



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

November 22, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 DENR By the Bay Building, Roxas Boulevard,
Barangay 668, Ermita, Manila

THRU : The OIC, Assistant Regional Director for Technical Services

FROM : The Provincial Environment and Natural Resources Officer

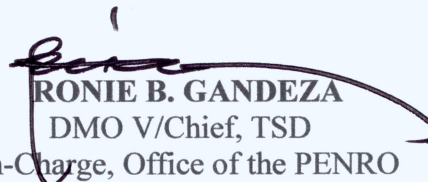
SUBJECT : MONITORING REPORT ON FORESHORE LEASE AGREEMENT (FLA) AWARDED TO PATRICIA LOUISE MINING AND DEVELOPMENT CORPORATION (PLMDC) LOCATED IN BRGY. BATO-BATO, NARRA, PALAWAN

Respectfully forwarded is the memorandum from CENRO Quezon, Palawan dated September 11, 2023 relative to the above subject.


Per memorandum, CENRO Quezon conducted compliance monitoring of one (1) Foreshore Lease Agreement (FLA) holder named Patricia Louise Mining and Development Corporation (PLMDC) last August 31, 2023 located in Barangay Bato-Bato, Narra, Palawan. Please find the attached memorandum dated September 8, 2023 regarding the findings, observations and recommendations of the compliance monitoring team.

For information and further instruction.

“For the PENRO”


RONIE B. GANDEZA
DMO V/Chief, TSD
In-Charge, Office of the PENRO

Copy Furnished
CENRO Quezon, Palawan
JCP/MES/File doc. Ref. no. 2023-9112

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date: 22 NOV 2023 2023-3293



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
Email: cenroquezon@denr.gov.ph

September 11, 2023

MEMORANDUM

FOR : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : The OIC – CENRO &
Concurrent PASu MMPL

SUBJECT : **MONITORING REPORT ON FORESHORE LEASE
AGREEMENT (FLA) AWARDED TO PATRICIA LOUISE
MINING AND DEVELOPMENT CORPORATION (PLMDC)
LOCATED IN BGY. BATO-BATO, NARRA, PALAWAN**

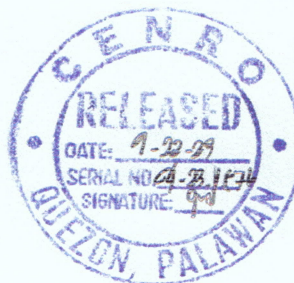
**DENR PENRO
PALAWAN RECORDS
RECEIVED**
BY:
DATE: 09-28-2023 ON 23-9/12

Respectfully forwarded is the report dated September 8, 2023 of the Compliance Monitoring Team of CENRO Quezon, Palawan regarding the conducted Compliance Monitoring and Performance Evaluation on August 31, 2023 to the issued Foreshore Lease Agreement (FLA) to Patricia Louise Mining and Development Corporation (PLMDC) located in Bgy. Bato-Bato, Narra, Palawan.

Please be informed that Patricia Louise Mining and Development Corporation (PLMDC) sub-leased and lent their rights to DMCI Power Corporation thru letter dated June 1, 2023 signed by Ramon Manuel R. Briones, Vice President for Operations, PLMDC, which is in violation of item 7 of the Lease Contract which stated that *"That the said Party of the Second Party shall not sublet the whole or any part of the premises herein described, or the improvement therein, assign this lease, or encumber the rights thereunder, without permission, in writing of the Party of the First Party first had and obtained"*.

This Office informed the management of PLMDC and the DMCI Power Corporation through letter dated September 6, 2023 regarding their violations to the agreement.

For his information and further instruction.



RENATO S. GONZAGA



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
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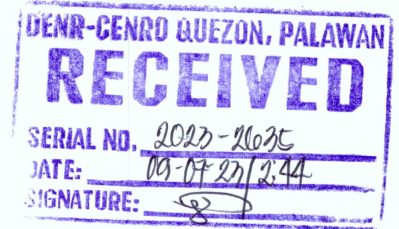
September 08, 2023

MEMORANDUM

FOR : The OIC, Community Environment and Natural Resources Officer and Concurrent PASu, MMPL
Quezon, Palawan

FROM : The Compliance Monitoring Team

SUBJECT : **MONITORING REPORT ON FORESHORE LEASE AGREEMENT AWARDED TO PATRICIA LOUISE MINING AND DEVELOPMENT CORPORATION LOCATED IN BGY. BATO-BATO/SAN ISIDRO, NARRA, PALAWAN**



This pertains with the additional target under Compliance Monitoring to conditions of permits, leases/deeds issued within the area of jurisdiction of this Office.

Please be informed that on August 31, 2023, the Compliance Monitoring Team conducted a monitoring on lease contract awarded to Patricia Louise Mining and Development Corporation (PLMDC) at Bgy. Bato-Bato/San Isidro, Narra, Palawan. The following findings, observations and recommendation below are, to wit;

I. BASIC INFORMATION

- | | | |
|-----------------------------|---|--|
| 1. Name of Lessee | : | Patricia Louise Mining and Development Corporation |
| 2. Address | : | Bgy. Bato-bato/San Isidro, Narra, Palawan |
| 3. Kind and Number of Lease | : | Foreshore Lease Agreement
FLA. No. 045315-019-D |
| 4. Date of Issuance | : | January 4, 2008 |
| 5. Area (has) | : | 0.9905 has. |
| 6. Location | : | |
| a. Province of | : | Palawan |
| b. Municipality | : | Narra |
| c. Barrio | : | Bato-bato/San Isidro |

II. FINDINGS/OBSERVATIONS

During the monitoring, the following statements below were observed:

1. That, the Patricia Louise Mining and Development Corporation (PLMDC) sub-leased and lent their rights to DMCI Power Corporation thru letter dated June 1, 2023 signed by Ramon Manuel R. Briones, Vice President for Operations, PLMDC, which is in violation of item 7 of the Lease Contract which stated that *"That the said Party of the Second Party shall not sublet the whole or any part of the premises herein described, or the improvement therein, assign this lease, or encumber the rights thereunder, without permission, in writing of the Party of the First Party first had and obtained;*
2. That, during the entry and exit conference the team explained to the personnel of DMCI Power Corporation the terms and conditions stipulated in the Lease Contract awarded to PLMDC and their violation;



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3. That, no further improvement and development introduced since last year;
4. That, portion of the area is permanently submerged in water;
5. That, the DMCI Power Corporation started utilizing the causeway last September 27, 2022 for shipment of materials for the construction of coal power plant within the adjacent area; and
6. That, the said violation of the Lessee was already reported thru Memorandum dated June 3, 2021 and November 29, 2022 of the Compliance Monitoring Team relative to the above subject.

III. RENTAL FEES PAID

As provided in the Lease Contract, the Lessee must pay the corresponding rental fee amounting to P178, 767.95 annually in advance, on or before the 4th day of January of each year during the time of the lease at the DENR-CENRO.

During the monitoring, the team found out that the holder already paid their annual rental fee for C.Y. 2023 in the amount of 178, 767.95 Php under O.R. No. 1405629 E dated January 30, 2023 at DENR-CENRO Quezon, Narra Station.

IV. RECOMMENDATIONS

1. The Lessee must inform this Office thru writing that PLMDC sub-leased the said land to DMCI Power Corporation as stated in the lease contract to avoid termination of the contract.
2. To inform the Lessee all the findings and observations during the conduct of compliance monitoring;
3. Notice of Violation be issued to Patricia Louise Mining and Development Corporation for violating the item 7 of the terms and conditions stipulated in the Lease Contract; and
4. The pierhead/causeway utilized and improved is already within the permanently submerged water hence, the **Foreshore Lease Application (FLA)** be amended to **Miscellaneous Lease Application (MLA)**.

Attached are geo-tagged photos, letter dated June 1, 2023 of Ramon Manuel R. Briones, PLMDC, Vice President and official receipt for the payment of annual rental fee for the C.Y. 2023.

For his information and record.


DJOANNA D. NATIVIDAD
LMI


SHERYL C. BACAN
Forester I


KATHLENE KHYE MOZO
Forester I



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Geotagged pictures showing the Compliance Monitoring Team during the conducted Compliance Monitoring and Performance Evaluation on August 31, 2023 to issued Foreshore Lease Agreement (FLA) to Paticia Louis Mining and Development Corporation (PLMDC) at Bgy. Bato-Bato, Narra, Palawan



[Handwritten signature]

**Official Receipt
of the
Republic of the Philippines**

Nº 1405629 E

Date January 30, 2023

Agency DENR - NARRA

Fund

Payor PATRICIA LOUISE MINING AND DEVELOPMENT CORPORATION

Nature of Collection

Account
Code

Bayo-bayo
Amount

Rental Fee of	P 78,767.25
Foreshore Lease as of	- /
January to December 2023	- /

TOTAL

P 178,76795

Amount in Words One Hundred Seventy Eight
Thousand Seven Hundred Sixty seven paise

☒ Cash

Drawee
Bank

Number

Date _____

☐ Check☐ Money Order

Received the amount stated above

Collecting Officer

NOTE: Write the number and date of this receipt on the back of check or money order received.



PATRICIA LOUISE MINING & DEVELOPMENT CORPORATION

3rd Floor DMCI HOMES Corporate Ctr., 1321 Apolinario St., Bangkal, Makati City 1233

1 June 2023

ATTY. FRANCIS ALLAN A. RUBIO

Vice President for Legal and Regulatory Compliance

DMCI Power Corporation

3F, DAICON Building

2281 Pasong Tamo Ave. Ext.

1231 Makati City, Philippines

Subject: Port Usage Agreement

Gentlemen:

This Letter confirms the proposed arrangement regarding the use by DMCI Power Corporation ("DPC") of the private non-commercial port facility of Patricia Louise Mining & Development Corporation ("PLMDC") in Brgy. San Isidro, Narra, Palawan ("PLMDC Port"), subject to herein terms and conditions, *to wit:*

I. BACKGROUND

- a) The Philippine Ports Authority granted in favor of PLMDC a Certificate of Registration/Permit to Operate ("COR/PTO") No. 413 covering the PLMDC Port.
- b) Under COR/PTO No. 413, PLMDC is authorized to handle cargo owned or consigned to it by contract or otherwise.
- c) In line with the authority conferred to it under COR/PTO No. 413, PLMDC hereby authorizes DPC to use the PLMDC Port being an affiliate company.

II. SERVICES

Subject to the terms of this Agreement, PLMDC shall:

- (a) designate and allow DPC and its authorized representatives to use the PLMDC Port; and,

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N/A

- (b) handle the port-related operations for the loading and unloading of its cargoes including the transport thereof.

III. TERM

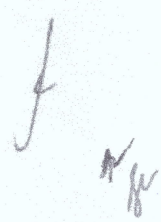
This Agreement shall be effective on 1 June 2023 and coterminous with the operation period of DPC's 15MW Thermal Power Plant in Narra, Palawan. Notwithstanding, either party may, for whatever reason, terminate this Agreement by serving a written notice to the other party at least ten (10) days prior to the effective date of termination. Such termination shall be without prejudice to any claim which either party may have against the other on account of the services already performed or by express provision of this Agreement.

IV. CHARGES AND REGULATORY FEES

- a) PLMDC shall charge a port usage fee of Php 0.20 per gross tonnage per day (VAT-inclusive) for the usage of the PLMDC port, which shall be paid within forty-five (45) days from confirmation of PLMDC's billing statement.
- b) Dues that may be imposed by the Philippine Ports Authority as well as other or similar charges, penalties, and fees including any interest thereon that may be assessed and/or collected by other agencies or regulatory bodies on account of, or as a result of, the services performed under this Agreement shall be for the exclusive account of DPC and must be settled through PLMDC upon presentation of an Order of Payment from the PPA. The Official Receipt will then be submitted by PLMDC to DPC as proof of payment.

V. OTHER TERMS AND CONDITIONS

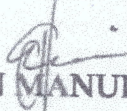
DPC shall, solely for this particular transaction and in relation to its operation and use of PLMDC Port, undertake to do and shall assume full responsibility for the following:

- (a) comply with all government and LGU requirements; and,
 - (b) comply with existing environmental regulations in order to avoid any adverse environmental impact within the surrounding area.
- 

DPC shall be fully responsible for the management and control of all its equipment and shall assume full responsibility for any loss or damage to the equipment.

Should you find the above-mentioned terms and conditions acceptable, kindly affix your signature on the "Conforme" space provided below and send back to us the original signed copy of this Agreement.

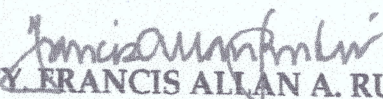

Very truly yours,


RAMON MANUEL R. BRIONES
Vice President for Operations

Conforme:

DMCI POWER CORPORATION

Represented by:


ATTY. FRANCIS ALLAN A. RUBIO 
Vice President for Legal and Regulatory Compliance