



MEMORANDUM

TO : THE REGIONAL EXECUTIVE DIRECTOR
DENR Region IVB
L & S Bldg., Roxas Blvd., Manila

FROM : THE UNDERSECRETARY
Field Operations Luzon, Visayas and Environment

SUBJECT : COMPLAINT AGAINST RIO TUBA NICKEL MINING CORPORATION (RTNMC)

DATE : NOV 21 2022

This pertains to the Memorandum dated 14 November 2022 from Undersecretary and Chief of Staff Marilou G. Erni endorsing the letter dated 11 October 2022 addressed to the DENR Secretary from Ms. Florecita Palanca of Brgy. San Pedro, Puerto Princesa, Palawan regarding the abovementioned subject.

Allegedly, several letters that were sent to DENR Palawan since 2019 remains unacted. Thus, we are referring the matter for verification and appropriate action in accordance with existing laws, rules and regulations on the matter. Reply directly to the letter sender, copy furnished this Office citing document tracking number DENRCO-ASRMD-2022-025387 for records and monitoring purposes.

For compliance.


ATTY. JUAN MIGUEL T. CUNA, CESO I

c.c.

Office of the Secretary

Ms. Florecita Palanca
Attorney-in-Fact
Salayaw Road, Bm Road
Brgy. San Pedro, Puerto Princesa, Palawan

The Director, MGB

OULAHRLA, Supervising Undersecretary for Mining



Republic of the Philippines
Department of Environment and Natural Resources
Document Action Tracking System
Document Routing Slip

Document No: DENRCO - AS RMD-2022-025387 Print Date: Wednesday, October 12, 2022
Sender: FLORECITA PALANCA
Address: BRGY. SAN PEDRO PUERTO PRINCESA CITY
Subject: MEMO DTD 10/11/2022 PERTAINS TO THE LETTER COMPLAINT AGAINST RIO TUBA NICKEL MINING CORPORATION (RTNMC)
Addressee(s): Office of the Secretary (DENRCO - OSEC)
CC Addressee(s):
Date/Time Received: 10/11/2022 08:39:00 PM

ROUTING AND ACTION INFORMATION				
FROM	DATE/TIME RECEIVED	FOR/TO	DATE/TIME RELEASED	ACCEPTANCE REMARKS/ACTION REQUIRED/TAKEN REMARKS/STATUS
	10/11/2022 08:32:30 PM	DENRCO - AS RMD		
DENRCO - AS RMD		DENRCO - OSEC	10/11/2022 08:32:35 PM	

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OUFOE 11/14 Memo rpd by OUMGE

R - Letter to Florecita Palanca

Rspn 11/14/22

Ms. Tan 11/15/22 please refer to RST R4B for verification/response. thank you.

Revised 11/21/22

Wmte's mem 11/21/22 to R4B
cc: OSEC / Ms Palanca / MGB Div & UEDA

Rmd 11/15/22

Mines 224/102

OCT 12 2022

Mine - 236-6



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. (632) 8929-66-26 to 29; 8929-6633 to 35/
8929-7041 to 43/8929-6252/8929-1669
Website: <http://www.denr.gov.ph> Email: web@denr.gov.ph

MEMORANDUM

FOR : **The Undersecretary**
Field Operations – Luzon, Visayas, and Environment

ATTENTION : **The Regional Director**
Mines and Geosciences Bureau, Region IV-B MIMAROPA

FROM : **The Undersecretary and Chief of Staff**

SUBJECT : **LETTER COMPLAINT AGAINST RIO TUBA NICKEL MINING CORPORATION (RTNMC)**

DATE : NOV 14 2022

Respectfully referred, for information and appropriate action, is the letter dated 11 October 2022 from Ms. Florecita Palanca, Attorney-in-fact of Marissa Cruz Morales in connection with the letter complaint dated 06 October 2022 against Rio Tuba Nickel Mining Corporation (RTNMC).

Please inform the party/ies concerned and the undersigned of any action taken on the subject matter.


MARILOU G. ERNI

cc: **Ms. Florecita Palanca**
Attorney-in-Fact
Salayaw Road, Bm Road
Brgy. San Pedro
Puerto Princesa City, Palawan

DENR-ASRMD-2022-025387



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NOV 14 2022

MS. FLORECITA PALANCA

Attorney-in-Fact
Salayaw Road, BM Road
Brgy. San Pedro
Puerto Princesa City, Palawan

Dear **Ms. Palanca**:

This is to acknowledge receipt of your letter dated 11 October 2022 in connection with the letter complaint dated 06 October 2022 against Rio Tuba Nickel Mining Corporation (RTNMC).

In this regard, please be informed that we have referred the said concern to the Undersecretary for Field Operations – Luzon, Visayas, and Environment, and attention to the Regional Director of Mines and Geosciences Bureau (MGB) MIMAROPA, for appropriate action and to provide you with their actions taken on the subject matter. You may also directly coordinate with the said offices through telephone numbers (02) 8926-2567 and (632) 3101369, respectively, for the latest updates.

Thank you very much for your kind consideration.

Very truly yours,

MARILOU G. ERNI

Undersecretary and Chief of Staff

October 11, 2022

MA. ANTONIA YULO-LOYZAGA
DENR SECRETARY

VISAYAS AVENUE, DILIMAN, QUEZON CITY,
 METRO MANILA

THRU: LORMELYN E. CLUDIO
REGIONAL EXECUTIVE DIRECTOR
DENR MIMAROPA REGION

1515 L&S Building, Roxas Boulevard,
 Ermita, Manila, Metro Manila

Madame:

Greetings!

I am writing again as attorney-in-fact of Marissa Cruz-Morales, in connection with our letter complaint dated October 6, 2022 against Rio Tuba Nickel Mining Corporation (RTNMC).

We would like to inform you that we already wrote a letter to the Anti-Red Tape Authority through Mr. Ernesto Perez, Officer-in-Charge, Office of the Director General, due to the inaction of the local officers of DENR in Palawan to our letters seeking their assistance to intervene or stop the developments of RTNMC, which includes mine tailing ponds, golf course and ice plant, within seven properties of Nieves Cruz in Rio Tuba, Bataraza, Palawan, covering an area of more or less 60 hectares.

We have sent several letters to DENR since 2019, unfortunately, the same were not acted upon, hence, we were constrained to seek the assistance of the Anti-Red Tape Authority to facilitate the expeditious processing of our complaint.

We would appreciate any assistance you can extend to address our concern and that you can give this matter preferable attention. You may update us of the actions taken thereon through my email address: agorgenara66@mail.com.

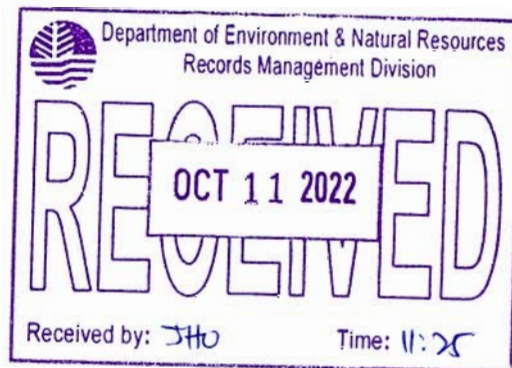
Very respectfully yours,

Florencia Palanca
FLORENCIA PALANCA

Attorney-in-fact of
 Marissa Cruz Morales

0921 4137854

Salazar Road, Bn Road
 Bantayan San Pedro
 Puerto Princesa City



October 10, 2022

ERNESTO PEREZ
Officer in charge (OIC)
ANTI RED TAPE AUTHORITY (ARTA)
OFFICE OF THE DIRECTOR GENERAL
4TH and 5th NFA Building,
NFA Compound, Visayas Avenue
Diliman, Quezon City, Metro Manila, NCR



Dear Sir Perez,

I am writing as attorney-in-fact of Marissa Cruz-Morales, to file a complaint against the local officers of DENR in Palawan due to their lack of action regarding our complaint against Rio Tuba Nickel Mining Corporation (RTNMC).

My principal is the sole heir of Nieves Cruz who is the claimant/owner of the adjoining parcels of land adjacent to the mining area of RTNMC in Rio Tuba, Bataraza, Palawan. We sought the intervention of DENR to conduct a formal investigation against RTNMC because sometime in 2019 we discovered that the latter has encroached, intruded and occupied the following properties of Nieves Cruz which we believed are outside their permit area, to wit:

1. Lot No, 4734, CAD-795-D identical to Lot No. 1624, PLS-13, with an area of 99, 733 square meters, covered by Tax Declaration No. 18-05-013-3620, Property Identification No. 066-05-013-07-003;
2. Lot No, 4735, CAD-795-D identical to Lot No. 1625, PLS-13, with an area of 99, 733 square meters, covered by Tax Declaration No. 18-05-013-3621, Property Identification No. 066-05-013-07-008;
3. Lot No, 4736, CAD-795-D identical to Lot No. 1626, PLS-13, with an area of 99, 733 square meters, covered by Tax Declaration No. 18-05-013-3622, Property Identification No. 066-05-013-07-007;
4. Lot No, 4737, CAD-795-D identical to Lot No. 1627, PLS-13, with an area of 99, 736 square meters, covered by Tax Declaration No. 18-05-013-3623, Property Identification No. 066-05-013-07-009;
5. Lot No, 4739, CAD-795-D identical to Lot No. 1629, PLS-13, with an area of 99, 736 square meters, covered by Tax Declaration No. 18-05-013-3618, Property Identification No. 066-05-013-11-004;
6. Lot No, 4740, CAD-795-D identical to Lot No. 1630, PLS-13, with an area of 99, 736 square meters, covered by Tax Declaration No. 18-05-013-3619, Property Identification No. 066-05-013-11-005;
7. Lot No, 4748, CAD-795-D identical to Lot No. 1628, PLS-13, with an area of 99, 736 square meters, covered by Tax Declaration No. 18-05-013-3617, Property Identification No. 066-05-013-11-001;

We believe that the mining concession granted to RTNMC clearly delineate the metes and bounds of its concession area and going beyond that area is a clear violation of the conditions of their concession as well as its ECC and SEP clearance. Thus, we sent several letters to DENR to seek their intervention, especially for the cancellation of any tenurial permit or ECC issued to RTNMC on any project that falls into the land of Ms. Nieves Cruz. Unfortunately, the same were not acted upon, hence, we were constrained to seek assistance from your good Office to compel DENR to act on our letter-complaint.

In view thereof, we pray that DENR be ordered to expeditiously act on our complaint and arranged a dialogue or conference with RTNMC to settle this issue.

Thank you very much! We would highly appreciate your prompt action on this matter. You may update us of the actions taken thereon through my email address: agorgenara66@mail.com.

Respectfully,


FLORENCIA PALANCA
Attorney-in-fact of
Marissa Cruz Morales