

13 January 2023, Friday



**DENR**

# **NEWS ALERTS**

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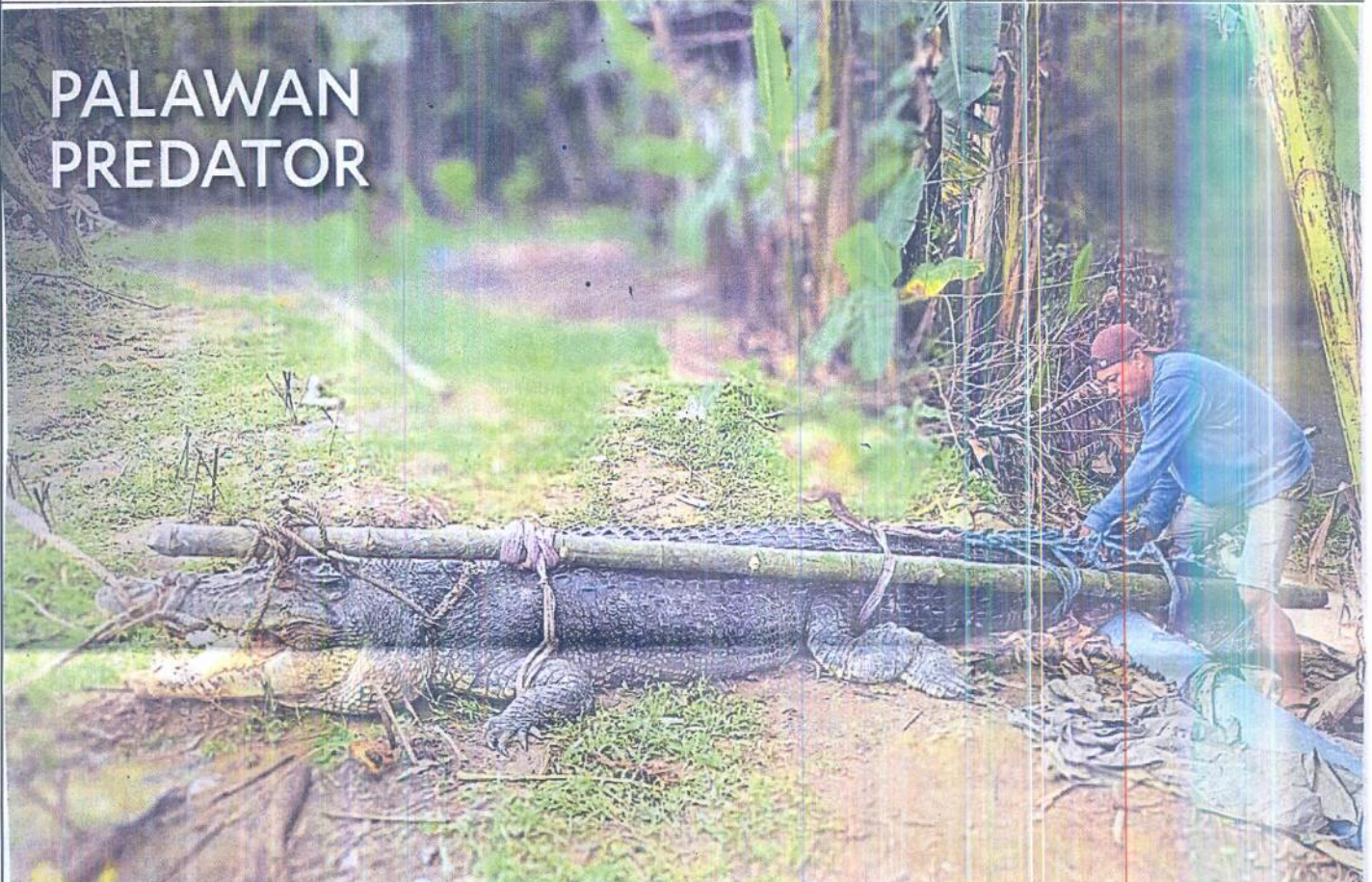
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# PALAWAN PREDATOR



**VILLAGE SCARE** A staff member of the Palawan Wildlife Rescue and Conservation Center on Thursday secures a 4.57-meter (15-foot) saltwater crocodile captured at Barangay Sumbiling in Bataraza, Palawan, the previous night. A resident earlier attacked by the reptile sought help to have it entrapped and moved away from the community. It died while still in captivity on Thursday night. —Jovic FABELLO/PCSDS



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Editor  
Robert Jaworski L. Abano

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**REGIONS**

**SECURED** Residents of Barangay Sumbiling in Bataraza, Palawan, on Thursday check on a 15-foot long (4.57 meters) saltwater crocodile caught in their village the previous night. The reptile, however, died on Thursday night as wildlife rescuers were preparing to fetch it from Bataraza so it could undergo a medical examination. —JOVIC FABELLO/CONTRIBUTOR

REPTILE DIES A DAY LATER; NECROPSY SET

## IN PALAWAN TOWN, WILD CROCODILE CAUGHT AFTER ATTACKING VILLAGER

PUERTO PRINCESA CITY—Residents in Bataraza town, Palawan province, captured a 4.57-meter (15-foot) long saltwater crocodile (*Crocodylus porosus*) on Wednesday night after it attacked a villager in Barangay Sumbiling.

Jovic Fabello, spokesperson for the Palawan Council for Sustainable Development Staff (PCSDS), on Thursday said resident Johnny Balbada was about to fetch water from Sumbiling River

around 8 p.m. when the crocodile started charging at him.

Balbada managed to run away and seek help from other villagers to capture the adult male saltwater crocodile, which is 0.7 m (2.3 ft) wide, Fabello said in a phone interview.

"We went there to check on the crocodile and found out that it had a wound [in its upper belly], apparently from a struggle when it was captured," Fabello said.

"After consulting with the Palawan Wildlife Rescue and Conservation Center (PWRRCC) and the Department of Environment and Natural Resources, we decided to rescue it," he added, noting that the reptile had turned "aggressive and dangerous."

But Fabello, in a message to the Inquirer on Thursday night, said he was informed by their staff in Bataraza that the crocodile had died at 8 p.m.

The news came as PWRRCC personnel were preparing to fetch the crocodile from Bataraza and bring it to Puerto Princesa for a medical examination.

Fabello said the reptile would undergo necropsy to determine the cause of its death.

He said there was still a "viable population" of crocodiles in the towns of Bataraza, Balabac, Rizal and Quezon, all in southern Palawan.

Crocodiles start breeding from January to June or July, depending on weather conditions, Fabello said.

"So that is the time that they become active to start looking for mates and establish their territories," he said.

Fabello said it was the second time a crocodile was captured in the same area since 2008.

In September last year, a 2.62-m (8.6-ft) long crocodile was

caught and turned over to authorities by a resident of Barangay Puring, also in Bataraza.

The reptile, at 0.39-m (1.3 ft) wide, was turned over to the PCSDS and eventually released back to its natural habitat.

In 2018, wildlife experts from the PWRRCC caught a 4.75-m (15.6-ft) long crocodile in Balabac town after it reportedly attacked and killed a fisherman.

—GERALDFORD TICKE/INO



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**REGIONS BRIEFS**

**DENR reopens Mt. Pico de Loro after 6-year rehab**

Outdoor enthusiasts may again visit Mt. Pico de Loro in the provinces of Cavite and Batangas as the Department of Environment and Natural Resources (DENR) opens the mountain following its six-year rehabilitation. Located within the Mounts Palay-Palay/Mataas-na-Gulod Protected Landscape, the mountain straddles the towns of Ternate and Maragondon in Cavite and the town of Nasugbu in Batangas. The protected area is known for its three main peaks, which also served as tourist attractions in the park, namely: Palay-palay, Mataas-na-Gulod and Pico de Loro. In October 2016, the area was closed to the public due to volumes of trash left by visitors; growing number of vendors along the trail, campsite and summit; unregulated number of hikers; soil erosion; and the overall degradation of the mountain. The DENR requires visitors to register online. Only 90 people will be allowed to climb the mountain daily, from Wednesday to Saturday. —DELFIN T. MALLARI JR.



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## Balancing development and environmentalism

BEYOND just their top of the line residential amenities that offer stunning natural vistas, Hamilo Coast goes out of its way to present a holistic approach to real estate development. Among their chief goals while expanding their portfolio is nurturing the natural resources in the locations, they develop

Since the year 2007, Costa Del Hamilo, Inc. (CDHI), developer of Hamilo Coast and World Wide Fund for Nature Philippines (WWF) have been working on key areas for sustainability—coastal resource management, ridge-to-reef management, solid waste management, mangrove reforestation, the use of renewable energy sources, and environmental awareness.

For instance, Hamilo Coast has manifested its readiness to take care of Olive Ridley Sea turtles that has made the development its nesting ground. Olive Ridley Sea turtles, so-called for their olive-green color, are known for their heart-shaped shells and are considered to be among the world's smallest sea turtles. The females of the species return to the same beach they hatched on to spawn or lay their own eggs, and bury them in sand nests to incubate for 45 to 72 days.

To keep these eggs safe and undisturbed, Hamilo Coast estate



Turtle hatchlings were released to the ocean in Pico de Loro Cove by the SM Leisure Resort Residences team headed by Business Unit Head and Executive Vice President, Shirley C. Ong (4th from left).



personnel install nest cages and monitor these regularly, following the guidelines of the WWF. With nest cages protecting the eggs from predators, their chances for survival significantly rise. In just a few weeks, these eggs will crack, and hatchlings will emerge within three to seven days to reach the surface and race towards the ocean.

Franklin M. Bolalin, CDHI As-

sistant Vice President for Estate Management and Operations asserts, "protecting the turtles is just one of several measures we take to make Hamilo Coast a safe haven, not just for its residents and guests but also for marine wildlife."

Protecting the Olive Ridley Sea turtles is just one of CDHI's ways of establishing sustainable

practices. In partnership with WWF, CDHI has been expanding and enhancing the scope of its sustainability program as part of a long-term strategic framework in the Hamilo Coast development.

As a result, Hamilo Coast is a recipient of the Longest Sustainability Partner award from the World Wide Fund (WWF) for Nature Philippines. The recognition now further inspires it to embrace sustainable tourism and develop its area without compromising the quality of water and wildlife in the vicinity.



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## 332 olive ridley sea turtles released

By DANNY ESTACIO

SARIAYA, Quezon – Three-hundred thirty-two olive ridley sea turtle hatchlings were released back to the sea here by the Bantay Dagat on Jan. 9 and 10.

Jay Lim of Tanggol Kalikasan (TK) said Sherwin Rosales, a staff of the Municipal Agriculture Office (MAO), reported that they were released in Sitio Silangan, Barangay Guis-guis Talon.

Bantay Dagat members Arnold Carandang, Edwin Frias, and Virginia Remolin initiated the release in the presence of Nelia Oribe, Sariaya MAO chief.

Community Environment and Natural Resources Office (CENRO)-Tayabas personnel Ianoh Yara, Nerolyn Moreno-Nova, Mernilo de Mesa, Anna Segui, Pauline Salivia, Rosalie Salvan, Kristian Rodrigo Yara, and Hanilyn Yara were present to provide assistance for the proper handling and protection of the turtles.

Residents cared for the turtles until they can be released to the sea. Sariaya Mayor Marcelo Gayeta provided financial assistance to the caretakers and residents installed nets in areas where the eggs were laid to protect them.



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## MGB exec sabit sa graft

**HINIMOK** ng isang Chinese mining company ang Malakanyang na aksyunan ang nagpapatuloy na katiwalian sa Mines and Geosciences Bureau (MGB), sa kabila nang kaso na kanilang isinampa laban sa mga appektadong partido.

Sinabi ni Eugene Co, spokesman ng Yinglong Steel Corporation, na isa sa top exporters ng nickel sa bansa na nag-o-operate sa Sta. Cruz, Zambales, na kailangan nang makialam ng pamahalaan upang hindi maapektuhan ang kumpiyansa ng foreign investors, na malaki ang naitambag sa dollar

earnings ng bansa.

Ginawa ng kompanya ang apela makaraang makatanggap ng report na patuloy ang pangongolekta ng mga tauhan ng MGB ng illegal fees mula sa mga nag-a-apply na mining firms, kapalit ng umano'y pagbibigay ng permits.

"We have proof in the form of sms messages provided by other mining companies that MGB officers are still openly charging under the table fees from mining applicants. They practically have no fear of reprisal and seem proud of what they are doing," pahayag ni Co, na ikinalungkot ang pagkakaroon

ng mababang morale ng professional career officers ng MGB bunsod ng negatibong isyu na kinakaharap ng ahensya.

Una nang nagsampa si Yinglong ng kasong extortion laban kay Wilfredo Moncano, incumbent Director ng MGB na nasa ilalim ng Department of Environment and Natural Resources, bunsod ng umano'y pagde-demand at pagtanggap ng P3 milyon kapalit ng pag-apruba sa inaplay na mga permit ng kompanya.

Sa kanyang complaint affidavit na inihain sa Ombudsman noong November 11, 2022, isinalaysay ni Co

na nagtungo siya kasama ang ilang opisyal ng kompanya sa opisina ni Moncano noong October 2021 para i-follow up ang kanilang nakabibing aplikasyon para sa Mineral Ore Export Permits (MOEP) at Ore Transport Permits (OTP) para sa kanilang nickel export operations sa Zambales.

Pagdating aniya sa tanggapan ng MGB Director ay personal na nag-demand si Moncano ng P10 milyon para sa approval at release ng inaplay na mga permits.

Sa pag-aakalang ang demand ay official fee at normal lamang na sirisingil ng MGB, nakipag-negosasyon ang General Manager sa pamamagitan ni Co para sa staggered o pautay-utay na pagbabayad na may inisyal na P3 milyon na inaprubahan ni Moncano, na tubong Davao City at nagmula sa nakalipas na Duterte administration.

Agad-agad ay nag-isyu ang General Manager ng pay to cash na tseke na nagkahalaga ng P3 milyon kay Moncano.

Noong October 9, 2021,

ay personal na inencash ni Moncano P3 milyon na tseke sa East West Bank Davao Branch, 9:30 ng umaga, nakalagay ang kanyang lagda, address, at mobile phone number sa likuran ng tseke, kasama ang kanyang drivers license para sa identification.

Sa kabila naman ng tinanggap nitong pondo ay nanatiling nakabibing ang permit applications ng Yinglong.

Bunsod nito ay nagpagsakilo na ang kompanya sa Marcos administration upang silipin ang kaso at patunayang seryoso ang pamahalaan sa paglaban sa katiwalian.

"We urge the BBM administration to seriously and expeditiously act on this case, since our evidence is very strong, and that the respondent Moncano still occupies his powerful position, and continues to do such illegal acts," apela ni Co.



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## The geoengineers are just winging it

**By Faye Flam**

THERE is no law or treaty to prevent a private company from tinkering with geoengineering — in this case, releasing sulfur dioxide high in the stratosphere in order to alter the climate.

And so there will be no fines or arrests following the recent news that a startup quietly pulled off such a release last year by launching two balloons over Mexico. This sort of environmental manipulation can alter the energy balance between the sun and Earth. In the upper atmosphere, sulfur dioxide forms suspended particles of sulfuric acid that act to scatter sunlight and cool the planet.

The Clean Air Act isn't set up to deal with this sort of thing — it's focused on power plants, cars, and regional air-quality standards, said UCLA environmental law professor Edward Parson.

The startup responsible is called Make Sunsets, and their plan, according to MIT Technology Review, was to use this scheme to counter global warming. They'd make money by selling carbon credits — companies emitting greenhouse gases could pay them to release cooling particles that would allegedly nullify their emissions. According to the plan, each gram of sulfur would cost \$10 and offset one ton of CO<sub>2</sub>.

The main problem is that it wouldn't work. Sulfuric acid particles can only mask global warming for a year or so. Then they settle out of the atmosphere

while the carbon stays up there for thousands of years. And there are likely going to be side effects from doing this at any useful scale. Parson called it a case of "a rogue pseudo-scientist claiming to help the environment."

Luke Iserman, the chief executive of Make Sunsets, told me he became obsessed with the idea of geoengineering after reading the science fiction novel *Termination Shock* by Neal Stephenson, in which a Texas billionaire launches sulfur into the stratosphere. He says he understands the scientists' criticisms that the effects of the sulfur don't negate emissions, but he believes it's the only feasible way to buy the time needed to stay below "a catastrophic level of climate change." He said he plans to make two more launches this month from Mexico, and that his ultimate vision is to spend the next 20 years releasing "as much as I possibly can while doing it safely."

But there's no scientific consensus that geoengineering is the only way to avoid catastrophe. Scientists, including several panels assembled by the National Academy of Sciences, have looked at the possibility of using geoengineering to battle global warming, but no field experiments have been carried out.

What we know so far comes from a couple of a natural and unintentional experiments. Volcanic eruptions, such as the one at Mount Pinatubo in the Philippines in 1991, can trigger a year of cool weather, and scientists have calculated that components of smog are





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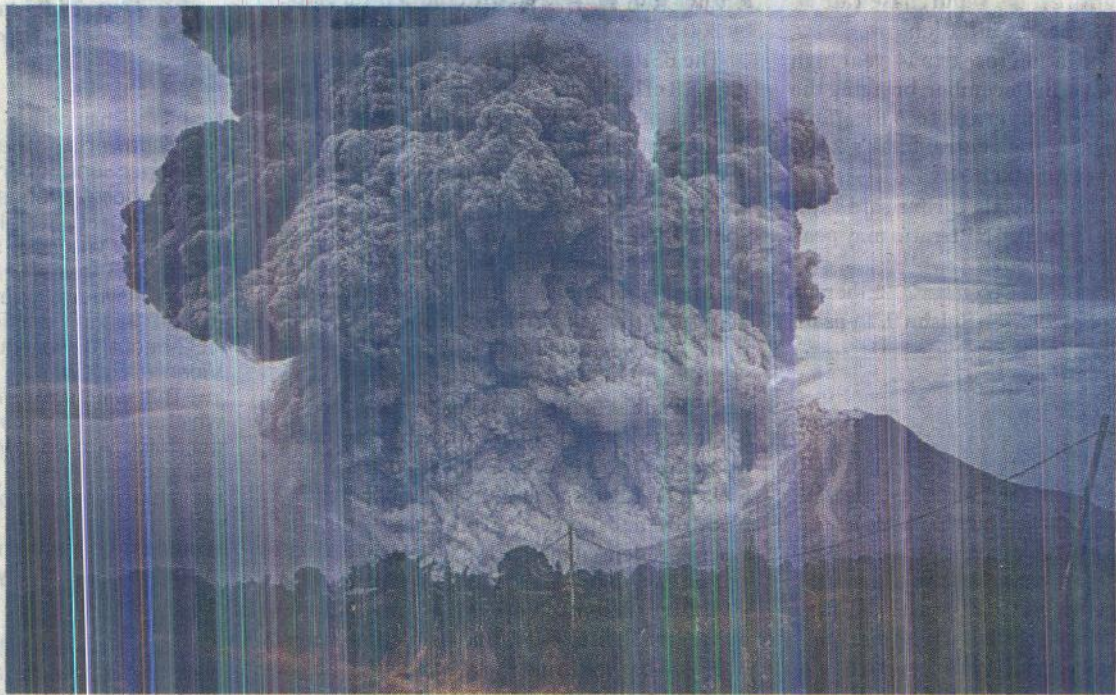
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YOSHIO GINBU/UNSPASH

holding down the global temperature about 1 degree Celsius, though smog also causes millions of deaths from respiratory illness.

The good news is that the releases from Maat are too tiny to cause any harm. But the bad news is that it won't advance science.

For years, scientists have been trying to do a small release they could track. But so far, doing this through official channels has run into resistance. Scientists have tried to run an experiment called SCOPEx from Mexico and

Sweden but been blocked by environmental groups.

Carefully monitored scientific experiments might give us useful knowledge about how natural and human-generated sulfur works in the atmosphere and under what circumstances it might be a reasonable thing to release — say, if it gets so hot in India that tens of millions of people are likely to die, a scenario described in Kim Stanley Robinson's 2020 novel *The Ministry for the Future*.

Harvard physicist David Keith, who has studied the prospects of geoengi-

neering, said it's possible to calculate how many lives you could save from heat and extreme weather, balanced with lives that might be lost to geoengineering's side effects. But of course, there are unknown unknowns, and geoengineering is a very bad substitute for technologies that reduce emissions or capture carbon.

One past incident that vaguely resembles this one happened in 2012, when California businessman Russ George dumped iron into the Pacific Ocean off the coast of British Columbia with the



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goal of fertilizing an algae bloom that was supposed to absorb carbon and feed salmon. George claimed the iron caused the salmon to rebound the following year, but since it wasn't a controlled scientific experiment and salmon populations fluctuate normally, there was no way to know if his actions had any effect.

Perhaps this sort of thing comes with the startup culture of the 21<sup>st</sup> century — the flow of vast quantities of money around Silicon Valley, the hubristic sense that the private sector can solve a problem that has stymied governments, and a fashion for looking like you're doing good for the planet.

Parson, the environmental lawyer, says the most important thing right now is to make sure this company's plan to use sulfur releases to sell bogus carbon credits doesn't get any traction. And after that, we need a rational discussion about geoengineering. "Who gets to say it's okay to do this, and if it's done, how much is done and where and under what protections and with whom in charge?" asks Parson. "These are unexplored questions."

The upper atmosphere has no regional or national boundaries. What happens in one place affects everything. That's true of many activities now — from cutting down rain forests to activities that risk releasing viruses.

"Move fast and break things" might be a motto that works for startups, but it doesn't inspire confidence when we're talking about our one and only planet.

**BLOOMBERG OPINION**



## World's oceans hottest in 2022

**ANKARA, Turkey:** The world's oceans were at their hottest ever on record in 2022, according to a new study. "The Earth's energy and water cycles have been profoundly altered due to the emission of greenhouse gases by human activities, driving pervasive changes in Earth's climate system," read the report by an international group of scientists published in the *Advances in Atmospheric Sciences* journal.

Warming of oceans has led to "more extreme weather ... and that has tremendous consequences all around the world," said John Abraham, a professor at the University of St. Thomas in the US who was part of the study team.

Using records kept since 1958, the analysis determined that there has been an "inexorable rise in ocean temperature, with an acceleration in warming after 1990," British daily *The Guardian* reported.

As oceans absorb over 90 percent of the excess heat created by greenhouse gas emissions, ocean warming and its effects on extreme weather will increase until humanity approaches net zero emissions, the report said.

The findings build on a World Meteorological Organization report last October, which showed that the atmospheric concentration of the three main greenhouse gases — carbon dioxide, methane and nitrous oxide — all hit record highs in 2021.

The data on the "continuing rise in concentrations of the main heat-trapping gases, including the record acceleration in methane levels, shows that we are heading in the wrong direction," said WMO head Petteri Taalas.

**ANADOLU**



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# No livable planet without the ocean

**T**he ocean is vast, and its beauty and bounty move the soul. The potential of the ocean to be a powerhouse of sustainable business and equitable, resilient, and inclusive prosperity for communities around the world is equally impressive.

There is growing recognition of the ocean's centrality to achieving the global sustainable development agenda in its broadest sense—from food and job security, to tackling the climate crisis; from improving equality and access to clean energies, to boosting health and well-being. Ocean action is increasingly seen as a priority by the communities and leaders we work with: spanning across initiatives to end overfishing, decarbonize shipping, strengthen blue carbon projects, mainstream sustainable coastal tourism, fast-track renewable energy, improve the value chains of food from the ocean, and more.

There can be no healthy planet without an ocean that is resilient, abundant, and thriving. To achieve this, measures to proactively safeguard the ocean also need to be ramped up. There are growing calls—and widening strides—to protect at least 30 percent of the ocean by 2030. This approach, known as “30 by 30” or 30x30, is a win-win for planet and people (a well-protected ocean being much better able to provide food and jobs, and buffer us against the worst effects of the climate crisis).

Parties to the UN Convention on Biological Diversity (COP15) meeting in December 2022 in Montreal agreed on a landmark deal to do this, and we strongly urge countries, companies, and communities to take bold and concrete steps to translate ambition and commitment to tangible and meaningful action and impact immediately.

The benefits of a healthy ocean are threatened by the mounting pressures and

## COMMENTARY

GIM HUAY NEO AND KRISTIAN TELEKI

unsustainable practices it is facing across sectors and geographies. While data, science, community knowledge, and ambitious public policies provide the foundations and frameworks for speed, scale, and lasting impact, the private sector can play a massive role in driving and catalyzing the changes that are needed to rebuild and regenerate an ailing ocean.

It is estimated that, were the ocean a country, it would be the seventh largest in the world by GDP equivalence for what it contributes to the global economy. In addition, the World Economic Forum's (WEF) “New Nature Economy Report II: The Future of Nature and Business” estimated in 2020 that maintaining a healthy and productive ocean can create upwards of \$170 billion in business opportunities every year, and 14 million extra jobs by 2030.

In November 2022 in Bali, on the occasion of the Group of 20 (G20) Leaders' Summit, the government of Indonesia, working with the WEF, launched the Ocean 20—a new agenda for sustainable growth through the development of a blue economy across the G20. It is deeply inspiring and encouraging to witness the conviction and commitment of leaders who participated in the launch from across both public and private sectors.

The baton has been passed to the government of India, holder of the current G20 presidency, to take this agenda forward. The WEF is also convening the Ocean 100 Dialogues—a collaborative science-business platform that enables the largest businesses across the ocean economy to

deliver transformative and trail-blazing cross-industry action to accelerate sustainable ocean stewardship.

Initiatives such as Ocean 20 engender real and tangible hope, underpinned by resolve and conviction, that progress is being made for ocean health, with all stakeholders on board. The ocean is not just integral to a healthy planet—it can be a positive impact multiplier in countless ways.

From corporations across the ocean economy and around the world, we need to see business leaders adopt the regeneration of ocean health as a strategic priority—and integrate it as part of a robust climate action strategy. This might touch on concrete commitments, such as pledging to reach net zero, choosing cleaner and greener business practices, preventing pollution, and actively engaging as stewards of the ocean in their respective fields.

The 1000 Ocean Startups, a coalition now hosted by the WEF, has made excellent strides to accelerate ocean impact innovation.

We need to pursue pathways that combine planet, people, and prosperity, and finance the \$174.5 billion needed per year to achieve the Sustainable Development Goal for the ocean, SDG14, by 2030.

It is time to put ocean sustainability on the priority agenda of global business leaders. Only with a healthy ocean can we create intergenerational wealth for people and planet. *The Jakarta Post/Asia News Network*

Gim Huay Neo is managing director of the Centre for Nature and Climate, WEF, where Kristian Teleki is portfolio head. This article is part of the WEF's Annual Meeting 2023.

The Philippine Daily Inquirer is a member of the Asia News Network, an alliance of 22 media titles in the region.



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# Editorial

## Drawing a roadmap for climate resilience

**L**AST Wednesday, President Ferdinand Marcos Jr. visited a group of villagers in Misamis Oriental who were forced out of their homes by flooding induced by days of relentless monsoon rains.

The President noted that the floods had caught everyone by surprise. They came at the tail end of the rainy season, when the monsoon tapers off into smatterings of scattered showers and thunderstorms.

Last year was different. An extended La Niña caused a shift in weather patterns, resulting in torrential rainfall that lasted for as long as seven days in some parts of the country. All this happened despite the absence of a severe storm or typhoon.

Weather forecasters familiarized us with a previously obscure term: shear line. It describes a narrow atmospheric zone where wind velocity increases dramatically as cold and warm air converge. The result is almost nonstop rains and heavy flooding.

Floodwaters prompted the evacuation of more than 56,000 people, and close to 60 were reported killed. At least 22 cities and towns declared a state of calamity as local governments were overwhelmed by the number of evacuees to be fed and sheltered.

Damage to crops and infrastructure is expected to match the losses from a strong typhoon.

But bigger challenges lie ahead, President Marcos realized during Wednesday's briefing in Misamis Oriental. New communities have to be built for the evacuees who need to be relocated. Roads, bridges and other public works structures have to be repaired or replaced. Seeds and financial aid must be distributed to flood-stricken farmers to get them back on their feet.

But perhaps the biggest challenge is seeing to it that the government stays on the path toward climate resilience.

The world is in a climate crisis. Spells of extreme heat, flooding and drought have not only intensified but are becoming more frequent.

Climate resilience has been aptly described by the Union of Concerned Scientists as "successfully coping with and managing the impacts of climate change while preventing those impacts from growing worse."

The only way to achieve climate resilience, according to the group, is to "cut the heat-trapping emissions that drive climate change while adapting to the changes that are unavoidable — and do so in ways that make the world more equitable and just, not less."

## Mitigation and adaptation

Climate resilience involves a two-pronged approach: Mitigation and adaptation.

Mitigation calls for "shutting down coal and gas plants, shifting to renewable energy sources, using energy more efficiently, using less oil for transportation, ramping up use of public transportation and electric vehicles, and using land in ways that removes carbon from the atmosphere."

Adaptation is protecting "against the threats already here and preparing for more change to come" by, among other things, upgrading the electric grid to make it stand up to extreme weather and building better housing and infrastructure in areas vulnerable to flooding or sea level rise.

"Only by pursuing mitigation and adaptation in tandem can we achieve and sustain climate resilience," the Union of Concerned Scientists believes.

For the group, building climate resilience "should be a core ambition of climate activists and policymakers."

It is an ambition that the Philippines, to its credit, has taken to heart. In 2012, Republic Act 10174 was passed, creating the People's Survival Fund to help local governments and community organizations implement climate change adaptation projects.

In 2021, the government submitted to the United Nations Framework Convention on Climate Change Secretariat the country's first nationally determined contribution, a commitment to reduce greenhouse gas emissions.

At the 26th Conference of the Parties, the Philippines affirmed its call for climate justice, pushing the world's biggest economies to channel financial and technical support to the climate initiatives of developing nations.

The government also reconstituted the National Panel of Technical Experts of Climate Change Commission (CCC) and focused its thrust on making recommendations for implementing local climate adaptation and mitigation measures.

Carlos Dominguez 3rd, the finance secretary and CCC chairman designate at that time, highlighted the urgency for action, noting that climate change "is a battle we cannot afford to lose."

It is incumbent on the Marcos administration to carry on that battle.



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## Parameters for exploration of oil, other resources made clearer by SC verdict

**T**he decision of the Supreme Court to void the 2005 Tripartite Agreement for Joint Marine Seismic Undertaking (JMSU) among China National Offshore Oil Corporation (CNOOC), Vietnam Oil and Gas Corporation (PETROVIETNAM), and the Philippine National Oil Company (PNOC) is a welcome development.

The high tribunal ruled the JMSU unconstitutional "for allowing wholly-owned foreign corporations to participate in the exploration of the country's natural resources without observing the safeguards provided for in Section 2, Article XII of the 1987 Constitution." The particular section mandates that "the exploration, development, and utilization of natural resources shall be under the full control and supervision of the State."

The decision comes at a time when the country, which relies heavily on imported fuel, is looking into exploring alternative sources of energy to cushion the impact of supply shocks. And among those being eyed as sources of alternative fuel are possible oil and gas deposits in the vast West Philippine Sea.

With the Supreme Court decision, the parameters set by the 1987 Constitution have become clearer. Any move to explore, develop, and utilize the country's natural resources—whether at the West Philippine Sea or any area under the country's jurisdiction—will now be guided by the Constitution and the High Court's ruling on the JMSU.

The verdict stemmed from the petition filed in 2008 by then Bayan Muna Party-List Reps. Neri Colmenares, Satur C. Ocampo and Teodoro A. Casino, challenging the JMSU. They asserted that the tripartite agreement "was illegal as it allowed foreign corporations wholly-owned by China and Vietnam to undertake large scale exploration of the country's

petroleum resources, in violation of the constitutional provision which reserves the exploration, development, and utilization of natural resources to Filipino citizens, or corporations or associations at least 60 percent of whose capital is owned by such citizens."

Responding to the petition, the government then argued that Section 2, Article XII of the Constitution is not applicable to the JMSU as the provision deals with "exploration, development, and utilization" of natural resources. It explained that the JMSU only covers pre-exploration activities.

But the Supreme Court was unconvinced by the government's assertion. In resolving the issue, the High Tribunal ruled that the JMSU "involves the exploration of the country's natural resources, particularly petroleum."

The SC said, "it is clear that the JMSU was executed for the purpose of determining if petroleum exists in the Agreement Area." It cited the "fifth whereas" clause of the JMSU, which states that the "Parties expressed desire to engage in a joint research of petroleum resource potential of a certain area of the South China Sea as a pre-exploration activity."

"That the Parties designated the joint research as a 'pre-exploration activity' is of no moment. Such designation does not detract from the fact that the intent and aim of the agreement is to discover petroleum which is tantamount to exploration," the Supreme Court said in a decision written by Associate Justice Samuel H. Gaerlan.

With the verdict, wholly-owned foreign entities cannot explore, develop, and utilize the country's natural resources. It is reserved for Filipinos or entities 60 percent-owned by the country's citizens.



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AND  
INITIATIVES  
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THE EXPONENT OF PHILIPPINE PROGRESS  
SINCE 1900  
**MANILA BULLETIN**  
THE NATION'S LEADING NEWSPAPER

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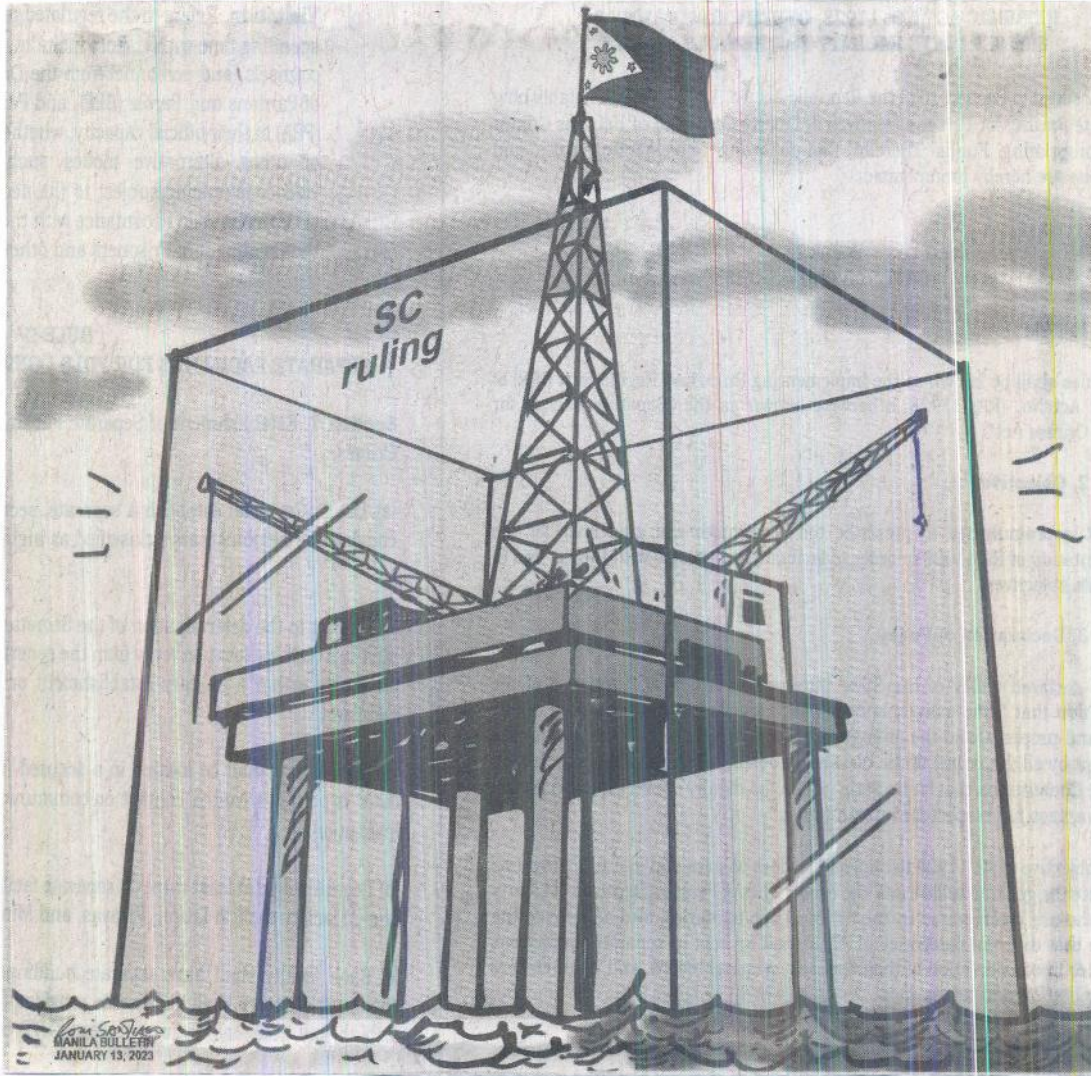
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## EDITORIAL

### Parameters for exploration of oil, other resources made clearer by SC verdict

The decision of the Supreme Court to void the 2005 Tripartite Agreement for Joint Marine Seismic Undertaking (JMSU) among China National Offshore Oil Corporation (CNOOC), Vietnam Oil and Gas Corporation (PETROVIETNAM), and the Philippine National Oil Company (PNOC) is a welcome development.

The high tribunal ruled the JMSU unconstitutional "for allowing wholly-owned foreign corporations to participate in the exploration of the country's natural resources without observing the safeguards provided for in Section 2, Article XII of the 1987 Constitution." The particular section mandates that "the exploration, development, and utilization of natural resources shall be under the full control and supervision of the State."

The decision comes at a time when the country, which relies heavily on imported fuel, is looking into exploring alternative sources of energy to cushion the impact of supply shocks. And among those being eyed as sources of alternative fuel are possible oil and gas deposits in the vast West Philippine Sea.

With the Supreme Court decision, the parameters set by the 1987 Constitution have become clearer. Any move to explore, develop, and utilize the country's natural resources—whether at the West Philippine Sea or any area under the country's jurisdiction—will now be guided by the Constitution and the High Court's ruling on the JMSU.

The verdict stemmed from the petition filed in 2008 by then Bayan Muna Party-List Reps. Neri Colmenares, Satur C. Ocampo and Teodoro A. Casino, challenging the JSMU. They asserted that the tripartite agreement "was illegal as it allowed foreign corporations wholly-owned by China and Vietnam to undertake largescale exploration of the country's petroleum resources,

in violation of the constitutional provision which reserves the exploration, development, and utilization of natural resources to Filipino citizens, or corporations or associations at least 60 percent of whose capital is owned by such citizens."

Responding to the petition, the government then argued that Section 2, Article XII of the Constitution is not applicable to the JMSU as the provision deals with "exploration, development, and utilization" of natural resources. It explained that the JMSU only covers pre-exploration activities.

But the Supreme Court was unconvinced by the government's assertion. In resolving the issue, the High Tribunal ruled that the JMSU "involves the exploration of the country's natural resources, particularly petroleum."

The SC said, "it is clear that the JMSU was executed for the purpose of determining if petroleum exists in the Agreement Area." It cited the "fifth whereas" clause of the JMSU, which states that the "Parties expressed desire to engage in a joint research of petroleum resource potential of a certain area of the South China Sea as a pre-exploration activity."

"That the Parties designated the joint research as a 'pre-exploration activity' is of no moment. Such designation does not detract from the fact that the intent and aim of the agreement is to discover petroleum which is tantamount to exploration," the Supreme Court said in a decision written by Associate Justice Samuel H. Gaerlan.

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DESPITE SC RULING VOIDING 2005 AGREEMENT

## PH, CHINA STILL OPEN TO JOINT OIL AND GAS EXPLORATION

By Jacob Lazaro  
@INQjacobreports

Joint oil and gas exploration in the South China Sea between the Philippines and China remains a possibility even after the Supreme Court declared as unconstitutional the 2005 Joint Marine Seismic Undertaking (JMSU).

Department of Foreign Affairs (DFA) spokesperson Tessie Daza told reporters on Thursday that the DFA was "duty-bound" to take into consideration "applicable cases" decided by the high tribunal such as the recent ruling for future discussions in oil and gas cooperation.

"It is, however, premature to discuss the case's legal implications on any future agreement with China, as substantive discussions have yet to commence," Daza said. "We are still in the process of setting the parameters that will guide any future oil and gas talks."

Her Chinese counterpart, Wang Wenbin, echoed a similar sentiment, noting that during President Marcos' meeting with Chinese President Xi Jinping during a state visit, both agreed to resume discussions on oil and gas development at an early date "with a view of benefiting the two countries and their peoples."

In a statement released by the Chinese Embassy, the Chinese foreign ministry spokesperson said that both leaders had referred to the Memorandum of Understanding on Oil and Gas Development signed in 2018 between their governments, adding that upcoming discussions would be "building upon the outcomes of the previous talks."

Former President Rodrigo Duterte terminated the talks with the Chinese government in June due to constitutional restraints and sovereignty issues.

On Jan. 11, the Supreme Court declared as void the JMSU which allowed China and Vietnam to conduct a joint exploration with the Philippines for oil resources in areas under the country's jurisdiction in the West Philippine Sea. According to the high court, the deal was unconstitutional for allowing wholly owned foreign companies to take part in exploring the country's resources.

The case was based on a petition filed in 2008 by Ben Muna Representatives Sir Ocampo, Teodoro Casiño and five other lawmakers who asked the court to void the tripartite agreement among China National Offshore Oil Corp., Vietnam Oil and Gas Corp. and the Philippine National Oil Co. (PNOC).



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## China to explore more options for joint oil exploration with PH

By JOSEPH PEDRAJAS

China has reiterated its commitment to explore ways to conduct joint maritime exploration with the Philippines despite the Supreme Court ruling that declared unconstitutional the 2005 joint oil exploration agreement among companies from China, the Philippines, and Vietnam.

"China remains committed to properly handle maritime disputes in the South China Sea with countries directly concerned, including the Philippines, through dialogue and consultation, and to actively explore ways for practical maritime cooperation including joint exploration," China's Ministry of Foreign Affairs spokesman Wang Wenbin said in a press conference on Wednesday, Jan. 11.

Wang also recalled President Marcos' recent state visit to

China, where he talked about the 2018 Memorandum of Understanding on Cooperation on Oil and Gas Development with Chinese President Xi Jinping.

The two leaders also talked

about the resumption of oil and gas development "at an early date, building upon the outcomes of the previous talks, with a view of benefiting the two countries and their peoples," he added.

Wang said the Tripartite Agreement for Joint Marine Seismic Undertaking (JMSU) in the Agreement Area in the South China Sea in 2005 among the three Asian countries, which the Supreme Court voided "was an important step by the three countries to implement" the Declaration of Conduct.

Wang added the pact is "a useful experiment for maritime cooperation between parties to the South China Sea."

"It played an important role in promoting stability, cooperation and development in the region," he also said.

### Joint exploration deal opposed

Meanwhile, the Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas (Pamalakaya) said the Supreme Court (SC) ruling against the JMSU gave the country more reason not to pursue joint oil and gas exploration with China.

In a statement, Pamalakaya chairman Fernando Hicap welcomed the SC ruling as he urged President Marcos to assert the country's sovereign rights.

"Ikinalulugod namin ang desisyon ng

Korte Suprema na idinideklarang labag sa konstitusyon ang JMSU. Ipinapakita nitong walang legal na batayan ang anumang kasunduan na nagpapahintulot sa anumang bansa na galugarin, gamitin, at higit sa lahat ay abusuhin ang ating likas-yaman (We welcome the Supreme Court ruling declaring JMSU unconstitutional. This invalidates the legality of any joint agreement that allows other countries to explore, utilize, and more so plunder our natural resources)," he said.

The fishers' group said the decision will strengthen their call against any effort to revive the negotiations for the Philippines and China's joint oil and gas exploration.

"Dapat tumalima at kilalanin ng administrasyong Marcos ang desisyong ito sa pamamagitan ng aktibong paggiit ng ating soberanya laban sa agresyon ng China (The Marcos administration should adhere and recognize this ruling by way of actively asserting our sovereign rights against China's aggression)," the official stressed.

Pamalakaya had earlier labeled the planned Philippines and China joint oil and gas exploration in the West Philippine Sea

as a "risky undertaking," saying it is "simply enraging to think that Marcos can comprehend entering a joint venture with a country that illegally occupies and plunders our territorial waters."

At the moment, Hicap noted, the country has "two strong legal bases to assert our territory"—the International Tribunal on the Law of the Sea that recognizes our exclusive economic zone in the West Philippine Sea and the SC decision declaring the unconstitutionality of the JMSU.

"Wala nang dahilan ang administrasyong Marcos para hindi aktibong itaguyod ang ating pambansang soberanya (The Marcos administration has no reason not to actively uphold our national sovereignty)," he said.

During his visit in China, Marcos disclosed that the Philippine side asked for sovereign rights in the potential joint exploration.

But the progressive group said "nothing favorable to the Philippines" would come out from the joint exploration. (With a report from Jel E. Santos)



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## UAE oil company chief to lead talks on climate change

DUBAI—The head of the United Arab Emirates' national oil company was named Thursday as president of this year's COP28 climate talks, prompting fierce criticism from environmental activists.

Sultan Ahmed al-Jaber, who heads up the UAE's Abu Dhabi National Oil Company (ADNOC), will be the first CEO to take the role at the UN summit, said a statement carried by the official WAM news agency.

"We will bring a pragmatic, realistic and solutions-oriented approach that delivers transformative progress for climate and for low carbon economic growth," Jaber said in the statement.

"I sincerely believe that climate action today is an immense economic opportunity for investment in sustainable growth," he added.

Environmental activists were quick to react, warning that the involvement of a major figure from the oil industry could slow progress in the fight against global warming.

Jaber's appointment "poses an outrageous conflict of interest," said Harjeet Singh, head of global political strategy at Climate Action Network International.

"The ongoing menace of fossil fuel lobbyists at the UN climate talks has consistently weakened outcomes of the climate conference but this takes it to another dangerous and unprecedented level."

COP27, held in Egypt in November, concluded with the adoption of a hotly contested text on aid to poor countries affected by climate change but failed to set new ambitions for lowering greenhouse gas emissions.

The UAE's hosting of this year's edition in Dubai in November and December, has provoked concern from activists urging a shift away from oil, which produces greenhouse gases.

The UAE, one of the world's biggest crude producers, argues that oil remains indispensable to the global economy and is pushing the merits of carbon capture -- removing carbon dioxide, the main greenhouse gas, as fuel is burned or from the air. **AFP**



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Republic of the Philippines  
Department of Environment and Natural Resources  
**NATIONAL WATER RESOURCES BOARD**  
8th Floor, NIA Bldg., EDSA, Quezon City, Philippines 1106

**PRIMEWATER INFRASTRUCTURE CORP.**  
Applicant

Case No. 22-3497

**NOTICE OF HEARING**

This is an application for Certificate of Public Convenience to operate and maintain a waterworks system within the municipality of Balungao, province of Pangasinan, with the following proposed rates:

**PROPOSED TARIFF**

**Residential and Institutional**

Pipe Size	0-5 m3 (min)	6-10 m3	11-20 m3	21-30 m3	31-40 m3	Over 40 m3
½"	P 198.00	40.00	41.10	42.60	44.40	46.20
¾"	P 317.00	63.90	65.70	68.10	71.00	73.90
1"	P 634.00	127.90	131.50	136.20	142.10	147.80
1 ½"	P 1,585.00	319.70	328.70	340.60	355.20	369.40

**Residential and Commercial**

Pipe Size	0-5 m3 (min)	6-10 m3	11-20 m3	21-30 m3	31-40 m3	Over 40m3
½"	P 198.00	40.00	41.10	42.60	44.40	46.20
¾"	P 317.00	63.90	65.70	68.10	71.00	73.90
1"	P 634.00	127.90	131.50	136.20	142.10	147.80

**Commercial and Industrial**

Pipe Size	0-15 m3 (min.)	16-30 m3	31-500 m3	501-1000 m3	Over 1000 m3
½"	P 771.00	53.30	57.70	63.00	63.00
¾"	P 1,234.50	85.30	92.30	100.70	100.70
1"	P 2,469.00	170.60	184.50	201.50	201.50
1 ½"	P 6,172.50	426.40	461.30	503.70	503.70
2"	P 15,432.00	1,086.10	1,153.20	1,259.20	1,259.20
3"	P 27,778.50	1,919.00	2,075.70	2,266.60	2,266.60
4"	P 55,557.00	3,837.90	4,151.40	4,533.20	4,533.20

**Bulk**

Pipe Size	Per cu.m.	Pipe Size	Per cu.m.
1"	P253.80	¾"	P 126.80

**Others**

This application will be initially heard by the Board on **30 January 2023**. The hearing will start at **9:00 o'clock in the morning** at the NWRB-WUD Conference Room, 8th Floor, NIA Building, EDSA, Quezon City, at which time applicant shall present its evidence.

**At least fifteen (15) days prior to the scheduled hearing**, applicant shall publish this notice once in a newspaper of general circulation in the province of **Pangasinan** and serve by personal delivery or registered mail a copy of the (i) application and its attachments, and (ii) this notice, to all affected parties appearing on page 2 hereof.

Parties opposed to the granting of the application must file their written opposition supported by documentary evidence on or before the above scheduled date of hearing, furnishing a copy of the same to the applicant.

Failure on the part of any person affected to file its opposition on time and to appear at the hearing will be construed as a waiver of their right to be heard. The Board will proceed to hear and decide the application based on the evidence submitted.

Likewise, failure by the applicant to appear at the hearing shall amount to lack of interest on its part and the instant application shall be dismissed accordingly.

Witness the Honorable Executive Director of the National Water Resources Board this 25<sup>th</sup> day of November 2022.

By Authority of the Board:

  
**Dr. SEVILLO D. DAVID, Jr., CESO III**  
Executive Director

**Affected Parties:**

The Secretary  
Sangguniang Bayan  
Balungao, Pangasinan

The Barangay Chairmen  
All the affected Barangays w/in  
Balungao, Pangasinan

The General Manager  
Balungao Water District  
Poblacion, Balungao,  
Pangasinan 2442