

17 August 2023 Thursday



DENR

NEWS ALERTS

NEWS CLIPPINGS

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



08-17-23

TITLE :

PAGE

DATE

DENR eyes P24-B budget for 2024

THE Department of Environment and Natural Resources (DENR) is proposing a total budget of P24,571,827,000 for 2024 on top of the P1.1 billion automatic appropriations for the agency under the National Expenditure Program (NEP) prepared by the Department of Budget and Management (DBM).

The proposed budget of the DENR for 2024 is almost the same level of budget it got this year at P24 billion.

In her budget presentation during the hearing of the committee on appropriations of the House of Representatives on Wednesday, DENR Secretary Maria Antonia Yulo-Loyzaga said proposed environmental financing is directed towards addressing the complex policy area composed of several subsectors, including forest, biodiversity, coastal and marine resource, minerals, lands, air, and water.

"The proposed budget incorporates a geo-spatial approach in identifying accounting and valuing our natural resource and the strategic planning required to de-risk development decisions," she said.

Further, she said the proposed investment in environmental and climate resilient ecosystems supports the nexus governance needed to deliver multiple social, economic, and environmental benefits from a single action that requires decision support systems that consider cascading risk across time horizons and the need for circularity in resource management.

Of the P24.57 billion, almost half, or P11.27 billion is allotted for maintenance and other operating expenses (MOOE), P9 billion for personnel expenses, and P3.3 billion for capital outlay.

The Office of the Secretary, which includes the Central Office, 4 staff bureaus, 16 Regional offices, 76 Provincial Environment and Natural Resource Offices (PENROs), and 146 Community Environment and Natural Resource Offices (CENROs), will have the lion's share P18.6 billion. The other offices are the Environmental Management Bureau (EMB) which will receive P2.5 billion, Mines and Geosciences Bureau (MGB), P1.47 billion, NAMRIA, P1.6 billion, National Water Resources Board (NWRB) P210 million, and the Palawan Council for Sustainable Development (PCSD), P94 million.

Yulo-Loyzaga said the proposed budget of the DENR is aligned with the Philippine Development Plan 2023-2028.

For the forestry sector, which includes targets to increase forest cover, employment generated from resource-based enterprises, and establishment of livable communities, the proposed budget is P2.49 billion.

To recall, from 2010 to 2020, the DENR chief reported in a video presentation played during the hearing that the country's forest cover increased by 5.65 percent, through the implementation of the National Greening Program (NGP).

Under the NGP, over 2.2 million hectares of plantation forests were established,

employing more than 889,895 individuals and generating jobs of 6,142,396.

For 2024, the proposed budget is allocated for forest development, rehabilitation, maintenance, and protection for the NGP. The target is to develop 31,992 hectares of new forest plantation, production of 19 million seedlings, maintain and protect 95,406 hectares of NGP sites, and assessment of 42,265 hectares of graduated NGP sites.

For soil conservation and water management, including river basin management, the proposed budget is P370 million.

This will be used for the preparation of 27 Integrated Watershed Management Plans and the construction of water-impounding facilities.

For the operation of the River Basin Control Office (RBCO), the proposed budget is P68 million, which includes targets of updating and implementing 3 Integrated River Basin Management and Development Masterplan; Strengthening 15 river basin offices and river basin governance; and populating, maintain and update 3 river basin integrated information management systems.

For the natural resource management agreement/agreement and permit issuance for forest protection for 2024, the targets include the conduct of patrol over 81,048 kilometers and the hiring of 1,660 forest protection officers. The proposed budget is P952 million.

To combat illegal logging through the operationalization of 43 regional anti-illegal-logging task forces, the proposed budget is P109 million.

For the biodiversity sector, to increase green spaces, expand marine protected areas, and for the effective management of inland wetlands, and caves and establishment of biodiversity-friendly enterprises, the proposed budget is P 1 billion. The targets are the conduct of 9 protected area suitability assessment, monitoring of 2,063 monuments and signages in 21 legislated Protected Areas, a survey of 29 barangays in 9 Pas for survey and registration of PA occupants, assess and classify 55 caves outside Pas and profile of 21 inland wetland.

For the DENR's urban biodiversity program which is being implemented in 5 major cities, the targets are to monitor and protect 17 priority species, establish 4 critical habitats for threatened species in varying stages of implementation, mobilize 218 wildlife traffic monitoring units covering 36 airports and 131 seaports, and train 725 volunteers as wildlife enforcement officers. The proposed budget is P86.3 million.

The proposed budget for coastal and marine resource management is P216.6 million, the target of which includes establishing 6 marine protected area networks and strengthening the existing 17 MPA networks. It will also fund activities to monitor 90,244 has of coastal and marine habitats, and water quality in 35 MPAs in partnership with people's organizations. **Jonathan L. Mayuga**



STRATEGIC
COMMUNICATION
AND
INITIATIVES
SERVICE

BusinessMirror

A broader look at today's business



PAGE



UPPER
LOWER



PAGE 1
STORY



BANNER
STORY



EDITORIAL



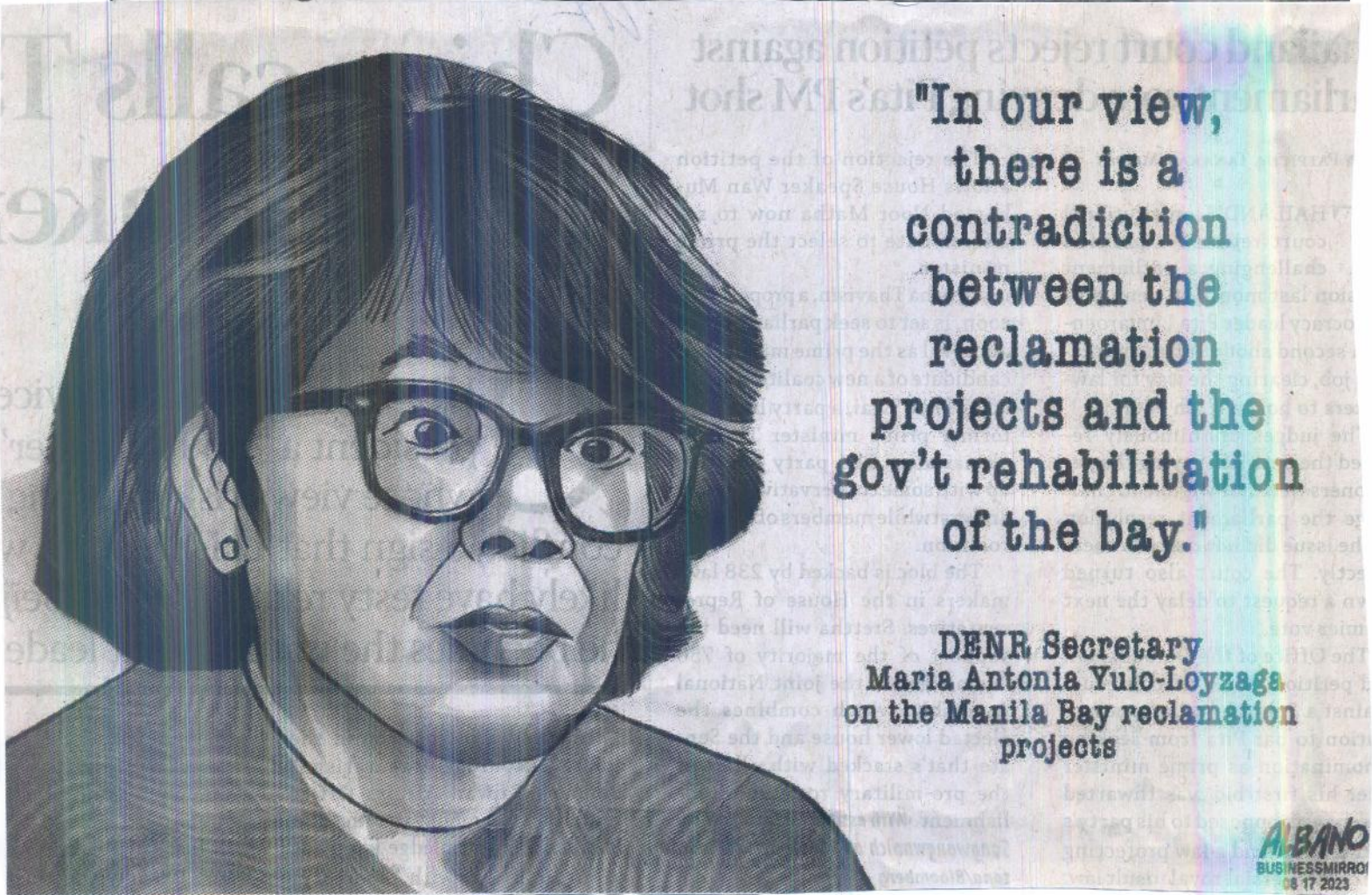
CARTOON

08-17-23

TITLE:

PAGE

DATE



**"In our view,
there is a
contradiction
between the
reclamation
projects and the
gov't rehabilitation
of the bay."**

**DENR Secretary
Maria Antonia Yulo-Loyzaga
on the Manila Bay reclamation
projects**

ALBANO
BUSINESSMIRROR
08 17 2023



Reclamation projects contradict Manila Bay rehab - DENR

Reclamation projects in Manila Bay are contradicting efforts to rehabilitate the area, according to the Department of Environment and Natural Resources (DENR).

"If there were misdeeds, if there were any kind of infraction in terms of the rules, we will certainly be able to look into possible sanctions," Environment Secretary Maria Antonia Yulo-Loyzaga said yesterday during House deliberations on the DENR's proposed P24.57-billion 2024 budget.

President Marcos' decision to suspend 22 reclamation

projects will give way to a Community Impact Assessment that will "mitigate the possible impacts of the changes in the environment that the reclamation may actually cause," according to Loyzaga.

The impact assessment will be conducted by a team of physical and chemical oceanographers, marine biologists, geologists, climate scientists and social scientists.

Companies conducting dredging activities in Manila Bay despite Marcos' earlier directive to suspend reclamation projects should be issued

Turn to Page 3

Reclamation From Page 1

a cease and desist order, environmental groups urged the DENR.

Oceana Philippines vice president Gloria Estenzo Ramos said the conflicting data on reclamation projects from the DENR and Philippine Reclamation Authority (PRA) proves a lack of coordination among agencies involved.

The DENR, contrary to PRA's report of 13 approved reclamation projects, said

that 15 reclamation projects in the National Capital Region have been impacted by Marcos' suspension directive.

"It shows lack of coordination among agencies from the start of the process. It is so sad that the impact is in the health of our environment and livelihood of our people," Ramos noted.

Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas national chairman

Fernando Hicap said there are vessels still dredging off the shores of Rosario, Noveleta, Tanza and Naic in Cavite.

"The DENR has the power to issue cease and desist orders... Even the Bureau of Fisheries and Aquatic Resources can issue cease and desist orders if these companies are involved in illegal and prohibited practices," Hicap noted.

The United States embassy in Manila earlier expressed concern that China Communications Construction Co., involved in the reclamation projects, was blacklisted in the

US due to its role in helping the Chinese military construct and militarize artificial islands in the South China Sea.

Data from the DENR showed there are 15 reclamation projects in NCR and seven in Region 4-A.

Marcos had ordered the suspension of 22 reclamation projects pending review of their compliance with environmental regulations and their impact.

The projects were approved by the previous Duterte administration. - Sheila Crisostomo, Bella Cariaso



08-17-23

TITLE: _____

PAGE _____

DATE _____

The insane reclamation projects in Manila Bay

Fifteen years ago, the Supreme Court (SC) directed our government to remove all sources of pollution in Manila Bay. And what does the government do? It instead allows mongous factories of pollution to permanently set up shop in the heart of Manila Bay. What a big slap on the face of our highest court and a kick in the groin of our country.

These factories of pollution are the immensely numerous reclamation projects that are either already ongoing implementation or are in various stages of approval. Sources don't agree on their total number—22 per the Department of Environment and Natural Resources (DENR), 25 according to the Philippine Reclamation Authority, and not less than 30 according to the fishermen's group, the Pamansang Lakas ng Kilusang Mamamalakaya ng Lipinas (Pamalalakaya). Their combined area is more than 4,000 hectares, and they're scattered from Bulacan to Cavite, but many are concentrated in the heart of Manila Bay.

The SC decision rendered in 2008 and which garnered world-acclaim for the Philippines in the field of environmental protection in the case of Metropolitan Manila Development Authority et al. v. Concerned Residents of Manila Bay. In this trailblazing case, the high court ordered 13 government agencies to clean up, rehabilitate, and preserve Manila Bay, and to restore its waters to a quality "fit for swimming, skin diving, and other forms of contact recreation." The SC order is "continuing mandamus" (continuing command) which set time-bound and specific responsibilities for the 13 government agencies, and utility companies, to attain the objective of cleaning up Manila Bay.

The high court designated the DENR as the primary government agency responsible for the implementation of the decision. But what does the DENR do? It has so far granted 21 of the reclamation projects with environmental clearance to proceed, according



FLEA MARKET OF IDEAS

JOEL RUIZ BUTUYAN

to Pamalakaya. To be fair to current DENR Secretary Maria Antonia Yulo-Loyzaga, these projects may have been approved during the Duterte administration. To be fair as well to President Marcos, he ordered 22 of the projects to stop, although temporarily. But the President has succumbed to political considerations because he has allowed one project to be exempt from his stoppage order, and he is even afraid to make the untouchable project to be named in public.

In 2011, I led a team of CenterLaw lawyers in filing an environmental case before the SC involving our country's crown jewel—the world-famous Boracay island. Aklan province came up with the ridiculous idea of building 40-ha of reclamation project on both Boracay island and Caticlan, Malay municipality, Aklan province. The project would have narrowed the channel between Boracay and mainland Aklan, and could have led to the loss of the famous white sands of Boracay. Scientists found that the white sands alternately shift locations on the front and back sides of the island annually because of the channel's natural currents. Changing the contours and width of the channel could lead to the permanent loss of the powdery white sands. After oral arguments where I crossed

swords with the then solicitor general, the SC rendered a decision stopping the reclamation because of multiple violations of environmental laws.

In the case of Manila Bay, the SC ordered the government to "rehabilitate and preserve" the bay, but it is instead allowing the bay to further deteriorate and suffer more destruction, with an outrageous number of reclamation projects. The high court ordered our government to "clean up" the bay and make its waters "fit for swimming." Instead, the government is allowing giant sources of pollution on the bay, which all the reclamation projects truly are. No matter what flowery words the proponents make, the reclamation projects make Manila Bay ugly, and they're meant exclusively to make the rich super rich, but will never benefit the poor, directly or indirectly.

It also appears that each project was assessed on their environmental impact as stand-alone obstructions on the bay. If this is so, it's an outright abdication of duty on the part of the DENR. All the 20-30 reclamation projects must be lumped together and their combined impact on the environment should have been examined.

As it is, so many Bulacan towns are experiencing unprecedented flooding, and people are pointing fingers at just one of the reclamation projects as the culprit. There are 17 principal river systems that drain into Manila Bay from Pampanga to Cavite, and with hundreds of thousands of tons, if not millions, of gravel and soil that are planned to be dumped on Manila Bay, there seems to be a confidential master plan to transform Metro Manila into the Venice of Asia. I hope the government will make the plan public soon, so I can dash to the nearest dealership and be first in line to buy a boat.

Comments to fleamarketofideas@gmail.com



EDITORIAL

Suspension of reclamation projects

VARIOUS environmental groups had raised grave concern in recent years over the possible adverse impact of reclamation projects on Manila Bay.

Thus, they unanimously hailed the announcement by President Ferdinand Marcos Jr. on August 8 that all except one of the ongoing reclamation projects had been suspended.

"They're all suspended. All reclamation [projects] are under review. Only one proceeded because it has already been reviewed," the President said, apparently referring to the New Manila International Airport being built in Bulakan, Bulacan.

"There are many problems. We saw many [of the projects] are not being conducted properly... Because if they all push through, many rivers will be clogged, including the ones emptying into Manila Bay. The water will have nowhere to go. Even on Roxas Boulevard, the sea will disappear," he explained.

Environmental groups such as the Advocates of Science and Technology for the People (Agham) welcomed the President's pronouncement, calling it "a

“ Environmental groups are now pushing for the government to not only extend the moratorium to all reclamation projects across the country but also permanently stop these projects ”

victory made possible by the collective efforts of various organizations who had tirelessly campaigned against reclamation for years."

Even the US government had raised similar concerns, as their embassy located along the shoreline of Manila Bay faced the threat of flooding.

It also said one of the Chinese construction firms involved in reclamation work in Manila Bay had been blacklisted for taking part in building artificial islands with military fortifications in the South China Sea.

Data from the Philippine Reclamation Authority showed that 22 reclamation

projects in Manila Bay were at various stages of development when the President announced his decision to suspend nearly all reclamation within the vital body of water.

Half of these had been issued permits and are already underway.

Why is Manila Bay important?

It has been identified as a key biodiversity area by the DENR and environmental groups.

Over eight species of shellfish and 50 species of fish can be found deep in the bay's waters.

Among these wide varieties of fish species is *Sardinella pacifica*, a new species discovered in Manila Bay in 2019.

Aside from being identified as a spawning area of sardines, Manila Bay also serves as an important habitat for millions of migratory birds from the northern hemisphere.

Environmental groups are now pushing for the government to not only extend the moratorium to all reclamation projects across the country but also permanently stop these projects as "these put in peril food security, violate our constitutional rights to a healthy, balanced, safe and resilient environment and the rights of artisanal fisherfolk and coastal communities to access their fishing grounds and livelihood."

Will the government listen to their plea? Let's wait and see.



SM stops Manila Bay reclamation work, seeks next steps from gov't

By Jenniffer B. Austria,
Maricel V. Cruz, and Vito Barcelo

PROPERTY giant SM Prime Holdings Inc. (SMPH) has halted work on its 600-hectare reclamation project in Manila Bay following President Ferdi-

nand Marcos Jr's order to suspend all such projects in the area to review their environmental and social impact.

SM Investments Corp. (SMIC) head of investor relations Timothy Daniel said Wednesday in a forum SMPH re-

Next page

SM Investments Corp. (SMIC) head of investor relations Timothy Daniel said Wednesday in a forum SMPH remains committed to the reclamation project but has put its development

on hold to listen to government suggestions and requirements.

Daniels said SMPH has been working on this project for over a decade now and it has secured all the documentation needed for the project.

"From our point of view, we are committed to this reclamation but we are also committed to good governance and to things being done right. So we will announce what is next for this reclamation after the government has studied it and we will listen to what they have to say," Daniels said.

SMPH earlier said it is spending P100 billion for the Manila Bay reclamation project to create a mixed-use community with residential, institutional, and commercial components. The property firm was looking to fund this development from the planned real estate investment trust (REIT) offering initially targeted in the second of 2023.

But Daniels said the REIT offering may also be moved to 2024 because of market conditions.

"We are still planning to do it. But we are not going to commit to doing it before the end of the year," he said.

SMPH earlier said it plans to raise as much as \$1 billion from the REIT offering which will have initial assets of between 12 and 5 shopping malls.

Shares of SMPH on Wednesday rose P0.30 to close at P30.40 per share. A party-list lawmaker, meanwhile, urged the Department of Environment and Natural Resources (DENR) to file charges against individuals responsible for the release of environmental certificates of compliance (ECCs) to companies that are reclaiming parts of Manila Bay.

Kabataan party-list Rep. Raoul Manuel made the suggestion during the deliberations on DENR's proposed budget for 2024.

DENR Secretary Maria Antonia Yulo-Loyzaga, however, said the ECC is not a permit, but a planning tool "that may be changed at any point when a correction needs to be made."

At the same time, Loyzaga said the 22 suspended Manila Bay reclamation projects run contrary to the government's rehabilitation program in the area.

"In our view, there is a contradiction between the reclamation projects and the rehabilitation of the bay," Loyzaga said.

She said a cumulative impact assessment is being conducted to mitigate the possible impact of the changes in the environment that the reclamation may actually cause.

"The intention of the conduct of the cumulative impact assessment is that instead of evaluating each and every project, we will create a situation where all these reclamation will actually occur, and what impact that would bring to the baseline condition of the Manila Bay as we know it," Loyzaga said.

Loyzaga said the DENR was scheduled to meet Wednesday afternoon with the impact assessment team for the Manila Bay reclamation projects.

"We will be meeting with the first batch of scientists invited for the cumulative impact assessment led by Filipinos. We will also tap foreign experts in advisory roles, but the team will be led by Filipino oceanographers, marine biologists, social scientists, and other disciplines," she said.

But Caritas Philippines, the Catholic church's social arm, called on President Ferdinand Marcos Jr to ban land reclamation projects nationwide.

Caritas president Bishop Jose Colin Bagaforo said that the projects "are not in the best interest of the Filipino people."

"We call on President Marcos to issue an executive order banning all reclamation projects, not only in Manila Bay but across the country," Bagaforo said.

"Reclamation projects displace fisherfolk and coastal urban communities, destroy coastal ecosystems, and contribute to food insecurity," he said.

The bishop made the appeal after Marcos ordered an indefinite suspension of at least 22 major land reclamation works in Manila Bay to assess their social and environmental impact.

Instead of relying on reclamation projects, the church official urged the government "to invest in sustainable development that will benefit all Filipinos, not just a few wealthy individuals."



STRATEGIC
COMMUNICATION
AND
INITIATIVES
SERVICE

Manila Standard

PAGE

UPPER
 LOWER

PAGE 1
STORY

BANNER
STORY

EDITORIAL

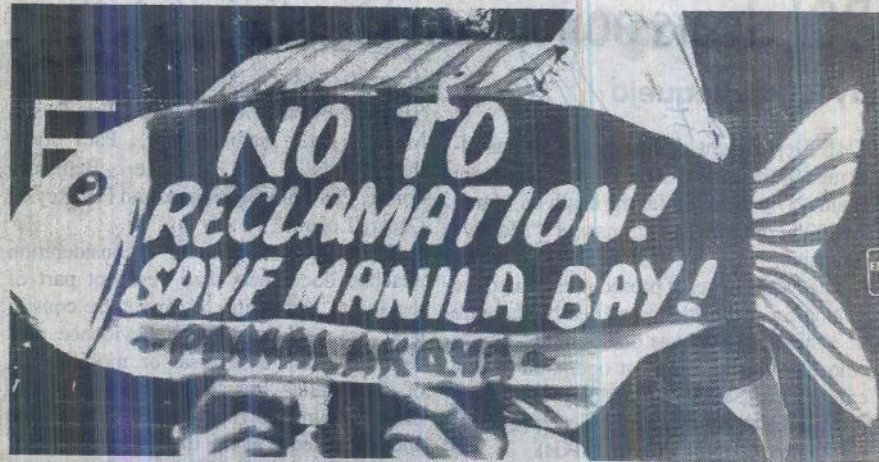
CARTOON

08-17-23

TITLE:

PAGE

DATE



NO TO RECLAMATION. Members of the militant Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas, joined by environmentalist groups led by the Kalikasan People's Network for the Environment, stage a protest rally at the Department of Environment and Natural Resources (DENR) headquarters in Quezon City to demand 'immediate revocation' of environmental permits of reclamation and dredging activities at the Manila Bay. **Manny Palmero**



SC issues kalikasan writ vs Palawan mining

Order directs gov't agencies, mine firms to dispel concerns of extractive activities' harmful impact on Mt. Mantalingahan, which spans 5 southern towns

By Tina G. Santos
@santostinaINQ

The Supreme Court has issued a writ of kalikasan (nature) against government agencies and private firms involved in mining operations on Mt. Mantalingahan in Palawan province, stressing that these pose "serious and irreversible" damage to the environment and communities.

A writ of kalikasan refers to a legal remedy for the protection of one's right to "a balanced and healthful ecology in accord with the rhythm and harmony of nature" under Section 16, Article II of the 1987 Constitution.

In a statement, the high court said that its justices, sitting in full court on Aug. 15, issued a writ of kalikasan against the Department of Environment and Natural Resources (DENR), Mines and Geosciences Bureau (MGB), Ipilan Nickel Corp. (INC) and Celestial Nickel Mining and Exploration Corp. (Celestial Mining).

Protected area

The court also required the agencies and mining firms to file a verified return of the writ within a nonextendible period of 10 days from receipt of the order.

The case stemmed from the petition filed by the Indigenous Cultural Communities (ICCs) of Bicamm Ancestral Domain in Brooke's Point.

The high court said it found the mining operations by INC and Celestial Mining "may cause irreparable environmental damage" to the Mt. Mantalingahan protected area and the ancestral domain of Palawan communities.

The government declared

PALAWAN

Mt. Mantalingahan a protected area in 2009 and it has been on the United Nations Educational, Scientific and Cultural Organization's tentative list of World Heritage Sites since 2015.

The Mt. Mantalingahan protected zone covers sections of the towns of Brooke's Point, Quezon, Rizal, Sofronio Española and Bataraza.

"[T]he continued mining operations and excavation of nickel minerals lead to environmental damage in the mountain ranges, as exhibited by extreme flooding and contamination of fishing areas, which continually prejudice the life, health and property of the residents," the high court said.

Inaction

Due to this, it required the two mining firms to provide evidence to dispel concerns regarding the potentially harmful impact of the project on the environment.

"The same applies to the DENR and MGB, whose inaction over the strong pleas of the residents of Brooke's Point

shows their indifference to the rights of the ICCs to a balanced and healthful ecology," the court added.

According to the high court, in 1993, the government and Celestial Mining entered into a mineral production and sharing agreement (MPSA) covering 2,835.06 hectares of land located in Brooke's Point, with INC as the designated mining operator.

ECC, permits

The MPSA, which originally had a term of 25 years, covered areas within the National Integrated Protected Areas System, specifically the area within the Mt. Mantalingahan mountain range.

In their petition, the ICCs said the MPSA contract area overlaps a protected area not open to mining operations and that the agreement was illegally extended to 2025.

The Supreme Court said that the two mining firms continued with their operations despite being notified by the DENR that their environmen-

tal compliance certificate (ECC) had expired in October 2015.

In 2018, the court said INC also failed to secure a certificate of a precondition from the National Commission on Indigenous Peoples (NCIP) for the renewal of the MPSA.

Cease-and-desist order

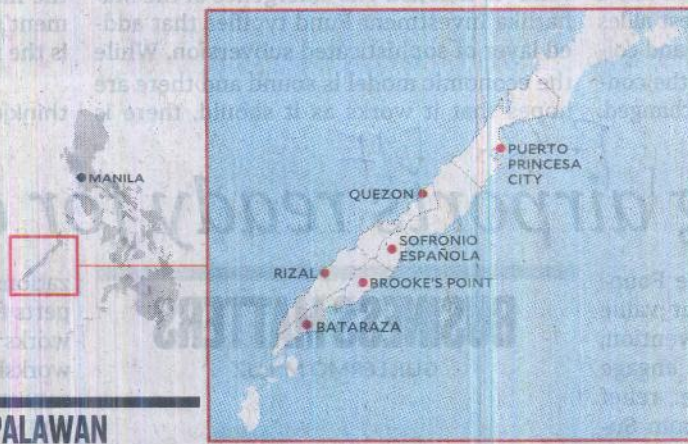
The DENR Community Environment and Natural Resources Office in 2022 issued a cease-and-desist order against the firm.

The Sangguniang Bayan of Brooke's Point also issued a resolution requesting the MGB to investigate the mining areas. The high court said the MGB did not act on the request.

This prompted the Sangguniang Bayan (municipal council) to issue another resolution urging President Marcos, through the environment secretary, to investigate INC's operations despite the absence of the necessary government permits.

In September last year, the Brooke's Point council, in a resolution, urged the Palawan Council for Sustainable Development to recall INC's Strategic Environmental Plan Clearance System due to several violations, such as illegal cutting of trees, absence of public consultation, and excavation and hauling of minerals, among others.

In June, the NCIP ordered the suspension and deferral of the free and prior informed consent process of INC and Celestial Mining due to complaints from the ICCs and reports of alleged bribery by INC to elicit support from indigenous peoples, the high court noted. INQ



SOURCE: Inquirer graphics

INQ GRAPHICS



SC issues writ of kalikasan vs mining ops at Mt. Mantalingahan in Palawan

BY JOEL R. SAN JUAN
@jrspanjuan1573

THE Supreme Court (SC) has issued a writ of kalikasan against the Department of Environment and Natural Resources (DENR) and two mining firms in a bid to stop further environmental damage to Mt. Mantalingahan and its surrounding municipalities in Palawan caused by their continued mining operations and excavation of nickel minerals.

In a statement, the SC-Public Information Office (SC-PIO) said the writ was issued during the regular en banc session of the magistrates last Tuesday.

A writ of kalikasan is a legal remedy for the protection of one's right to "a balanced and healthful ecology in accord with the rhythm and harmony of nature," under Section 16, Article II of the Constitution.

The Court's issuance of the writ stemmed from the petition filed by the Indigenous Cultural Communities (ICCs) of BICAMM Ancestral Domain, Brooke's Point, Palawan against respondents DENR, Mines and Geosciences Bureau (MGB), Ipilan Nickel

Corporation (INC) and Celestial Nickel Mining and Exploration Corporation (Celestial Mining).

The petitioners argued that the Mineral Production Sharing Agreement (MPSA) entered into by the government and Celestial Mining in 1993 covering 2,835.06 hectares of land located in Brooke's Point, Palawan, with INC as the designated mining operator, overlaps a protected area not open for mining operations.

The ICCs, who are indigenous people (IP) with ancestral domains in the areas of Barangay Barongbarong, Uoulan, Clasaguen, Aribungos, Mambalot, and Maasin in Brooke's Point, Palawan, said the MPSA covered areas within the National Integrated Protected Areas System (NIPAS) particularly the area within the Mt. Mantalingahan Mountain Range.

The petitioners claimed that despite the expiration of their Environmental Compliance Certificate (ECC) in October 2015, INC and Celestial continued with their tree-cutting activities, which have caused the deforestation of Mt. Mantalingahan.

The ICCs also told the Court that the MPSA had a term of 25 years, but this was

illegally extended until 2025 when then DENR Secretary Roy Cimatu issued an order reckoning the effectivity date of the MPSA to the year it was amended in 2000, and not the year it was originally executed in 1993.

The ICCs also accused INC and Celestial Mining of doing illegal mining operations since they lack a Certificate Precondition from the National Commission on Indigenous Peoples (NCIP) for the renewal of the MPSA.

The SC noted that among the requisites necessary for the grant of a writ of kalikasan are: petitioner must sufficiently allege and prove the actual or threatened violation of the constitutional right to a balanced and healthful ecology; the actual or threatened violation should stem from the unlawful act or omission of a public official or employee, or private individual or entity; and the actual or threatened violation should be shown to lead to an environmental damage of such magnitude as to prejudice the life, health, or property of inhabitants in two or more cities or provinces.

In the present case, the SC declared, "all the requisites are present," which warrant the issuance of a writ of kalikasan.

The SC noted that the mining operations by INC and Celestial Mining may cause irreparable environmental damage to the Mt. Mantalingahan protected area and the ICC's ancestral domain.

It added that mining operations of INC and Celestial, aggravated by the lack of action on the part of the DENR and MGC, place the residents of Brooke's Point in peril.

Lastly, the Court said Mt. Mantalingahan covers several municipalities such as Bataraza, Brooke's Point, Sofronio Española, Quezon and Rizal, and the continued mining operations and excavation lead to environmental damage in the said mountain ranges, as shown by extreme flooding and contamination of fishing areas.

"In the present case, the Court found that there is a possibility of serious irreversible harm on the environment and the inhabitants of Brooke's Point located in the Mt. Mantalingahan Mountain Range. Thus, with the Court's issuance of a writ of kalikasan, the project proponents, INC and Celestial, are required to provide evidence to dispel concerns regarding potential harmful impact of a project to the environment," the SC said.

"The same applies to the DENR and Mines Geoscience Bureau, whose inaction over the strong pleas of the residents of Brooke's Point shows their indifference to the rights of the ICCs to a balanced and healthful ecology," the Court added.



Writ of kalikasan issued vs mining operators

BY FRANCO JOSE C. BAROÑA

THE Supreme Court has issued a writ of kalikasan against the Department of Environment and Natural Resources (DENR) and mining operators in Mount Mantalingahan, Palawan after it found the possibility that mining projects in the area are causing serious and irreversible harm to the environment and the inhabitants of Brooke's Point, located in the said mountain range.

During deliberations on August 15, the Supreme Court en banc resolved to grant the petition for writ of kalikasan, under the rules of procedure for environmental cases, filed by the Indigenous Cultural Communities (ICCs) of Bicamm Ancestral Domain in Brooke's Point, Palawan, against the DENR, the Mines and Geosciences Bureau (MGB), Ipilan Nickel Corp. (INC), and Celestial Nickel Mining and Exploration Corp. (Celestial Mining).

The Supreme Court ordered them to file a verified return of the writ within a non-extendible period of 10 days from receipt of the order.

Based on court records, the Philippine government and Celestial Mining entered into a mineral production sharing agreement (MPSA) covering 2,835.06 hectares of land located in Brooke's Point, Palawan, with INC as the

designated mining operator.

The original MPSA had a term of 25 years.

According to the ICCs, who are Indigenous peoples (IPs) with ancestral domains in the areas of Barangay Barongbarong, Uoulan, Calasaguen, Aribungos, Mambalat and Maasin in Brooke's Point, the MPSA covered areas within the National Integrated Protected Areas System, specifically the area within the Mount Mantalingahan mountain range.

When notified by then DENR secretary Regina Paz Lopez that its environmental compliance certificate (ECC) expired in October 2015, INC and Celestial nevertheless continued with their tree-cutting activities, which the ICCs claim have caused the deforestation of Mount Mantalingahan.

Similarly, in 2018, after INC failed to secure a certificate pre-condition from the National Com-

mission on Indigenous Peoples (NCIP) for the renewal of the MPSA, INC still continued with its mining operations.

On Dec. 21, 2020, then Environment secretary Roy Cimatu issued an order reckoning the effectivity date of the MPSA to the year it was amended in 2000 and not the year it was originally executed in 1993.

The order, in effect, extended the MPSA until April 10, 2025.

On May 30, 2022, the DENR's Community Environment and Natural Resources Office issued a cease-and-desist order directing INC to halt its port construction for the lack of a valid miscellaneous lease agreement approved by the DENR Mimaropa Regional Office.

This was followed by a resolution by the Sangguniang Bayan of Brooke's Point requesting the MGB to investigate the mining areas claimed by INC and recall issued permits pending investigation.

However, no action was taken by the MGB on the request.

This prompted the Sangguniang Bayan to issue another resolution urging President Ferdinand Marcos Jr., through the DENR secretary, to investigate INC's operation despite the absence of crucial government permits.

On Sept. 19, 2022, the Sangguniang Bayan, in a resolution,

urged the Palawan Council for Sustainable Development to recall INC's Strategic Environmental Plan Clearance System due to numerous violations committed by INC, such as illegal cutting of trees, absence of public consultation, unsupervised cutting of trees, use of unregistered chainsaws, and excavation and hauling of minerals, all of which adversely affect the life and health of Brooke's Point's residents.

On June 20, 2023, the NCIP ordered the suspension and deferral of the free and prior informed consent process of INC and Celestial Mining due to complaints from the ICCs and reports of bribery by INC to elicit support from IPs.

All these prompted the filing by the ICCs before the Supreme Court of the present petition for the issuance of a writ of kalikasan.

In the case of the ICCs, The Supreme Court found that all of the requisites were present for the granting of a writ of kalikasan.

The Supreme Court also applied the precautionary principle, which states that a project proponent is required to provide evidence to dispel concerns regarding the potential harmful impact of a project on the environment, shifting the burden of evidence of harm away from those likely to suffer harm and onto those desiring to change the status quo.



STRATEGIC
COMMUNICATION
AND
INITIATIVES
SERVICE



PAGE



UPPER
LOWER



PAGE 1
STORY



BANNER
STORY



EDITORIAL



CARTOON

08-17-23

TITLE:

PAGE

DATE

SC issues writ of kalikasan vs Palawan mining ops

Citing the possibility of "serious irreversible harm" on the environment and residents, the Supreme Court (SC) has issued a writ of *kalikasan* against mining operations in Brooke's Point in Palawan.

In a notice made public yesterday, the SC ordered Celestial Nickel Mining and Exploration Corp., Ipilan Nickel Corp. (INC), the Department of Environment and Natural Resources (DENR) and Mines and Geosciences Bureau (MGB) to file a verified return of the writ within 10 days.

The petition was filed by the indigenous cultural communities (ICCs) in Barangays Barong-Barong, Ipilan, Calasaguen, Aribungos, Mambalot and Maasin.

The ICCs said the MGB and

INC failed to act on requests to investigate the mining operations and implement a cease and desist order issued by the DENR last year.

The government and Celestial signed a mineral production sharing agreement in 1993, covering nearly 3,000 hectares of land in Brooke's Point.

The SC said the project proponents should provide evidence to dispel concerns regarding the potential harmful impact of the mining operations to the environment.

The high court said the "inaction" of the DENR and MGB over the strong pleas of residents of Brooke's Point "shows their indifference to the rights of the ICCs to a balanced and healthful ecology."

- Neil Jayson Servallos



HOME TO NATIVE BIRDS, RODENTS, PLANTS

BAGUIO SEEKS PROTECTION OF REMAINING 'GREEN SPACES'

By Vincent Cabreza
@InqNational

BAGUIO CITY—Scientists in this city are studying and recording the animal and plant life that managed to thrive in pockets of “green spaces,” despite the influx of settlers and tourists in an already overcrowded and overdeveloped summer capital.

The initiative undertaken by biologists of the University of the Philippines (UP) Baguio and the Department of Environment and Natural Resources (DENR) will supplement a draft ordinance being studied by the city council which would designate and preserve the city’s remaining “urban green spaces.”

Councilor Leandro Yangot Jr., who sponsored the measure, said the proposed law would safeguard all vegetated public lands, including parks, tree patches and interior waterways.

Urban green spaces have recently drawn the attention of scientists and policymakers “due to the realization that biodiversity still exists within urban areas,” UP Baguio biology professor Zenaida Baoanan told councilors during their regular session on Monday.

Baoanan, fellow UP Baguio biologist Liezel Magtoto and their research team began assessing the flora (plant life) and fauna (animal life) of Buyog watershed, a unique forest patch that exists between dense settlements in the villages of Quirino Hill and Pinget.

They have since identified 18 bird and nine rodent species there, as well as 31 plant species that require conservation.

The type of animals and plants that dwell in pine forests depend on the elevation, Baoanan said.

native there, Baoanan said. Her team found the arctic warbler in higher sections of the watershed at 1,557 meters and the yellow vented bulbul at 1,434 meters.

Buyog was declared as a 20-hectare watershed by then President Fidel V. Ramos in 1992, but rapid human encroachment reduced this “tropical lower montane forest” to only 8 ha.

‘Human disturbance’

But with the help of active reforestation by the DENR and civic organizations from 2003 to 2022, the narrow patch of watershed has thickened with trees, Baoanan said.

She said the presence of rats and an abundance of snails, of which 99.5 percent were dead at the time of study, were evidence of “prolonged human disturbance” in their habitat.

The UP team would assess other green spaces in the city as part of the DENR’s urban forest management program, said forester Meagan Kittong-Ayochok, who joined the session.

Many of these green spaces are small, but the healthy ecology found in these pocket green zones “should not be taken for granted,” Baoanan said, noting that the animals and plants there are connected to a fractured Cordillera forest system.

She also advised the city’s lawmakers to put up mechanisms that would manage these green spaces, and restrict or reduce the invasive species that have sprouted there.

The African tulip, a shrub-like tree that secretes chemicals that are fatal to bees, has been growing in different parts of Baguio, Baoanan said.

During the discussion, Councilor Jose Molintas said UP’s expertise could also be tapped to audit the biodiversity of lands that are primed for development, “so we can establish how to tax or penalize them for the destruction.”



STRATEGIC
COMMUNICATION
AND
INITIATIVES
SERVICE

PHILIPPINE DAILY
BALANCED NEWS • FEARLESS VIEWS
INQUIRER



PAGE



UPPER

LOWER



PAGE 1
STORY



BANNER
STORY



EDITORIAL



CARTOON

08-17-23

TITLE:

Buyog rocks prefaction

PAGE

2/2

DATE

Second growth

The Baguio City plateau is 1,400 meters above sea level, and is much lower than the dense pine forests in Benguet province like Mt. Pulag, where the cloud rat was rediscovered.

Baoanan pointed out that the local pine woodlands, for which Baguio has been known as the City of Pines, are actually second growth forests.

In Buyog, the "canopy species," or dominant tree cover recorded by the research team, are Benguet pine, agoho and eucalyptus trees, with "under-story plant species" or plants found beneath the canopy, such as calliandra and lantana (locally known as "bangbangsit") which are "invasive species," she said.

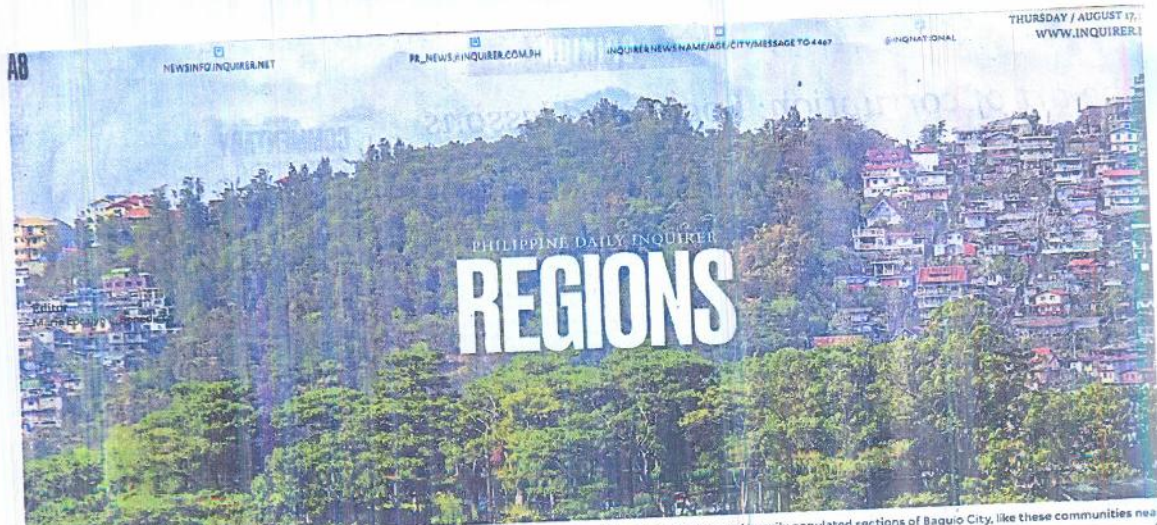
Invasive plants spread wildly in the higher levels of Buyog, Baoanan said.

Among the birds still living in Buyog are the Luzon sunbird, the sulphur-billed nuthatch, the Philippine bush warbler and the green-backed whistler, which are

Councilor Arthur Allad-iw urged the DENR to also evaluate the flora and fauna of private lots. Learning about the ecosystem on their properties may encourage landowners to maintain their idle lands into small forests, to be supported by tax incentives, he said.

The draft urban green spaces ordinance is one of several measures being reviewed by the council to preserve Baguio's 23-percent forest cover, including a proposed law in 2021 that requires all 128 barangays to identify, manage and, if necessary, fence off communal forests, greenbelts, watersheds and other tree patches found in their territories.

Yangot also sponsored a draft ordinance in 2019 that would designate all pine trees in Baguio as "heritage trees," to discourage developers from cutting them down.



OF PINE AND MEN Birds, rodents and native plants continue to thrive in the remaining pockets of "green spaces" around heavily populated sections of Baguio City, like these communities near the pine forest at Buyog watershed, according to local scientists. —NEIL CLARK ONGCHANGCO



UPPER
 LOWER

PAGE 1
STORY

BANNER
STORY

EDITORIAL

CARTOON

08-17-20

TITLE:

PAGE

DATE

EDITORIAL

Sourcing clean, affordable energy

President Marcos has laid out an ambitious roadmap toward an “energy-secure future” for the Philippines at the beginning of his term, promising in his State of the Nation Address (Sona) last year to “increase our use of renewable energy sources such as hydropower, geothermal power, solar, and wind.”

He doubled down on that directive this year, telling the public that “renewable energy is the way forward,” thus his administration was “aggressively promoting renewables” so that these will account for 35 percent of the country’s energy requirements by 2030, with the target cranked up to 50 percent by 2040, from the current level of just 23 percent.

This is a radically different picture from today’s energy mix, which is dominated at about 60 percent by coal, an energy source the Marcos administration wants to wean away from, given its adverse impact on the environment and the growing aversion of the global financial community to funding coal-fired plants.

So far, the government’s policies seem to be on the right track, giving the public reason to believe that the goal to use more clean energy will actually be attained. In November last year, for example, the Department of Energy (DOE) issued a circular that removed the stipulation of Filipino ownership over certain renewable energy resources. Foreign investors can now own all of the equity in projects involving the exploration, development, and use of solar, wind, hydro, and ocean or tidal energy sources, making the Philippines the “most exciting” renewable energy market in the region for the next five to 10 years, according to Erman Akinci, a partner in Malaysian investment firm Emissary Capital. Indeed, Copenhagen Infrastructure Partners’ New Markets Fund, a wholly owned foreign company, has come in and secured contracts to develop three offshore wind projects with a combined capacity of two gigawatts.

The government has also dangled new incentives for investors in renewable energy, energy storage, and other green economy industries under the 2022 Strategic Investment Priority Plan, including income tax holidays and preferential tax rates, in a bid to add momentum to the country’s pursuit of climate change goals and transition to a greener energy mix.

The DOE is also integrating different government agencies such as the Department of Environment and Natural Resources, Energy Regulatory Commission (ERC), and even the Philippine Coast Guard into the Energy Virtual One-Stop System platform to make it easier for project proponents to secure the array of permits and licenses needed to jumpstart their big-ticket renewable energy projects. The private sector has so far responded positively to the policy shift and its sweeteners, with government awarding since last year an additional 126 renewable energy contracts with the potential to produce 31,000 megawatts (MW).

“To date, we have over a thousand active projects spread all over the country, 299 of which are solar, 187 are wind, 436 hydroelectric, 58 biomass, 36 geothermal, and 9 ocean-powered,” Mr. Marcos reported during his second Sona. In July, the President managed to secure \$50 million in investments in renewable energy following his state visit to Malaysia.

There remain, however, considerable barriers that the Marcos administration must overcome to translate into reality this dream of a more climate-friendly energy mix. Among the DOE’s priorities is getting the national transmission grid ready to accept the additional power from the renewable energy projects being developed across the country. The National Grid Corp. of the Philippines has already been called out for delays in several transmission line projects, with the DOE counting on their commitment to hasten the completion of these vital projects.

The government will also have to deal with the issue of pricing, as the average cost of producing renewable energy at current levels is higher than that of fossil fuels. This was made apparent during the last auction of renewable energy capacities under the Green Energy Auction Program, where only 3,580.7 MW—mostly ground-mounted solar—were committed to be in place within the next years out of the 11,600 MW of capacity auctioned off. That private firms largely shunned the auction deemed crucial in achieving the government’s goal of increasing renewable energy use was blamed largely on the “low” price caps set by the ERC, that would render these firms unable to recover costs. With the Philippines having one of the highest electricity rates in the region—a major turnoff for energy-intensive manufacturing companies—efforts must be taken to avoid any more additional costs.

There is no question that the Marcos administration has its work cut out for it. It is now up to the government and the private sector to work double time to achieve this worthy goal of securing the country’s energy needs from ideal sources, and at prices that Filipinos can afford.



DENR bats for 'meager' 2024 budget hike

THE Department of Environment and Natural Resources appealed for a slight increase in its 2024 budget to P24.572 billion, which, according to its head, is less than 1 percent of the proposed P5.768 trillion national expenditure program.

"We are 0.44 percent of the total national budget, and yet, we are tasked with an enormous and complex mandate," Environment Secretary Maria Antonia Yulo-Loyzaga told the House Committee on Appropriations on Wednesday.

However, the agency's proposed budget for 2024 is already 5.49 percent higher than its 2023 allocation of P23.29 billion.

In its presentation to the House panel, the DENR said the budget would adopt a climate-risk lens in national planning and policies.

The proposed allocation is broken down into: P18.62 billion for the DENR's offices across the country, P2.57 billion for the Environmental Management Bureau, P1.47 billion for the Mines and Geosciences Bureau, P1.6 billion for the National Mapping and Resource Information Authority, P210.92 million for the National Water Resources Board, and P94.6 million for the Palawan Council for Sustainable Development.

Loyzaga said the budget was expected to address the complex environmental policy areas, including forests, biodiversity, coastal and marine resources, minerals, lands, air and water.

"The proposed budget incorporates a geospatial approach to identifying, accounting and valuing our natural resources, and integrated and strategic planning required to de-risk development positions," she pointed out.

She said that securing adequate financing for the science, technology, engineering, innovations and human resources for sustainable development has been "challenging"—not only for the DENR but also for all developing countries.

"The impacts of the resources the DENR is given will be multiplied by adopting a whole-of-government and whole-of-society approach. We aim to use these resources to build the trust of our communities, the private sector, academe, and development partners to further our goals," Yulo-Loyzaga said.

RED MENDOZA



TITLE :

PAGE

DATE

P16.9B allotted for govt workers' salary hike – DBM

THE Department of Budget and Management (DBM) said on Wednesday that P16.95 billion has been earmarked for the salary increase of government workers.

"We have allotted P16.95 billion to support the compensation adjustment," Budget Secretary Amenah Pangandaman said in a statement.

Pangandaman added that potential modifications to remuneration packages for state employees could be considered beginning next year.

In January, the final portion of salary raises for government employees was put into effect as mandated by Republic Act 11466 or the "Salary Standardization Law of 2019."

The law states that the adjusted salary schedule for government staff will be carried out in four phases, from 2020 to 2023.

"This is intended to encourage our fellow citizens to join the government sector and also to motivate our existing employees to remain in government service and perform diligently and effectively," Pangandaman said.

"When it comes to implementing another round of increases, President Bongbong Marcos has instructed us to conduct a study to ensure that the salary of all our civilian

►SalaryA2

■ SALARY FROM A1

P16.9B

government employees becomes generally competitive compared to those working in the private sector," she added.

The DBM has also included

the allocation of P1.37 billion in the proposed 2024 National Expenditure Program to fund the additional P1,000 in the uniform or clothing allowance of over 1.3 million government employees.

NIÑA MYKA PAULINE ARCEO AND PNA