



++Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City 1116
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MEMORANDUM

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

FROM : **THE UNDERSECRETARY**
Field Operations Luzon & Visayas and Environment

SUBJECT : **REQUEST FOR ACTION RE: SIBUYAN ISLAND MINING**

DATE : **MAR 14 2023**

This pertains to the letter dated 15 January 2023 from Mr. Rodne R. Galicha, Chairperson of Bayay Sibuyanon regarding abovementioned subject.

May we refer the matter to your Office for comments and further appropriate action. Furnish this Office and parties concerned of the actions taken citing document tracking number DENR CO-OSEC 2023-000432 for monitoring and record purposes.

For compliance.


ATTY. JUAN MIGUEL T. CUNA, CESO I

c.c.

Office of the Secretary

Mr. Rodne R. Galicha
Chairperson
Bayay Sibuyanon
pangkalahatan@gmail.com



Office of the DENR Secretary <osec@denr.gov.ph>

URGENT: Sibuyan Island Mining Situation Action Request

Earth Wanderer <pangkalahatan@gmail.com>

Wed, Jan 25, 2023 at 10:21 PM

To: Office of the DENR Secretary <osec@denr.gov.ph>

Cc: Rodne Galicha <pangkalahatan@gmail.com>, Angela Consuelo Ibay <gibay@wwf.org.ph>, Marilou Erni <merni@denr.gov.ph>, Carina Labastilla <cllabastilla@denr.gov.ph>, Babes Ancheta <babesmancheta@gmail.com>, bgalura@denr.gov.ph, nc <nc@alyansatigilmina.net>, MGB-MIMAROPA <mines_4b@yahoo.com>, director@bmb.gov.ph, EMB MIMAROPA <emb_mimaropa@yahoo.com>

(Electronically signed PDF document attached)

25 January 2023

Honorable Ma. Antonia "Toni" Yulo-Loyzaga

Secretary

Department of Environment and Natural Resources (DENR)

Visayas Avenue, Quezon City

Philippines

Dear **Secretary Toni**,

Greetings from Sibuyan Island!

With Aksyon Klima Pilipinas, it was heartwarming to meet and talk to you during our climate dialogue at DENR and informal conversations at the United Nations Conference on Climate Change (UNFCCC) 28th Conference of Parties (COP28).

As you know, I also come from Sibuyan Island in the province of Romblon called by conservationists as "Galapagos of Asia", a biodiversity hotspot and a center of endemism. It is where I started my environmental work opposing the entry of mining to preserve ecosystems integrity and defend the rights of our people to a healthful and balanced ecology.

On December 28, 2022, the central office of the Mines and Geosciences Bureau (MGB) under your office approved a Mineral Ore Export Permit (MOEP) which prompted its MIMAROPA Regional Office to issue an Ore Transport Permit (OTP) allowing the hauling of 50,000 wet metric tons of nickel ore to be shipped to China as part of exploratory activities of Altai Philippines Mining Corporation (APMC) called "metallurgical bulk sampling and analysis" as provided for by Section 5.5.5 of the Exploration Work Program (ExWP) approved on December 21, 2022.

The undersigned seeks urgent clarification on the following:

1. Excavation and extraction of 50,000 metric tons of nickel ore require clearance of vegetation including shrubs, plants and trees, and removal of top soil. The exploration area is within the buffer zone of Mt. Guiting-guiting Natural Park per official map from the Biodiversity Management Bureau (BMB). MGB has been consistent in its position that no Environment Compliance Certificate (ECC) is needed for exploration stage, hence, no Environmental Impact Assessment (EIA). In what category of Environmental Impact System (EIS) policy does extraction of 50,000 metric tons fall that fact that massive earth moving and vegetation clearance are required? Was the EIS policy amended or changed to accommodate exemption to excavate and extract 50,000 metric tons during exploration period?
2. In Section 4.5 the approved Environmental Work Program (EWP) of APMC, it claims that no rare, threatened or endangered species of plants and animals have been found. However, it is mentioned in same EWP that there are White Lauan, Toog, Yakal, Kamagong, Narra and Red Lauan - all these are threatened plant species. Threatened animals are also listed: wild pig, wild deer, perico kulasisi, Philippine tuko, among others.

3. Does the extraction and hauling of 50,000 metric tons of nickel ore complement or contradict the provisions of DENR Memorandum Order 2023-01, DENR DAO 2022-04 and Environmental Management Bureau 2014-05?

With the situation negatively escalating on the ground, on behalf of Sibuyan Island residents, I seek that your office declare an urgent status quo pending a DENR Central Office-led scientific, multisectoral, transparent and inclusive mining audit. Attached is a briefer of the mining issue in Sibuyan Island.

I hope for your immediate action on this matter.

Sincerely yours,

Rodne R. Galicha
Chairperson

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2 attachments

 **20230125_BSI>DENR_SecMAYL.pdf**
189K

 **20230120_Sibuyan Island Briefer.pdf**
2807K



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Sibuyan Island: life-support of the present existence, a conditional inheritance of the past, owned by the future generation.



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Sincerely yours,

Rodne R. Galicha
Chairperson

SIBUYAN ISLAND: A Biodiversity Hotspot Under Threat

The ice-age island called Sibuyan Island is undoubtedly a hotspot for biodiversity conservation as seen by the scientific community. Eighty-one percent of the island is covered by forest.¹ “in terms of species richness, more than 144 species of trees, 64 birds, 10 amphibians, 25 reptiles, and 18 mammals were recorded for Sibuyan Island”.² Being isolated since the middle to late Pleistocene era, Sibuyan’s flora and fauna is exceptional.³

Conservationists say that Sibuyan is a *center of endemism*⁴; the **Philippine National Herbarium (PNH)**, claims the island as a *center of plant diversity*⁵; hence, making the island as *biodiversity hotspot*. Further, a paper of a University of the Philippines – Los Baños

¹ Faura and Flora International (2015) Sibuyan Island Resource and Socio-Economic Assessment

Ibid.

³ BirdLife International (2022) Important Bird Areas factsheet: Mount Guiting-guiting Natural Park. Downloaded from <http://www.birdlife.org> on 28/07/2022.

⁴ Rickart, E. A., Heaney, L. R., Goodman, S. M., & Sharon Jansa. (2005). Review of the Philippine Genera *Chrotomys* and *Celaenomys* (Murinae) and Description of a New Species. *Journal of Mammalogy*, 86(2), 415–428. <http://www.jstor.org/stable/4094361>

⁵ DENR-UNEP. 1997. *Philippine Biodiversity: An Assessment and Action Plan*. 298p. Department of Environment and Natural Resources and the United Nations Environment Programme. Bookmark, Inc., Makati, Philippines.

researcher proves that there are **35 endangered and endemic species** in almost all barangays outside the protected area⁶.

Presidential Proclamation No. 746 declared ***Mt. Guiting-guiting as Natural Park***, and further enacted as such under Republic Act 11038 otherwise known as Expanded National Integrated Protected Area Systems Act; and the whole island as an initial component for the National Integrated Areas System (NIPAS) as ***mangrove forest swamp reserve*** per Presidential Proclamation No. 2152; proclaimed as an Important Bird Area (PH 058) and Conservation Priority Area (CPA 82) with an area of 15,265 has. Furthermore, within and outside the area, roaming on Sibuyan Island, are one critically endangered, 4 endangered and 8 vulnerable species of biodiversity.⁷

In the final report of the **National Biodiversity Strategy and Action Plan in 2004**, the seas surrounding Sibuyan and Romblon Islands have been considered as ***priority conservation areas for Cetaceans***.⁸ ***Sibuyan Island*** is considered ***Conservation Priority Area for amphibians and reptiles***.⁹

Almost every year, new biological species are being discovered. In 2008, a new species of stick insect has been discovered, the *Pharnacia magdiwang*.¹⁰ In 2010, a new species of shrew has been documented, *crocidura ninoyi*.¹¹ *Gekko coi* or Leonard's Forest Gecko, named after famous taxonomist Leonardo Co, was known in 2011.¹² And in 2012, a new owl species has been found, *Ninox philippensis spilonota*.¹³ A species of rare gecko was also named in 2016, *Pseudogekko isapa*.¹⁴ Latest in 2022, two new species of mite are named, *Euscheloribates guitingensis* and *Euscheloribates magdiwangensis*.¹⁵

⁶ Miah Mayo Malixi's study on endangered fauna species outside the protected area of Sibuyan funded by World Wildlife Fund-USA.

⁷ Priority Sites for Conservation in the Philippines: Key Biodiversity Areas. Published by Conservation International Philippines, Protected Areas and Wildlife Bureau (PAWB) of the Department of Environment and Natural Resources (DENR) and Haribon Foundation.

⁸ Ibid.

⁹ Ibid.

¹⁰ <https://agris.fao.org/agris-search/search.do?recordID=US201301620921>

¹¹ <https://www.fieldmuseum.org/crocidura-ninoyi>

¹² <https://reptile-database.reptarium.cz/species?genus=Gekko&species=coi>

¹³ <https://news.mongabay.com/2012/08/new-owl-species-discovered-in-the-philippines/>

¹⁴ https://reptile-database.reptarium.cz/species?genus=Pseudogekko&species=isapa&search_param=%28%29

¹⁵ Ermilov, Sergey G. and Corpuz- Raros, Leonila (2022), Two new species of *Euscheloribates* (Acari, Oribatida, Scheloribatidae) from the Philippines. *Acarologia*. <https://www1.montpellier.inra.fr/CBGP/acarologia/article.php?id=4546> (accessed on 12/12/2022.)

MINING

Altai Philippine Mining Corporation (APMC) was given MPSA for nickel exploration and extraction with an area of 1580.80 hectares which will affect more than 20 tributaries and rivers in Barangays Espana and Taclobo in San Fernando municipality, which include major rivers such as Punong, Olango, Binayaan and Cabitangahan. This will also affect a watershed which provides water to a number of tributaries leading of Cantingas River, the cleanest inland body of water, river category, in the country.

APMC's MPSA 304-2009-IVB was signed by former DENR Secretary Lito Atienza on 23 December 2009, three days before he resigned from office. The local government units and communities in the municipality of San Fernando was not informed of the said agreement and its terms and conditions prior to its issuance.

Prior to the signing of MPSA, the local councils of Barangays Taclobo¹⁶ and España¹⁷ recalled resolutions favoring mining and manifested their opposition to any mining applications and operations in their respective territorial jurisdictions.

A **Special Permit to cut 69,709 trees**, which was suspended in 2007, that was issued to the subsidiaries of Sibuyan Nickel Properties Development Corporation (SNPDC), assigned by Mineral Production Sharing Agreement (MPSA) holder Altai Philippine Mining Corporation (APMC), in Sibuyan Island by then DENR Sec. Angelo T. Reyes within 406 hectares of land, equal to 9,455.183 m³ or more or less 4 million board feet, in which **Haribon Foundation** assessed that **there are threatened species tree species to be cut such as apitong and yakal species** included in the national list of endangered plant species.¹⁸

On September 9 2011, its operations were suspended due to lack of social acceptability; however, the cease and desist order was lifted on September 19, 2021 signed by DENR Undersecretary Ernesto D. Adobo, on the grounds that APMC was just in its exploration stage, and that social acceptability can only be raised and required to secure Environmental Compliance Certificate, develop an Environmental Protection and Enhancement Program, and Mine Rehabilitation and/or Decommissioning Plan.¹⁹

The Mines and Geosciences Bureau (MGB) under DENR granted APMC a renewal of its exploration permit on July 12, 2022, for another two years.

¹⁶ Barangay Council of Taclobo, Resolution No. 18 series of 2006

¹⁷ Barangay Council of España, Resolution No 1 series of 2008

¹⁸ 'Tree-cutting permit on Sibuyan slammed' by TJ Burgonio and Jerome Aning. Philippine Daily Inquirer. October 09, 2007.

¹⁹ DENR Case No. 10218 Decision. Septemeber 19, 2021

As of December 2022, there are still five active mining applications in Sibuyan Island: Fil-China Mining Development Corporation for MPSA with 621.2531 hectares to mine feldspar in San Fernando; Altai Philippines Mining Corporation for exploration with 752.1086 hectares for nickel exploration; and Rommel Ibuna to explore nickel and chromite in 1339.9500 hectares in Magdiwang; Eramen Minerals Inc. 2,130.1640 hectares in three municipalities and another 358.2836 in San Fernando to explore for nickel silicate and associated metal ores. (See Annex 1)

To date, a 10-meter wide road has been constructed by the APMC piercing through the forest of Barangay España and two port construction are ongoing in both Barangay España and Taclobo.

APMC, through the sale of SNPDC, is now owned by Mr. Kenneth Gatchalian, top two shareholder of Australia-based Pelican Resources Ltd.²⁰ and brother of Senator Sherwin Gatchalian.^{21 22 23 24} The family owns Wellex Group which has mining stakes in Dinagat Island, Eastern and Western Samar, and Palawan.²⁵

Actual and online harassment, intimidation and threats both have been recorded and documented. As of December 2022, a total of ten (10) pseudo Facebook pages were created and about twenty (20) fake Facebook accounts are serving as trolls aiming at spreading misinformation and destroying the credibility of environmental defenders both groups and individuals.²⁶

Within AMPC's exploration area are thousands of flowering plant species *Wendlandia sibuyanensis*²⁷ and *Dillenia sibuyanensis*²⁸, both are critically endangered species included in the IUCN Red List.

²⁰ https://www.annualreports.com/HostedData/AnnualReportArchive/s/ASX_SHN_2020.pdf

²¹ See <https://www.pressreader.com/philippines/the-philippine-star/20160826/282149290734332>

²² See https://www.annualreports.com/HostedData/AnnualReportArchive/s/ASX_SHN_2017.pdf

²³ <https://www.asx.com.au/asxpdf/20200925/pdf/44n10fj7wg94ww.pdf>

²⁴ <http://www.wellexindustries.com/boarddirectorsmanagement.html>

²⁵ <http://www.wellex.com.ph/category/our-diversity/mining>

²⁶ See <https://www.facebook.com/BayaySibuyan/photos/pb.100064316576865.-2207520000./3181693575430514/?type=3>

²⁷ See <https://www.iucnredlist.org/species/154609765/157179481>

²⁸ See <https://www.iucnredlist.org/species/153525950/153540725>

Considering that the density of Sibuyan forest has 1,551 trees per hectare, there is an estimated 1 million trees to be felled if development activities and mineral extraction happen within 50% of APMC's 1,581 hectares claim.



This is the actual area of APMC's 1,580.80 hectares mining claim

Since year 2008, the whole province of Romblon has been stricken by flooding, landslides, storm surges and typhoons, to mention **Typhoons Frank**, among others, which devastated crops and livestock amounting to Php 110 million²⁹. Further, the **combined climate and weather related risks vulnerability** of Romblon is **relatively high**³⁰.

According to the geological hazard map records of the Mines and Geosciences Bureau, almost 80% of Sibuyan Island is high susceptible to landslides and the coastal villages are moderately and highly susceptible to flooding.³¹ (Annex 2)

An official map from the Philippine Institute of Volcanology and Seismology (PHIVOLCS) shows that there is an existing active fault line in the Municipality of San Fernando crossing the approved mining area of APMC.³² (Annex 3)

²⁹ Department of Agriculture Region IV-B data. <http://www.darfu4b.da.gov.ph/index.html> (accessed January 06, 2011).

³⁰ Combined Risk to Climate Disasters. Center for Environmental Geomatics. Manila Observatory. 2005.

³¹ <https://region4b.mgb.gov.ph/28-geohazard-maps/98-geohazard-maps#romblon>

³² Philippine Institute of Volcanology and Seismology. Active Faults Hazard Map of the Municipality of San Fernando, Romblon Province. (Map) Version 1. 1:45,000. Quezon City, Philippines: PHIVOLCS, October 2018.