



01 March 2022

MR. JONATHAN MIANO, JR.

Complainant

jbmjr243@gmail.com

Dear Sir Miano;

Isang makakalikasang araw!

This letter pertains to your complaint against the alleged biased investigation of Ms. Mercedita B. Almorfe in issues concerning Ipilan Nickel Mining Corporation located at Brgy. Maasin, Municipality of Brooke's Point, Palawan.

According to the complaint, there was unauthorized mining activity that resulted in a landslide that affected the residents of Brooke's Point, Palawan. An inspection was conducted whereby Ms. Almorfe allegedly received money or an internal arrangement existed between the Chief of DENR MIMAROPA, Ms. Mercedita, and the mining company prior to the conduct of inspection.

We would like to inform you that Ms. Almorfe is not the Chief of the DENR MIMAROPA but one of our employees in the EMB MIMAROPA Region assigned in the Provincial Environmental Management Unit (PEMU) Palawan Office. This Office directed Ms. Almorfe to submit her written explanation regarding the above-mentioned allegations and also to listen to the audio recording you have submitted.

The audio recording was taken from the entry meeting of the joint investigation held with the Mines and Geosciences Bureau (MGB) MIMAROPA, Mambalot Farmer's Association, Ipilan Nickel Corporation, and DENR-CENRO Brooke's Point, Palawan last 03 December 2021. A memorandum was issued to Ms. Almorfe directing her to submit her explanation letter relative to your complaint. In her submitted memorandum reply, she vehemently denied all accusations and alleges that the complaint is baseless and only intended to malign her reputation. Attached in this letter is a copy of her submitted reply memorandum.

This Office likewise finds no mention of an alleged internal arrangement or money received in the said recording. However, if you have any other evidence relative to your complaint, please do not hesitate to submit it to our Office. Further, attached herewith is a complete staff work relative to your submitted complaints and the actions taken by this Office. If you would like to discuss any of the said items therein, please do not hesitate to contact us so we can set up the appropriate meeting, be it face-to-face or a virtual meeting.

We thank you for raising this matter and we hope that this response has been able to provide clarifications on the issue at hand. Should you have further queries, you may communicate with us through our official email address: embmimaropa@emb.gov.ph.

Very truly yours,

JOE AMIL M. SALINO
Regional Director

Copy furnished:

ASSEC. JAIME LLAGUNO MABILIN
Office of the President - Presidential Complaint Center
pee@malacanang.gov.ph

THE SECRETARY
Department of Environment and Natural Resources

THE DIRECTOR
Environmental Management Bureau

THE REGIONAL EXECUTIVE DIRECTOR
DENR MIMAROPA Region

THE REGIONAL DIRECTOR
MGB MIMAROPA Region

THE CENRO
Brooke's Point, Palawan

Department of Environment and Natural Resources
Environmental Management Bureau
Regional Office No. IV - B MIMAROPA



11 MAY LTRRDSALINO22-076

**COMPLETE STAFF WORK (CSW) OF THE COMPLAINTS
RECEIVED FROM MR. JONATHAN MIANO JR.**

DATE	ACTIONS TAKEN
2 November 2021	Received from the DENR Aksyon Kalikasan Center the complaint (with Reference No. ACK2021102-03) of Mr. Jonathan Miano Jr. RE: the operations and tree-cutting activities allegedly conducted by Ipilan Nickel Corporation located at Brgy. Maasin, Brooke's Point, Palawan
4 November 2021	Memorandum addressed to the Chief, PEMU Palawan directing to conduct immediate joint investigation on the complaint received from Mr. Miano against Ipilan Nickel Corporation.
11 November 2021	<p>Report from Engr. Grizzel Bea A. Sabado, then OIC, Environmental Management Services (EMS) – Brooke's Point, Palawan regarding the initial investigation conducted on the said complaint. Results of the investigation are as follows:</p> <ul style="list-style-type: none"> On 9 November 2021, Engr. Sabado coordinated with CENR Officer Conrado M. Corpuz and checked if Ipilan Nickel Corporation has a valid permit and has said that the tree cutting permit of the subject company has been expired for years; CENRO Corpuz furthered that the project area is closely monitored by Forest Rangers and Forest Protection Officers; Engr. Sabado also coordinated with Barangay Maasin through Mrs. Dionisia Estrada, Brgy. Kagawad and was informed that they have conducted an ocular inspection on the project site about a few months ago. Based on their inspection, the project has been focused on the care and maintenance of the project site; Further, Engr. Sabado coordinated with the Engr. Philip Badenas, Pollution Control Office (PCO) of the subject respondent to verify the veracity of the complaint and has assured there are no such activities being conducted at the present time; and The conduct of the ocular inspection was postponed due to inclement weather. <p>Due to the inclement weather, Engr. Sabado recommended to conduct re-investigation/ocular inspection.</p>
22 November 2021	Memorandum addressed to the Chief, PEMU Palawan directing to conduct another immediate investigation on the said complaint. Was directed to check the respondent's compliance with all Environmental Compliance Certificate (ECC Conditions) and permit conditions using the audit compliance monitoring form.
24 November 2021	<p>As a result of the initial investigation conducted, it was found out that the tree-cutting permit of Ipilan Nickel Corporation had already expired a few years ago, thus, the said complaint was endorsed to the DENR MIMAROPA Region since they have the expertise and jurisdiction relative to tree-cutting permits for their relevant actions.</p> <p>Response letter to the complainant informing him of the actions taken by this Office and the said issue has been endorsed to the DENR MIMAROPA Region for their relevant actions.</p>
17 February 2022	This Office received a memorandum from the EMB Central Office regarding a complaint from Mr. Jonathan Miano that Ms. Mercedita Almorfe is biased in her investigation and allegedly received money, or an internal arrangement existed between her and the mining company prior to the inspection.
17 February 2022	This Office issued a memorandum addressed to Ms. Almorfe directing her to submit her explanation relative to the above-mentioned complaint.
22 February 2022	This Office received Ms. Almorfe's explanation letter. In her letter, she stated that the audio recording was taken during an entry meeting held prior the inspection of the alleged leak from the siltation pond at the Ipilan Nickel Corporation camp on 03 December 2021 attended by members of INC, Farmer's Irrigator's Association, and some local residents. Ms. Almorfe made clear of the issue and was unaware that the said meeting was recorded which may be a violation of RA 4200, the Anti-Wire-Tapping act of 1965. She furthered that Mr. Miano made his own interpretation of the said audio recording to the extent of maligning her reputation even though nothing she said showed any bias to the company. Ms. Almorfe vehemently denies the accusation and prays that the issue be put to end since the complaint is baseless and purely derogatory in nature. Likewise attached is the joint investigation report dated 04 January 2022 that was submitted to DENR MIMAROPA, and