



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

NOV 17 2023

MEMORANDUM

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

THRU : The ARD for Technical Services

FROM : The OIC, PENR Officer

SUBJECT : **REQUEST FOR CLEARANCE AND/OR CONSENT TO CONDUCT DREDGING WITHIN THE AREA OF F.B HARRISON GAME REFUGE AND BIRD SANCTUARY AND PROTECTED LANDSCAPE FOR THE PROPOSED PATRICK-VIGA (MANAMLAY) RIVER DREDGING PROJECT LOCATED IN THE MUNICIPALITY OF SABLAYAN, OCCIDENTAL MINDORO**

This has reference to the request for clearance and/or consent to conduct dredging within the area of F.B Harrison Game Refuge and Bird Sanctuary and Protected Landscape for the Proposed Patrick-Viga (Manamlay) River dredging project located in the municipality of Sablayan, Occidental Mindoro.

In this regard, listed are the information based on the result of Protected Area Suitability Assessment (PASA) as follows:

1. Based on the result of Protected Area Suitability Assessment (PASA) conducted last 2019 and pursuant to existing DENR Rules and Regulation FBHGRBS may not be consistent with its status as an initial component of the System because of the over-all score of 77% which fell on the passing score of 80%.

Likewise, it was recommended by the team that modification of boundaries of the FBHGRBS be reconsidered to expropriate all built-up areas, classified A&D lands, CLOA lands and boundaries of Sablayan Prison and Penal Farm (SPPF) which shall be reduced from its original area of 107,891.94 hectares to 92,627.05 hectares.

The modification of boundaries of FBHGRBS and establishment of the same under NIPAS would ensure the conservation of endemic flora and fauna and other species of priority management concerns found within the PA and pursue its establishment as Protected Area under the ENIPAS by the category of Natural Biotic Area.



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Also, based on the verification of our GIS focal person approximately 58.789 hectares of the proposed dredging project falls within FBHGRBS, wherein 44.815 hectares is within Alienable and Disposable land. (please see attached copy of the GIS map).

2. The created Interim Protected Area Management Board (PAMB) designating the CENRO of CENRO Sablayan as PASu of F.B Harrison Game Refuge and Bird Sanctuary (FBHGRBS) as per Regional Special Order No. 330 Series of 2023 has not yet convene.

In view of the foregoing, this office recommend to allow the proponent of the proposed dredging project to conduct the aforementioned activity within the portion of FBHGRBS specifically located within Patrick-viga river located in the Municipality of Sablayan, Occidental Mindoro.

Attached are other pertinent documents relative to the above-mentioned subject.

For information and record.


ERNESTO E. TAÑADA

23 October 2023

DIR. FELIX S. MIRASOL, JR. CESO IV
OIC, REGIONAL EXECUTIVE DIRECTOR
3rd flr., 1515 DENR by the Bay Bldg.,
Roxas Boulevard, Brgy. 668, Ermita, Manila
mimaroparegion@denr.gov.ph

Attention: **Ms. Maria Melissa L. Endangan**
Chief
Conservation and Development Division

Subject: **Request for Clearance and/or Consent to Conduct Dredging within the Area of F.B. Harisson Game Refuge Bird Sanctuary and Protected Landscape for the Proposed Patrick-Viga (Manamlay) River Dredging Project located in the Municipality of Sablayan, Occidental Mindoro**

Dear RED Mirasol,

In line with our on-going Environmental Compliance Certificate application for the Proposed Patrick-Viga (Manamlay) River Dredging Project located in the Municipality of Sablayan, Occidental Mindoro, we would like to request your good office for a clearance and/or consent allowing us to conduct the above-mentioned dredging project on the river area that falls within F.B. Harrison Game Refuge Bird Sanctuary and Protected Landscape with current legal status as initial component. The said river area is based on the approved Detailed Dredging Master Plan issued by the Department of Public Work and Highways (DPWH) in line with DENR Administrative Order No. 12 series of 2020, "Rationalizing Dredging Activities in Heavily-Silted River Channel within the Province of Occidental Mindoro Pursuant to DENR-DPWH-DILG-DOTC Joint Memorandum Circular No. 1, series of 2019."

We had've attached the geographical coordinates and map showing the river areas covered by F B Harrison Game Refuge Bird Sanctuary and Protected Landscape for your reference.

We hope this merits your timely and favorable action on our request.

Thank you.

Respectfully,



Emiliano L. Gutierrez, Jr.
General Manager
PERRC Construction and Development Corporation



Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

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13 September 2023

MR. EMILIANO L. GUTIERREZ, JR.

General Manager

PERRC Construction and Development Corporation

perrcdredging@gmail.com

Dear Mr. E. L. Gutierrez, Jr.:

This refers to the 11 September 2023 letter electronically mailed to this Office on even date requesting for certificate of non-overlap and allowing to proceed with the operation of the proposed Patrick-Viga (Manamlay) River Dredging Project.

Based on evaluation, 73.50 hectares of the proposed river dredging project area is within the Application for Financial and Technical Agreement (FTAA) No. IVB-004 of Kanlaon Mining Corp. (Kanlaon).

In accordance with Item b.3 of Section 15 (Areas closed to Mining Applications) of DENR Administrative Order No. 2010-21, sand and gravel (SAG) applications shall not require consent from FTAA, Exploration Permit (EP) or Mineral Agreement (MA) applications except EP or MA applications covering sand gravel and alluvial gold. Hence, the proposed dredging project is free of conflict with any mining tenement applications/rights since Kanlaon is applying for gold and/or silver commodity.

However, please be informed that this Office also issues Area Status/Clearance to locally-issued SAG permit applications as endorsed by the PG – ENRO and shall be the discretion of the provincial government to choose its priority project over the area.

Please be reminded that the extraction of commodities for the proposed dredging project shall only be limited to river aggregate materials and that the whole project area covered may be considered as areas open to mining applications.

In addition, approximately 62.07 hectares of the proposed dredging project falls within the F.B. Harrison Game Refuge and Bird Sanctuary Protected Landscape. It is advised that necessary consent/clearance must be secured from the concerned agency.

Thank you.

Very truly yours,


FELIZARO A. GACAD, JR.
Regional Director

"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT
IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE."





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

Regional Special Order
No. _____
Series of 2023

JUN 30 2023

SUBJECT: CREATION OF INTERIM PROTECTED AREA MANAGEMENT BOARD (PAMB) OF FRANCIS BURTON HARRISON GAME REFUGE AND BIRD SANCTUARY (FBHGRBS) AND DESIGNATION OF THE CENR OFFICER OF SABLAYAN AS ITS PROTECTED AREA SUPERINTENDENT (PASu)

In the interest of the service and in view of the designation of portions of the public domain in the province of Mindoro for animal sanctuary purposes, otherwise known as F.B. Harrison Game Refuge and Bird Sanctuary by virtue of Executive Order No. 9 issued on January 28, 1920, an interim Protected Area Management Board (PAMB) is hereby created consistent with Section 11 of RA 7586 or the National Integrated Protected Areas System (NIPAS) Act of 1992, as amended by RA 11038 or the Expanded NIPAS Act of 2018.

The following directives are further issued:

1. The CENR Officer of Sablayan, Occidental Mindoro is designated as the Protected Area Superintendent (PASu) of FBHGRBS. The Chief of Conservation and Development Section (CDS) of CENRO Sablayan is likewise designated as the Assistant PASu.

The PASu and Assistant PASu shall perform the duties and responsibilities outlined in Section 11-B of RA 7586, as amended by RA 11038 and Rule 11-B.1 to 11-B.3 of DAO 2019-05 or the Implementing Rules and Regulations of the NIPAS Act, as amended.

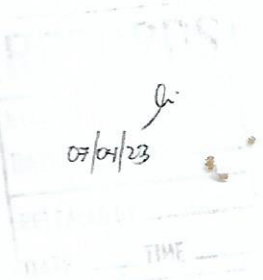
The Conservation and Development Section (CDS) of CENRO Sablayan and its other relevant units shall serve as the Protected Area Management Office (PAMO) of FBHGRBS.

The PASu shall regularly convene the interim PAMB following its prescribed membership in Section 11 of RA 7586 as amended by RA 11038.

2. The interim PAMB shall perform the powers and functions outlined in Section 11-A of RA 7586, as amended by RAA 11038 and Rule 11-A.1 to 11-A.2 of DAO 2019-05.

The PAMB, through the PASu, shall prioritize the following:

- 2.1 Completion of the protected area establishment/disestablishment process consistent with Sections 5 and 7 of RA 7586, as amended by RA 11038, and compliance to the memorandum dated October 24, 2022 issued by the OIC, Assistant Regional Director for Technical Services re Protected Area Suitability Assessment (PASA) of Francis Burton Harrison Game Refuge and Bird Sanctuary.
- 2.2 Resolution of the issues, concerns, and impacts of the Victoria-Sablayan Road Project of Department of Public Works and Highways (DPWH) and




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other infrastructure projects consistent with the following salient provisions of RA 11936 or the General Appropriations Act (GAA):

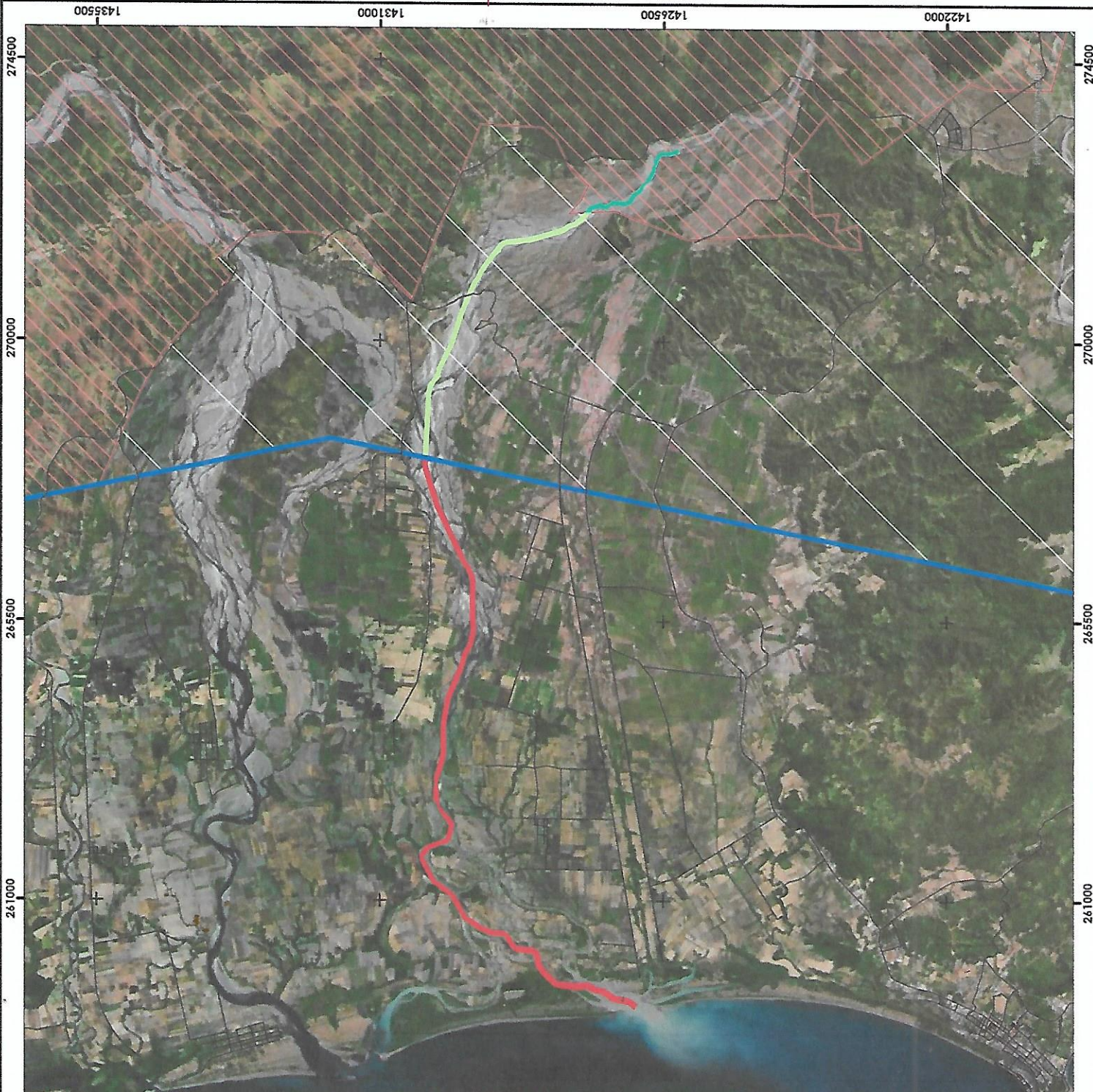
- 2.2.1 Section 29 (a) *The location, areas or sites of all infrastructure projects are not included in the critical geo-hazard areas or no build zones identified or certified by the Mines and Geosciences Bureau.*
- 2.2.2 Section 29 (c) *The planning and construction of all infrastructure projects to be implemented within the National Integrated Protected Area System are done in a way that eliminates or minimizes the risk of biodiversity loss while the specifications thereon are in accordance with those determined by DPWH, in coordination with the DENR. Major infrastructure projects may only be undertaken in said areas if intended to enhance biodiversity. The DPWH shall consider climate data and risk assessment and green building standards in the planning, designing, construction, engineering and renovation of government buildings and facilities.*
- 2.2.3 Section 45. *Protection of Biodiversity. All agencies of the government shall ensure that protection of biological diversity is integrated and mainstreamed into their development programs and projects. Agencies shall likewise prioritize the conservation and restoration of natural ecosystems.*
- 2.3 Evaluation of infrastructure projects shall also give primary consideration to the ancestral domain(s) as well as tamaraw and biodiversity habitat within the protected area.

This Order takes effect immediately and remains in effect until revoked in writing.


LORMELYN E. CLAUDIO, CESO IV
Regional Executive Director



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Department of Environment and Natural Resources
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Marikina City, Occidental Mindoro

PATRICK - VIGA (Manamlay) RIVER DREDGING PROJECT

Located within the Municipality of Sablayan

Scale: 1:60,000
PCS: WGS 1984 UTM Zone 51N
Datum: WGS 1984
Projection: Transverse Mercator
Units: Meter
1:60,000 North Arrow

Location Map

Est. HERE, Garmin, FAO, NOAA, USGS
NASA, USGS
Garmin, FAO, METI/
NASA, USGS

Legend

— Road Network

River Dredging Project

- Area Outside FBHGRBS - 103.01 Ha.
- Area within FBHGRBS within A & D - 44.82 Ha.
- Area within FBHGRBS within Forestland - 14.01 Ha.

FBHGRBS Boundary as per PASA

- As Per PASA Recommended for Exclusion within A & D
- As Per PASA Recommended Modified Boundary within Forestland
- F.B. Harrison GRBS Boundary

Notes:

- The Boundary of the River Dredging Project depicted on the map relies on the Technical Description provided by the EMB; the final boundary of which is still subject for confirmation.
- All information in this Map is Strictly For Planning Purposes Only. No Inference on Claims shall be made as to the Extent of Political or Jurisdictional Boundary.

Prepared by:

Checked & Reviewed by:

Noted by: