



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

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October 3, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 L&S Bldg., Roxas Blvd.
Ermita, Manila

THRU : The OIC, ARD for Technical Services

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **REPORT ON MONITORING AND EVALUATION OF FLA NO. (IV-29) 00001-A AND FLA NO. (IV-29) 00001-B ISSUED TO RIO TUBA NICKEL MINING CORPORATION REPRESENTED BY JOSE S. SARET FOR COMMERCIAL (BEACH RESORT) AND INDUSTRIAL (PIER SITE) PURPOSES LOCATED AT BARANGAY RIO TUBA, BATARAZA, PALAWAN**

Respectfully forwarded is the memorandum of CENRO Brooke's Point, Palawan dated September 20, 2022 relative to the above subject.


CENRO Brooke's Point conducted inspection and monitoring on September 14, 2022 on Foreshore Lease Agreements (FLAs) issued to Rio Tuba Nickel Mining Corporation located at Brgy. Rio tuba, Bataraza, Palawan.

Based on the report, CENRO Brooke's Point recommended for the re-evaluation and/or re-application to the best suited and actual use of the area. Also, improvements and developments introduced in the area should be reported to the CENRO Appraisal Committee to determine the appropriate annual rental fees of the two (2) tenured areas.

For information and further instruction.


FELIZARDO B. CAYATOC

Copy Furnished:
CENRO Brooke's Point, Palawan
<cenrobrookespoint@denr.gov.ph>
KVE/MES Doc. No. 2022-8576

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date: **04 OCT 2022** **2022-2567**



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brooke's Point, Palawan

September 20, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR- MIMAROPA Region
1515 L&S Building
Roxas Blvd., Ermita, Manila

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

FROM : The Community Environment and
Natural Resources Officer

SUBJECT : **REPORT ON MONITORING AND EVALUATION OF FLA NO. (IV-29) 00001-A AND FLA NO. (IV-29) 00001-B ISSUED TO RIO TUBA NICKEL MINING CORPORATION REPRESENTED BY JOSE S. SARET FOR COMMERCIAL (BEACH RESORT) AND INDUSTRIAL (PIER SITE) PURPOSES LOCATED AT BARANGAY RIO TUBA, BATARAZA, PALAWAN**

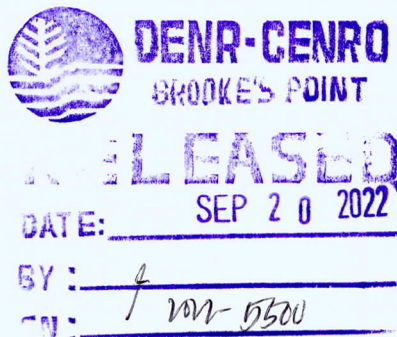
DENR PENRO
PALAWAN RECORDS
RECEIVED

BY: [Signature]
DATE: 09-22-2022 22-8576

Respectfully forwarded herewith is the compliance monitoring report of the two (2) Foreshore Lease Agreements (FLA) issued to Rio Tuba Nickel Mining Corporation located at Brgy. Rio Tuba, Bataraza, Palawan, specifically FLA No. (IV-29) 0001-A covering an area of 20,634 sq.m intended for commercial (beach resort) purposes and FLA No. (IV-29) 0001-B covering an area of 46,218 sq.m intended for industrial purposes/pier site.

The team strongly recommend for the reevaluation and/or re-application to the best suited and actual use of the area. Also improvements and developments introduced in the area should be properly reported to the CENRO Appraisal Committee to determine the appropriate annual rental fees of the two (2) tenured areas.

For her information and further instruction.



CONRADO M. CORPUZ



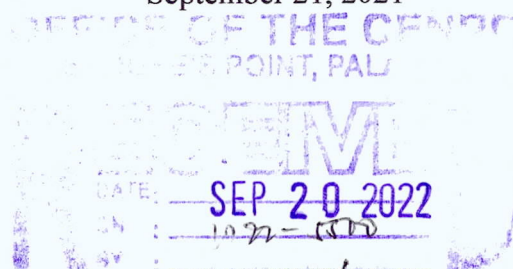
September 21, 2021

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer

FROM : The FT-I/TL-Quick Response

SUBJECT : **REPORT ON MONITORING AND EVALUATION OF FLA NO. (IV-29) 00001-A AND FLA NO. (IV-29) 00001-B ISSUED TO RIO TUBA NICKEL MINING CORPORATION REPRESENTED BY JOSE S. SARET FOR COMMERCIAL (BEACH RESORT) AND INDUSTRIAL (PIER SITE) PURPOSES LOCATED AT BARANGAY RIO TUBA, BATARAZA, PALAWAN**



This pertains to the monitoring and Evaluation of the above-mentioned FLA of RioTuba Nickel Mining Corporation RTNMC conducted dated September 14, 2022 by the undersigned personnel.

Please be informed that the undersigned personnel together with Rio Tuba Monitoring Section personnel, Engineer Rio Andrew O. Compensiño Pier and Sea Maintenance ,Mrs.Rita Airene B. Lozano the compliance Coordinator of RTNMC and Ranie Chiva, Pier Site Warehouse CBNC personnel had conducted inspection and monitoring of foreshore land areas covered with FLA No. (IV-29) 00001-A and FLA No. (IV-29) 00001-B issued to Rio Tuba Nickel Mining Corporation (RTNMC) located at Barangay, Rio Tuba, Bataraza, Palawan on August 27, 2021 and September 9, 2021.

Prior to the conduct of inspection and monitoring, the team send a letter and made a courtesy call with the RTNMC management and informed them about the purpose of the team.

Hereunder are the information and details of inspection and monitoring conducted:

1. FLA No. (IV-29) 00001-A

Total Area: 20,634 square meters

Purpose: For commercial purposes/Beach resort

Improvements introduced in the area are the following:

Nature of improvements	Quantity	Estimated Cost	Remarks/status
1. Guard Post Tower (Steel)	1	Php 2,000,000	Constructed
2. Parking shed (steel)	1	Php 3,000,000	Constructed
3. Perimeter Fence (Cyclone wire)	1	Php 3,800,000	Constructed
4. Semi-concrete houses	2	Php 371,000	Constructed
5. Concrete ts)	1	Php 57,000,000	Constructed by CBNC
6. Newly constructed guard house Siltation Pond (4 compartment	1	Php 50,000	Constructed
7. Concrete road/causeway	1	Php 12,000,000	Constructed covered by MLC-045305-01-D
8. Steel posts with built-in metal pipe lines	1	Php 59,000,000	
9. Waiting shed/rest area	2		constructed

Findings and Observations

- a. The FLA No. (IV-29) 00001-A area is situated adjacent/near Coral Bay Nickel Corporation (CBNC) compound;
- b. According to Ranie Chiva, Pier Site Warehouse CBNC the silting facility was constructed by CBNC which serves as surface run-off and silt reservoir that eventually collected using water pumps back to the main siltation pond located within the CBNC compound to prevent silt directly pass through the shore. In addition, there was also series of silt collector to help and minimize the silt pass through directly to siltation pond;
- c. During monitoring and inspection we notice that the CBNC personnel conducted desilting or removing silt and laterite in their concrete siltation pond.
- d. The established semi-concrete houses near the mangrove area accordingly, were constructed as AFP/Maritime quarters;
- e. There was a newly renovation semi concrete seen for security department;
- f. The concrete causeway and steel posts with built-in metal pipelines were constructed traversing the FLA 00001-A area by CBNC which covered by a separate *Miscellaneous Lease Agreement (MLC-045305-01-D)* estimated 2 kilometres from source (dolphin area) to the major tank;
- g. Improvements thereon are well maintained and the subject FLA area including the adjacent mangrove stand was well protected and conserved. It was also observe that the company well already protected and maintained the potted mangrove propaggules near the guard house which is intended for enrichment planting;
- h. Upon our verification and inspection relative to the previously status of the above-mentioned recommendation of For. Ervin S. Valleriano the OIC chief of Enforcement Section related on the inspection and monitoring dated August 27,2021, pertaining with this he strong recommendation on the conversion of FLA No. (IV-29)0001-A from the beach resort to industrial purposes and also the company required to apply separate lease for the long metal pipe built within the bridges. Based on the inspection conducted by the team, it was found out that the company does not comply, even though there had correspondence letter from CENRO and Regional Office regarding the said conversion of FLA and other matter. Accordingly to the compliance coordinator Mrs. Rita Airene Lozano of RTNMC they had already processing it, but she also had no presented document to proof. In addition to clear this matter if the company process pertaining the said document in the said conversion of FLA, the team verify to the records but don't have any secured document related on the said conversion of FLA conversion.
- i. As per our monitoring and inspection wherein the area of metal pipe line is located we observed that is grassy and covered with the branches of the growing species of ipil-ipil tree.
- j. Some of the warnings and advertisement materials such bulletin board, billboards and signage's was observed installed in different places within the FLA area, the paint had faded and some of them have been damages because other material used in the installation are made by lumber.
- k. Accordingly to Mrs. Rita Airene Lozano the said annual rental of RTNMC on FLA No. (IV-29) –A amounting of Php 640.00 is schedule for payment on this month of September 2022.

2. FLA No. (IV-29) 00001-B

Total Area: 46, 218 square meters

Purpose: For industrial purposes/Pier Site

Improvements introduced in the area are the following:

Nature of Improvement	Quantity	Estimated Cost	Remarks
1. Jetty	1		Constructed
2. Guard house	1		Constructed
3. Office	1		Constructed
4. Storage rooms/houses	4		Constructed
5. Waiting shed	1		Constructed
6. Marmol equipment/tank	1		Constructed
7. Diesel Tank	1		Constructed
8. Soil sampling storage/house	1		Constructed
9. Docking area	1		Constructed
10. Oil separator facility	1		Constructed
11. Fabrication house	1		Constructed
12. metal pipe line with constructed bridge	1		Estimated more or less 200 m in length

Findings and Observations

- Fully develop and operational pier facilities established within the FLA No. (IV-29) 00001-B area was noticeably well maintained and organized;
- Presence of several warnings and advertisement materials such bulletin board, billboards and signage's was observed installed in different places within the FLA area;
- Long metal pipe line estimated more or less 200 meters in length extended to the sea was seen in the area. According to Raymond F. Militar, Toolkeeper/timekeeper, the said pipe line was use in loading of fuel;
- However, according to Mrs. Rita Airene B. Lozano the said estimation cost of the constructed structures on FLA (V-29) 00001-B, he must first refer it to their concerned department so that it can be addressed.
- Some of the warnings and advertisement materials such bulletin board, billboards and signage's was observed installed in different places within the FLA area, the paint had faded and some of them have been damages because other material used in the installation are made by lumber.
- The previously waiting shed/rest area utilize by CBNC has been demolished because according to Ranie Chiva the purpose and designed of the said rest area is considering prefabricated and also for temporary.
- Large portion of mangrove stand/plantation within FLA No. (IV-29) 00001-B area was noticeably well protected and conserved.
- Accordingly to Mrs. Rita Airene Lozano the said annual rental on FLA No. (IV-29) –B amounting of Php 30,000.00 is schedule for payment this month of September 2022.

Recommendations

1. Despite the purpose of FLA No. (IV-29) 00001-A area is for beach resort; based on the improvements introduced therein however, said area is no longer suited for such purpose. Hence, it is recommends that the company may re-apply the same for industrial purposes;
2. All improvements developed by the lessee in both FLA No. (IV-29) 00001-A and B areas should be reported to the CENRO Appraisal Committee for them to determine the prescribe annual rental fee;
3. The long metal pipe built in with bridge estimated more or less 200 metres in length seen extended outside the area of FLAG (IV-29)0001-B shall be applied proper tenurial instrument for the construction;
4. The RTNMC as the lessee holder is advised to observe follow the terms and conditions stipulated in Lease Contract and should comply all the agreements stated therein.
5. Those warnings and advertisement materials such bulletin board, billboards and signage's was observed installed in different places within the FLA area should be repaired and repainted so that they are recognizable and visible to passer-by and those who will conduct monitoring
6. The perimeter area of long metal pipe line of RTNMC must be observed and conduct regularly maintenance through brushing and weeding.
7. However, if the RTNMC comply the necessary requirements and details pertaining to the said conversion of FLA and the estimated cost of the constructed structure please provide a copy for reference.

Attachment

- a. Geo-tagged photos

For his information, evaluation and record.


REYNALDO V. PALISOC

**PHOTOS SHOWING THE STRUCTURES ESTABLISHED WITHIN THE VICINITY OF FLA
00001-B AREA**



Pier Office
Temporary guard house



Guard house



Jetty



Waiting shed



Storage room/house



**PHOTOS SHOWING THE ESTABLISHED STRUCTURES WITHIN THE VICINITY OF FLA
00001-B AREA**



Causeway



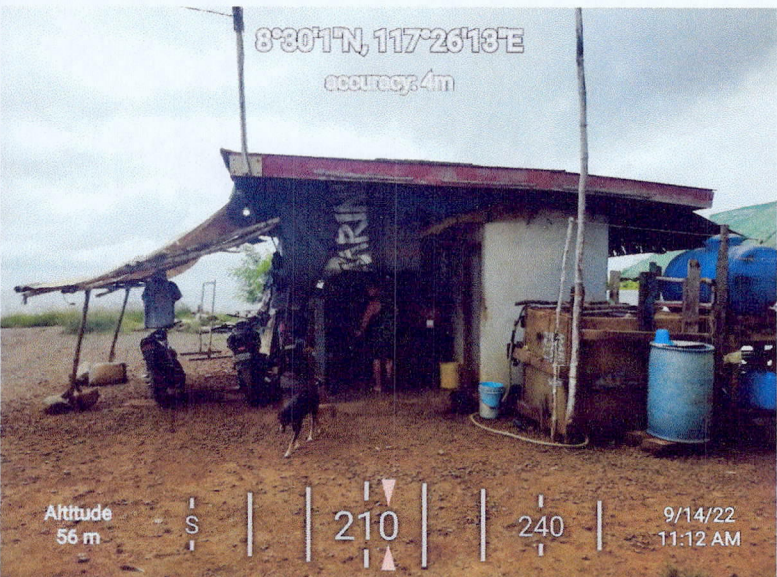
Soil sampling storage/house



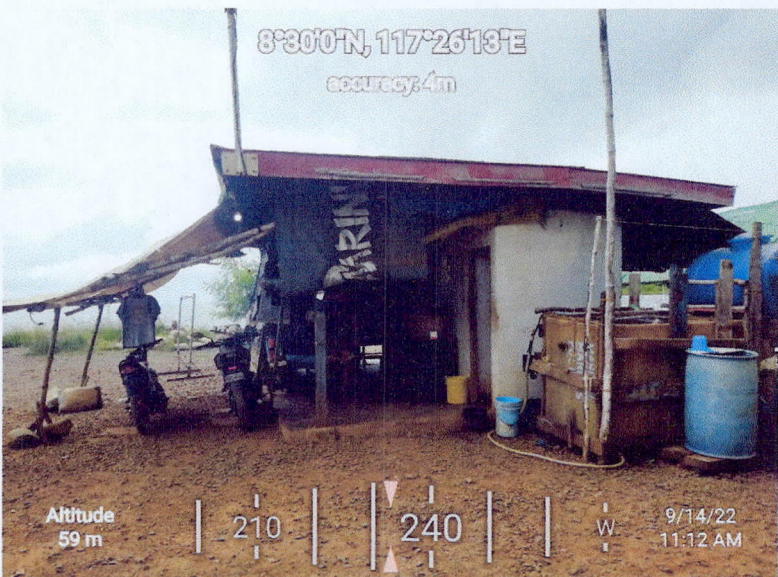
Diesel Tank



Storage rooms/house



Camp/Quarters of AFP and Maritime group



**PHOTOS SHOWING THE ESTABLISHED STRUCTURES WITHIN THE VICINITY OF FLA
00001-B AREA**



Metal Pipe line intended for loading of fuel



Drainage



Siltation pond



Dry dock area



**PHOTOS SHOWING THE STRUCTURES CONSTRUCTED WITHIN THE VICINITY OF FLA
00001-B AREA**



Dry docking Area



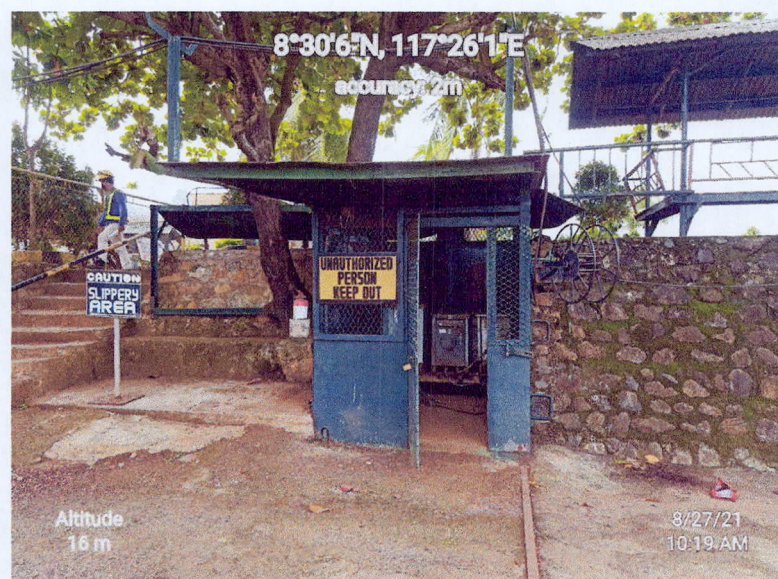
Fabrication house and motor pool



Storage rooms/houses

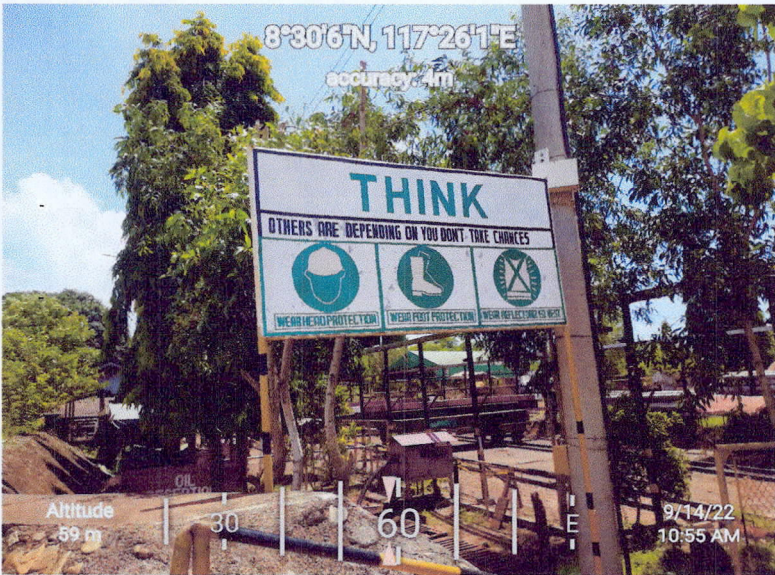


Oil separator



Storage room/house

PHOTO DOCUMENTATION WITHIN THE VICINITY OF FLA 00001-B AREA



Signage's within the area of FLA 00001-B AREA



Marmol tank equipment



Mangrove stand

**PHOTOS SHOWING THE ESTABLISHED STRUCTURES WITHIN THE VICINITY OF FLA
00001-A AREA**



Parking shed



Guard Post Tower



Concrete Siltation Pond



Silt collector



Concrete road/causeway



Steel posts with built-in metal pipe lines

**PHOTOS SHOWING THE ESTABLISHED STRUCTURES WITHIN THE VICINITY OF FLA
00001-A AREA**



Perimeter fence



Drainage areas pass through to concrete siltation pond



Guard house



Newly repair Semi concrete house for security Department



Waiting shed near the docking area



Previously waiting shed/rest area

PHOTO DOCUMENTATION WITHIN THE VICINITY OF FLA 00001-A AREA



Mangrove stand



Mangrove seedlings near the guard house



Signage's within FLA 00001-A AREA