1997, the Manila RTC dismissed the complaint due to the non-exhaustion of administrative remedies and lack of jurisdiction to enforce injunctive relief outside its territory.

****Issues:****

1. Whether the Manila RTC erred in dismissing the complaint for lack of cause of action due to non-exhaustion of administrative remedies.
2. Whether the Manila RTC had jurisdiction to hear and resolve the petitioners' complaint

given the territorial concerns.

3. Whether the ECC issuance and the subsequent actions violated existing laws mandating environmental protection and local government involvement.

****Court's Decision:****

1. ****Jurisdiction and Venue:**** The Manila RTC had jurisdiction over the complaint as the principal respondent, DENR Region IV, was based in Manila. However, the trial court lacked jurisdiction to enforce injunctive relief in Oriental Mindoro.

2. ****Exhaustion of Administrative Remedies:**** The Court upheld the doctrine requiring exhaustion of administrative remedies. Petitioners bypassed the appropriate DENR channels when they filed their court complaint without appealing to the DENR Secretary.

3. ****Alleged Patent Illegality of the ECC:**** The court found no patent illegality in the ECC issuance. It emphasized that the required procedure under DAO 96-37 allowed the RED to issue the ECC. There was no violation of Presidential Decree No. 1605 or Sections 26 and 27 of the Local Government Code, as the mooring facility was determined to be non-environmentally critical and did not necessitate prior sanggunian approval.

4. ****Non-Compliance with ECC Terms:**** The Court concluded that non-compliance allegations with ECC conditions must undergo an administrative review process as outlined under DAO 96-37.

****Doctrine:****

1. ****Doctrine on Exhaustion of Administrative Remedies:**** Before resorting to judicial intervention, all administrative channels should be exhausted. Premature judicial action results in dismissal for lack of cause of action.

2. ****Jurisdictional Limitations:**** Courts can only issue and enforce injunctive relief within their territorial jurisdictions, and specific infrastructure projects protected by PD 1818 and RA 8975 cannot be enjoined by lower courts.

****Class Notes:****

1. ****Exhaustion of Administrative Remedies:**** In environmental and administrative cases, affected parties must first utilize all prescribed administrative channels before seeking court intervention (DAO 96-37, PD No. 1586).

2. **Jurisdiction:** The jurisdiction of the court is determined by the location of the principal respondent or cause of action, while the venue is guided by parties' residences (BP 129, as amended by RA 7691).
3. **Environmental Legislation:** Legal construction projects in environmentally critical areas or zones must secure ECCs and proceed in compliance with relevant laws and administrative orders (Presidential Decree No. 1586).
4. **Injunction Restrictions:** Courts are restricted from issuing injunctive reliefs against national government projects and public utilities as outlined by Presidential Decree No. 1818 and RA No. 8975.

Historical Background:

The case occurs within the context of environmental legislation and developing judicial doctrines accentuating environmental protection while balancing infrastructure and economic development. Presidential Decree No. 1586 and the Local Government Code emphasize the proactive involvement of local government units and communities in ensuring sustainable environmental projects. This case underscores the principle of administrative remedy exhaustion before judicial redress, reflecting Filipinos' increasing environmental activism.