



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

Telfax No. (048) 434 - 8791

Email Add: penropalawan@denr.gov.ph



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 : **MONITORING REPORT ON LEASE AGREEMENT ON
FORESHORE AWARDED TO BERONG NICKEL
CORPORATION (BNC) LOCATED AT BGY. BERONG,
QUEZON, PALAWAN**

Respectfully forwarded is the memorandum of CENRO Quezon, Palawan dated September 20, 2022 relative to the above subject.

CENRO Quezon conducted the compliance monitoring on August 17-18, 2022 on Foreshore Lease Agreements (FLAs) awarded to Berong Nickel Corporation (BNC) located in Bgy. Berong, Quezon, Palawan.

Based on the report, the FLA holder is compliant with the terms and conditions stipulated in the agreement and no further improvement/development introduced on both areas as BNC has no mining operation except for rehabilitation activities.

For information and further instruction.


FELIZARDO B. CAYATOC

Copy Furnished:
CENRO Quezon, Palawan
<cenroquezon@denr.gov.ph>
KVE/MES Doc. No. 2022-8712

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By Khea
Date: 04 OCT 2022 2022-2571



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
Contact No.: 0917-160-4920
Email: cenroquezon@denr.gov.ph

September 20, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
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 : **MONITORING REPORT ON LEASE AGREEMENT ON FORESHORE
AWARDED TO BERONG NICKEL CORPORATION (BNC) LOCATED
AT BGY. BERONG, QUEZON, PALAWAN**

DENR MIMAROPA
REGIONAL RECORDS
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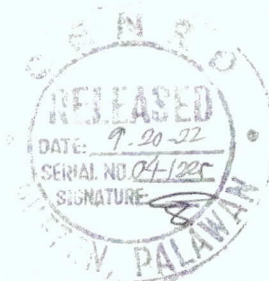
Forwarded is the memorandum report dated September 12, 2022 of Compliance Monitoring Team of this Office relative to the above subject.

Please be informed that on August 17-18, 2022, the compliance monitoring team conducted monitoring on Foreshore Lease Agreements awarded to Berong Nickel Corporation (BNC) located in Bgy. Berong, Quezon, Palawan. Based on the result of the monitoring, the BNC is compliant with the terms and conditions stipulated in the agreement. Also, the FLA No. 045312-06-01-A (New Causeway) is permanently submerged in water and appraisal for miscellaneous lease agreement was conducted on October 14, 2020 by the personnel of this Office. Lastly, no further improvement/development introduced on both areas as BNC has no mining operation except for rehabilitation activities.

In this regard, the lessee must maintain, protect and utilized the area in accordance with the terms and conditions stipulated in the agreement. Secondly, the total area of old causeway/pier must be modified since the BNC no longer use it. Finally, the new causeway/pier must be converted into Miscellaneous Lease Agreement (MLA) since the said area is permanently submerged in the water.

For your information and record.


LEONARD T. CALUYA





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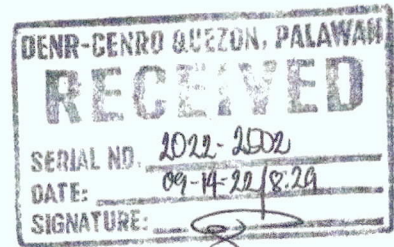
September 12, 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer
Quezon, Palawan

FROM : The Compliance Monitoring Team

SUBJECT : **MONITORING REPORT ON FORESHORE LEASE AGREEMENT
AWARDED TO BERONG NICKEL CORPORATION (BNC) LOCATED
AT BGY. BERONG, QUEZON, PALAWAN**



This pertains with the Office target F.Y. 2022 under the Monitoring of Compliance to conditions of permits, leases/deeds issued.

Please be informed that on August 17-18, 2022, the undersigned conducted a monitoring on Foreshore Lease Agreement (FLA) No. 045317-06-01 (old causeway) and FLA No. 045312-06-01-A (new causeway) awarded to Berong Nickel Corporation (BNC) at Bgy. Berong, Quezon, Palawan. The following findings, observations and recommendation below are, to wit;

I. BASIC INFORMATION

| | | |
|-----------------------------|---|---|
| 1. Name of Lessee | : | Berong Nickel Corporation |
| 2. Address | : | Bgy. Berong, Quezon, Palawan |
| 3. Kind and Number of Lease | : | Foreshore Lease Agreement (FLA) FLA No. 045317-06-01 FLA No. 045312-06-01-A |
| 4. Date of Issuance | : | May 05, 2010 (Old Causeway) |
| 5. Area (has) | : | 53.5443 has. (Old Causway) 12.8323 has. (New Causeway) |
| 6. Location | : | |
| a. Province of | : | Palawan |
| b. Municipality | : | Quezon |
| c. Barrio | : | Berong |

II. RENTAL FEES PAID

As provided in the Order of Award, the land leased must pay the corresponding rental fee annually in advance, on or before the 6th day of May of each year during the time of the lease at the DENR-CENRO.

During the monitoring, the land leased is months delayed in paying their annual rental and bound to pay the surcharge/penalty of 4% per annum as stipulated in the Order of Award.



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Contact No.: 0917-160-4920
Email: cenroquezon@denr.gov.ph

III. FINDINGS/OBSERVATIONS

During the monitoring, the following statements below were observed:

1. The foreshore/old pier has not been used since October 2, 2017 and/or since the new pier is established;
2. Access road going to the foreshore area/old pier was established in accordance with the Order of Award;
3. The payment of annual rental fee is updated since the agreement was awarded and the 2022 rental fee was paid under OR # 1417880 E dated August 11, 2022 with total amount of 832, 908. 22 php;
4. That the payment for annual rental CY 2022 was past the prescribed date as stated in the Order of Award;
5. No further improvements or developments of the old pier was observed;
6. No disturbance or human alteration/destruction observed in the area;
7. No permanent structures/infrastructures were built;
8. That, re-appraisal of FLA No. 045317-06-01 was conducted on June 25, 2021 in accordance with the current BIR Zonal Value. Based on the said appraisal, the new annual rental fee is 1, 647, 816.44 php however, pursuant to **Section 116 of Commonwealth Act 141** which states that *"In no case shall the appraised or reappraised be less than the expense incurred or which may be incurred by the Government in connection with the application or concession, nor shall any reappraisal be made with an increase of more than one hundred per centum upon the appraisal or reappraisal next preceding"* hence, the annual rental fee will be retained as the previous years amounting to 832, 908.22 php;
9. The lessee is compliant with the other terms and conditions stipulated in the Order of Award and in other related rules and regulations governing the lease of public lands.

IV. OTHER FINDINGS/OBSERVATIONS

1. The team also conducted monitoring on the new causeway/pier with FLA No. 045317-06-01- A (the area is adjoining the 53.5443 hectares covered with FLA No. 045317-06-01-D) leased by BNC located at Bgy. Berong, Quezon, Palawan;
2. During the conduct of monitoring, no further development/activities were observed since the MPSA of Berong Nickel Corporation is already undergoing rehabilitation;
3. Since the new pier is permanently submerged in water, this Office conducted appraisal for Miscellaneous Lease Application on October 14, 2020 and recommended the conversion of the awarded FLA into MLA;
4. The payment of annual rental fee for C.Y. 2022 was paid under OR # 1417675 E dated March 18, 2022 with total amount of 238, 985.12 php; and
5. The lessee is compliant with the terms and conditions stipulated in agreement.



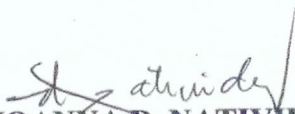
Republic of the Philippines
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IV. RECOMMENDATIONS

1. The lessee must maintain, protect and use the area in accordance with the terms and conditions stipulated in the agreement and/or the rules and regulations governing the lease of public lands;
2. It is also recommended that the Old causeway/pier must undergo amendment of area since it was not in-used by the Corporation; and
3. The Foreshore Lease Agreement on the 12.8323 has. (New Causeway) must be amended into Miscellaneous Lease Agreement since the causeway/pierhead is within the permanently submerged area of the ocean.

Attached are geo-tagged photos and official receipt of payment of annual rental fee for the C.Y. 2022.

For his information and record.

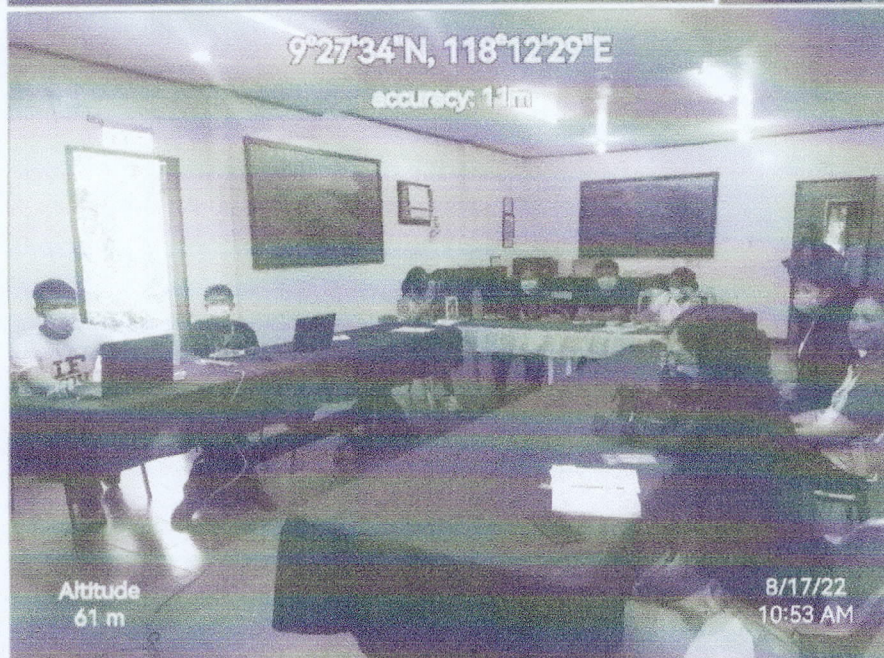
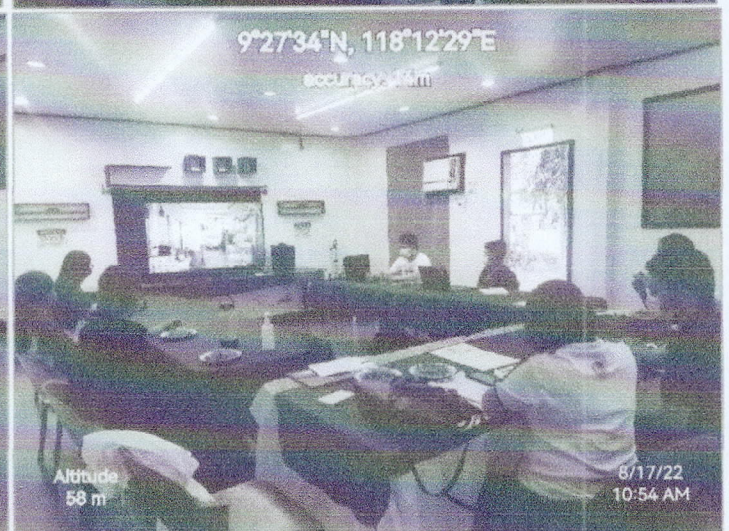
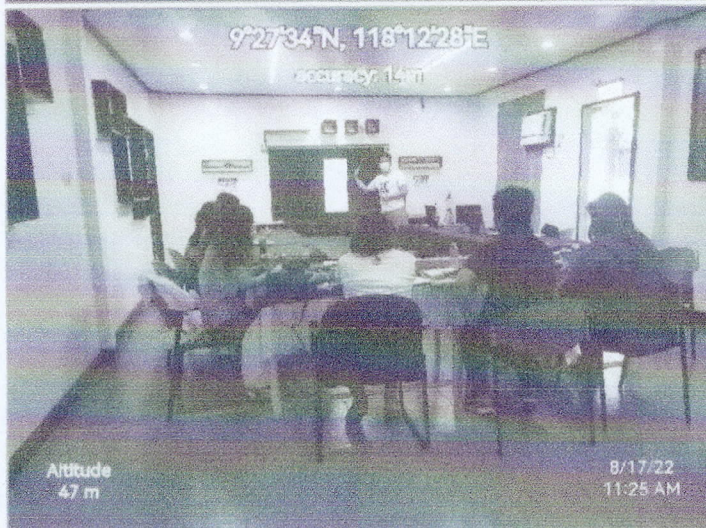

DJOANNA D. NATIVIDAD
LMI


SHERYL C. BACAN
Forester I


KATHLEENE KHYE MOZO
Forester I



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Department of Environment and Natural Resources
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Geotagged pictures taken during the entry conference, conducted to discuss and inform the lessee details of the compliance monitoring.

[Handwritten signatures]



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Geotagged pictures taken during
the Compliance Monitoring on
Foreshore Lease Agreement (FLA)
No. 045317-06-01-A awarded to
Berong Nickel Corporation (BNC)
located in Bgy. Berong, Quezon,
Palawan.

[Handwritten signatures]



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Geotagged pictures taken during the Compliance Monitoring on Foreshore Lease Agreement (FLA) No. 045317-06-01 awarded to Berong Nickel Corporation (BNC) located in Bgy. Berong, Quezon, Palawan.

[Handwritten signatures]

Actual Number of Receipts Issued: 313
Revised January 1, 1992

Official Receipt

Official Receipt
of the
Republic of the Philippines



No. 1417675 E
1417675 E

Date March 18, 2022

Agency DENR

Fund

Payor Berney Nickel Corporation

| Nature of Collection | Account Code | Amount |
|---|--------------|-------------|
| Occupational Fee | | P238,985.12 |
| Forshore FLA 04317-06-01A-D (New Calabar) for the period March 13, 2022 - March 12, 2023 Brgy. Berney, Quezon, Phil. | | |
| TOTAL | | P238,985.12 |


Amount in Words Two Hundred Thirty Eight
Thousand Nine Hundred Eighty Five & 12/100

| | | | |
|---|-------------|--------|------|
| <input type="checkbox"/> Cash | Drawee Bank | Number | Date |
| <input checked="" type="checkbox"/> Check | | | |
| <input type="checkbox"/> Money Order | | | |

Received the amount stated above.


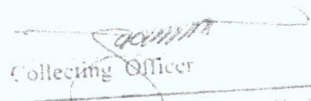
Collecting Officer

NOTE: Write the number and date of this receipt on
the back of check or money order received.

| | | | |
|--|----------------------|--|---------------|
|  | | Official Receipt of the Republic of the Philippines | |
| | | No. 1417880 E 1417880 6 | |
| | | Date Aug. 11, 2022 | |
| Agency DENR | | Fund | |
| Payor Berong Nickel Corporation | | | |
| Nature of Collection | Account Code | Amount | |
| Annual Rental Fee | | P823,918.23 | |
| Occupation Fee for FLA | | | |
| 045317-06-01-D (Old Causeway) | | | |
| For May 10, 2022-May 9, 2023 | | | |
| Prty. Berong, Surian, Palawan | | | |
| | | | |
| | | | |
| TOTAL | | P823,918.23 | |
| Amount in Words Eight Hundred Twenty Three Thousand Nine Hundred Eight & 22/100. | | | |
| <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order | Drawee Bank _____ | Number _____ | Date _____ |
| Received the amount stated above. | | | |
| _____ Collecting Officer | | | |
| NOTE: Write the number and date of this receipt on the back of check or money order received. | | | |

Approved for Use No. 514
Revised January, 1992

(Circular)

| Official Receipt of the Republic of the Philippines | | | |
|--|----------------------------|-------------|------|
|  | No. 1417675 E 1417675 E | | |
| | Date March 18, 2022 | | |
| Agency DENR | | | |
| Payor Benoy Nickel Corporation | | | |
| Nature of Collection | Account Code | Amount | |
| Occupational Fee | | P238,985.12 | |
| Joreshore FLA 045317-06-01A-D (New Causeway) for the period March 13, 2022 - March 12, 2023 Brgy. Bering Buntan, Inc. | | | |
| TOTAL | | P238,985.12 | |
| Amount in Words Two Hundred Thirty Eight Thousand Nine Hundred Eighty Five & 12/100 | | | |
| <input type="checkbox"/> Cash | Drawee Bank | Number | Date |
| <input checked="" type="checkbox"/> Check | | | |
| <input type="checkbox"/> Money Order | | | |
| Received the amount stated above. | | | |
|  Collecting Officer | | | |
| NOTE: Write the number and date of this receipt on the back of check or money order received. | | | |



Official Receipt
of the
Republic of the Philippines

No 1417880 E
1417880 E

Date Aug. 11, 2022

| | | |
|--|--------------|--------------------|
| Agency <i>DEPR</i> | | Fund |
| Payor <i>Berong Nickel Corporation</i> | | |
| Nature of Collection | Account Code | Amount |
| <i>Annual Rental Fee</i> | | <i>P 23,918.25</i> |
| <i>Occupation Fee for FLA</i> | | |
| <i>045317-06-01-D (old causeway)</i> | | |
| <i>for May 10, 2022-May 9, 2023</i> | | |
| <i>Prty. Berong, Surzon, Palawan</i> | | |
| | | |
| | | |
| TOTAL | | <i>P 23,918.25</i> |

Amount in Words *Eight Hundred Twenty-three Thousand Nine Hundred Eight & 32/100.*

| | | | |
|---|-------------|--------|------|
| <input type="checkbox"/> Cash | Drawee Bank | Number | Date |
| <input checked="" type="checkbox"/> Check | | | |
| <input type="checkbox"/> Money Order | | | |

Received the amount stated above.

[Signature]
Collecting Officer

NOTE: Write the number and date of this receipt on the back of check or money order received.