



MINES AND GEOSCIENCES BUREAU REGION XI  
669 Konsuela Bldg., Aurora Quezon Street, Davao City, Philippines

## **2<sup>nd</sup>Qtr 2011 Mines Online:**

- 1. APEX spent Php4M development projects for host communities**
2. Photos: launching of NGP in Marilog, Tree planting at the Davao City Airport, Panganason Landslide, Provincial Consultations, GAD at Apex area in Masara, Presscon SM City on denied applications
- 3. Policy Update: DAO 2010-07**
4. Statistics: Mining Cos. Denied, endorsed to CO, applications with cases, etc...
- 5. MGB RXI to conduct geohazard seminar to APEX host communities**
- 6. Panganason landslide is human induced**
- 7. Panganason declared as a no habitation zone**
- 8. MGB holds provincial mining consultation with Davao oriental officials**
- 9. MGB holds provincial consultation in Davao Oriental**
- 10. DENR RXI observes environment month, holds sports, dance competitions**

### **APEX spent Php4M development projects for host communities**

Under the Social Development and Management Program (SDMP) of Apex Mining Co. for 2010, more than 4 million pesos worth of programs and activities were conducted last year aimed generally at assisting the host and neighboring communities to bring about development in the area.

For 2010, several sustainable livelihood programs and activities were undertaken such as construction of a fish pond for Brgy. Tagbaros which amounted to Php16,600 , livestock dispersal in New Leyte worth Php10,000, community-based entrepreneurship training, training on meat and commercial cooking, coffee training at Nestle Philippines and training in dress-making which benefits mostly women locals of four impact barangays of Apex namely Brgys. Mainit, Teresa, Tagbaros and Masara. For capacity building and skills training alone the company

spent Php101, 200. A total of Php 688,748 was spent for sustainable livelihood program and activities for the year benefitting as target recipients the four impact barangays.

For infrastructure, Apex funded the construction of water reservoir and waiting shed amounting to Php80,000. To ensure the safety and easy access of some Brgy.Tagbaros residents to the main road, a steel footbridge was constructed, the same infrastructure was also built in Brgy. Masara. Under infrastructure, about Php 1.3 million was spent for 2010.

In support of education, Apex awarded scholarship grants to 6 deserving non IP students, they also provided transportation to ferry students from their homes to the schools the expenses of which amounted to Php 90,000 for the last quarter alone. Apex also gave financial assistance to school-related activities, provided assistance for the implementation of alternative learning system (ALS) schooling and organized farmers and multi-purpose cooperative. For the promotion and provision of easy access to education, Apex provided Php1.15 million.

Programs and projects conducted for the indigenous peoples (IPs) last year, include among others, conduct of sustainable agri training, provision of scholarships to 6 IP students and establishment of tribal cooperative. For the IP programs and projects, Apex provided a total of Php 240,200.

For its 2010 SDMP, Apex expenditure for the year amounted to Php 4,078,419. This amount, however, accounts for only 77% of the target which is Php5,289,927. Apex is not able to meet said target due to lack of requirements needed to accomplish and/or complete the other projects not realized. In Apex's Certificate of Approval of its 2010 SDMP, however, it was stated that "in case there are unaccomplished physical and financial activities in the previous year's ASDMP, they shall be integrated to the current year's ASDMP and may be reprogrammed based on the needs of the host and neighboring communities".

## **MGB RXI conducts geohazard seminar to APEX host communities**

The Mines and Geosciences Bureau RXI conducted a seminar to host barangays of APEX Mining Co. on geohazard last June 13 in Masara, Maco, Compostela Valley Province.

The seminar was aimed at enhancing the participants' knowledge in the vulnerability of the area to geohazards existing in their barangays such as landslide and flooding. The barangays which participated in the seminar include Brgy. Teresa, Tagbaros, Mainit and Masara, all hosts to mining permittee Apex Mining Co.

For the last few years, the government has been actively conducting information campaign on geohazard nationwide primarily to increase the awareness of local residents to the presence of geohazard in their localities.

In Region XI, government agencies have consolidated efforts to address environment related issues such as landslide and flooding. The Department of Environment and Natural Resources (DENR) RXI, together with MGB RXI, conducted activities geared towards informing and capacitating the public in dealing with geohazards in their respective areas.

Data from Geology Division of MGB RXI show that certain areas of Barangays Masara, Mainit, Tagbaros and Teresa are susceptible to landslide and flooding. Portions of Brgy. Masara alone have been classified as very high susceptibility to landslide, while Mainit and Tagbaros as high. Brgy. Masara alone, experienced landslide incident in September 2008 where about 31 persons were injured, 25 died and about 86 houses were damaged or destroyed. Before the said incident, the same site experienced landslide in 2007. Due to the 2008 landslide incident, people were forced to evacuate the area and with the assistance of private sectors, particularly the Apex Mining Co., about 279 families relocated to safer place.

Recent observations, however, show that a number of people continue to reside in the said area despite the existing risk posed by the geohazards in the area.

## **Panganason landslide is human induced**

The landslide that happened early this year at Sitio Panganason, Brgy, Kingking, Pantukan, Compostela, Valley Province was human induced. This was the reason that the investigating team cited as the main cause of the landslide.

Besides the tension cracks that was already identified as existing during the inspections conducted in the past, the slope failure occurred on account of overloading of the slope. Findings show that about 55 houses and several ball mills were conducted in the upper and middle slope, 10 to 15 tailings pond were found on top ridge and about 300 residents reside in this portion of the failed slope.

The team also said in their reports that on the crown of the slope failure were found three tailings pond where only plastic sheets (trapal) were used as liner to prevent seepages of water. However, this kind of material easily wears out which causes the water inside the pond to flow out from the liner and seep into the cracks and permeable weathered bedrock that possibly induced the failure.

Senior Science Research Specialist Salvio B. Laserna of MGB Central Office, Lands and Geological Services Division said that the temporary relocation site being occupied by the residents as of the present is not safe as permanent relocation site and advised the LGU concerned to identify three or four more possible relocation site for the team to inspect and assess.

During the investigation, it was also observed that Purok Diat Uno in Napnapan, a neighboring municipality next to Kingking, also has high susceptibility rating. A landslide threat advisory was immediately given to the LGU officials and residents concerned advising them to evacuate the area during times of heavy rainfall or when the presence of tension cracks worsens.

The Mines and Geosciences Bureau recommends to all municipalities in the region the following measures: observe for and/or monitor for presence of mass movement (landslide, tension cracks) and if there is any, immediately report to authorities. Observe for saturated ground seeps and sunken or displaced road surfaces. To barangays with high rating susceptibility, evacuate the area during

heavy rainfall. Develop an early warning system and constantly communicate updates with barangay officials on geohazard situation.

### **Panganason declared as a *no habitation zone***

As a result of the landslide that happened in Sitio Panganason, Brgy, Kingking, Pantukan, Compostela, Valley Province, the affected area was declared as a no habitation zone.

During a press conference that was set to discuss the Panganason incident, no less than MGB CO Regional Director Leo Jasareno himself informed the public that the area has been officially declared as a no habitation zone because of the damages that the incident brought to the lives and property of the people in the area.

Director Jasareno disclosed that there was already a crack in the slope as indicated in the geohazard map. Before the actual event happened, an earthquake was detected early morning, in addition, there was heavy rainfall the day before the event which contributed largely to the landslide.

Director Jasareno informed the public that a team was sent to the area to conduct further study. He also disclosed that President Benigno Aquino already gave orders to strictly implement the mining law.

Director Jasareno also said during the press conference that MGB will design a safe tunnel design, and only those who can follow the safe tunnel design will be allowed to mine. He also said that illegal small-scale miners will be organized as Minahang Bayans in the future.

### **MGB RXI holds provincial consultation in Davao Oriental**

The Mines and Geosciences Bureau (MGB) RXI held a provincial consultation with the local officials of Davao Oriental last June 22 at the Office of the Provincial Governor in Mati, Davao Oriental with the purpose of updating the Provincial Governor and the local officials on the developments of the mining

industry in the province and the recent policies, plans and programs of the DENR-MGB.

MGB RXI Regional Director Edilberto L. Arreza informed the participants that to date, the province has about five active approved Exploration Permits (EP) namely: Boston Mining Minerals Corp., Bunawan Mining Corporation, Oz Metals Exploration and Development Corp., Phil Jin Sheng International Mining, Inc. and Boston Tribal Multi-purpose Cooperative. RD Arreza added that the aggregate amount for the expenditures required from the EP holders amount to Php 4.2 million.

Rd Arreza also added that Davao Oriental has a total number of 8 active existing Mineral Production Sharing Agreement (MPSA) namely: Hallmark Mining Corp., Austral-Asia Link, Sinophil Mining and Trading Corp., Core Mining Corp., Oro East Mining Co., Inc., Oro East Mining Co., Inc., HolcimPhils., Inc., Dabawenyo Minerals Corp. and Phil Youbang Mining International Corp. Combined expenditures required from the MPSA permit holders amount to 24.6 million pesos.

According to RD Arreza's report, occupation fee paid by EP holders amount to 1.1 million in 2010, while MPSA holders paid 1.9 million pesos the same fee last year.

During the consultation, RD Arreza also discussed the issues and concerns regarding the small-scale miners in the province. He said some of the hot spots include Mt. Ayag in Taocanga, Manay; Marayag and Calapagan in Lupon; Rd. 5M in Boston and Surop, Oregon and Tiblawan in Governor Generoso. Problems tackled pertaining to small-scale miners include, among others, extracting outside the allowed areas, non-payment of wages to mine workers, non-payment of royalty to large-scale companies, lack of compliance to their environmental work program and no reforestation efforts were made by them.

RD Arreza commented that the status of large scale mining companies show dismal accomplishment especially on the required expenditure that must be spent on the ground per hectare per year. On the part of the small-scale miners, RD Arreza said that they are doing well except for the issues mentioned which can be remedied if monitoring would just be strictly implemented.

**Policy Update:**

DENR ADMINISTRATIVE ORDER No. 2010 - 07

SUBJECT: Guidelines on the Continuing/Phased Devolution of Environment and Natural Resources (ENR) Functions to Local Government Units (LGUs)

Pursuant to Republic Act 7160, otherwise known as the Local Government Code of 1991, and Executive Order 444 ("Directing A Strategic Review of the Operations and Organization of the Executive Branch and Providing Options and Incentives for Government Employees Who May Be Affected by the Rationalization of the Functions and Agencies of the Executive Branch"), the following guidelines are issued.

Section 1. Statement of Policy. It is the policy of the State to ensure the autonomy of local governments. It is also the policy of the State to see to it that decentralization/devolution contributes to the improvement of the performance of local government units and the quality of community life. In pursuit of these policies, the DENR shall undertake continuous delegation of powers to the local government units based on their absorptive capacity.

Section 2. Objectives:

- I. To assess the progress of implementation by the local government units of the devolved environment and natural resources (ENR) functions pursuant to the Local Government Code and pertinent DENR implementing rules and regulations;
2. To develop a program/plan for the continuing devolution of other ENR functions in addition to those already devolved; and,
3. To develop an enabling environment through institutional capacity building and organizational development programs for the LGUs on devolved ENR functions.

### Section 3. Components to support the continuing devolution of ENR functions.

3.1 Assessment of ENR devolved functions to LGUs. This component consists of the following activities:

- a. conduct an assessment of ENR services and functions devolved to the LGUs using a set of criteria and indicators;
- b. establish a baseline data on ENR services and functions devolved to the LGUs which shall serve as an input in identifying other ENR services and functions intended for devolution; and
- c. develop a program for institutional strengthening of LGUs to implement devolved functions.

The assessment shall be conducted by the Ecosystems Research and Development Service of the regional offices under the supervision of the Ecosystems Research and Development Bureau (ERDB). A report shall be submitted within three (3) months after the issuance of this Administrative Order.

The DENR Human Resource Development Service with the Bureaus and attached agencies is hereby tasked to develop an Institutional Strengthening Program Plan (ISPP) with the aim to:

3.5 Development of a legislative agenda to support continuing devolution. Within three (3) months upon signing hereof a comprehensive Legislative Agenda in relation and in support to ENR functions to be devolved to LGUs pursuant to the Local Government Code shall be prepared by DENR Central Office together with

the Bureaus. Working closely with the Philippine Congress, this shall be reviewed regularly by DENR, DILG and the Leagues of Cities/Municipalities/Provinces.

Section 4. The Devolution Process. The phased devolution process shall be composed of the following, determined by the criteria/indicators developed for the purpose:

4.1. Capacitation Phase. The Capacitation Phase shall involve among others the implementation of Five (5)-Year Human Resource Development Programs. It shall ensure substantial compliance with the criteria to obtain the desired level of competence. During this phase, the human resources of DENR and the LGUs shall be prepared in the pursuit of devolving and assuming functions, respectively.

4.2 Phasing-in Phase. The phasing-in phase shall include the adoption of applicable strategies and approaches on DENR-LGU partnership such as co-management. By co-management, there shall be a sharing of responsibility and/or authority between the DENR and the LGUs to perform ENR functions. By sharing of responsibility or authority, there shall be a clear delineation of ENR functions to be performed by DENR and LGUs and allocation of corresponding funds. During this phase, the LGUs shall assume management responsibilities and shall have the responsibility of leading and directing ENR functions. The DENR shall provide technical assistance and minimal supervision of ENR functions.

4.3 Full Assumption Phase. By full assumption, the LGUs shall perform ENR functions subject to monitoring of DENR to assess the LGUs performance vis-a-vis the specific criteria and indicators developed for this purpose. During this phase, the LGU shall fully assume the implementation of ENR functions including allocation of their local resources in relation thereto which shall be governed by DENR, DILG and LGU guidelines.

In cases where LGUs are capacitated as well as those LGUs that are ready to accept devolved functions, they may proceed to the next phase (i.e. Phasing-in Phase) subject to substantial compliance with the criteria and indicators developed for this purpose.

Section 5. Implementing Mechanisms. Under the supervision of the Office of the Undersecretary for Field Operations, a Technical Working Committee shall be created within one (1) month upon signing hereof that shall be responsible for the over-all implementation of this Administrative Order and perform the following functions, among others:

1. Coordinate with DENR Offices and Attached Agencies, DILG, Leagues of Cities/Municipalities/Provinces, and concerned LGUs in the over-all implementation of this Administrative Order;
2. Initiate in the implementation and monitoring of activities identified in Sections 3 and 4 of this Memorandum Circular.

All expenses to be incurred in the implementation of this Administrative Order shall be on a cost-sharing basis between the DENR and the stakeholders.a

### **DENR RXI observes environment month, holds sports competition**

The Department of Environment and Natural Resources Region XI celebrated the month-long Environment Month 2011 by holding tree planting activities, fora and seminars, sports and dance competitions participated by all line bureaus and agencies.

The DENR RXI this year espoused the theme “Forests: Nature at your Service” which emphasizes the tree as a symbol of a living biodiversity. To celebrate the Environment Month, DENR XI conducted tree planting in many occasions last June and stressed the National Greening Program (NGP) as the agency’s flagship program for this year and for the coming years.

Recently, NGP was launched in Barangay Kibalang, Marilog District, Davao City and was participated by 25 government agencies which include the DENR line bureaus and agencies, the Civil Service Commission, the Commission on Audit, Department of Agrarian Reform, Department of Social Welfare and Development,

Department of Education, Department of Tourism, among others. Its basic goal is to promote awareness as well as instill social and environmental consciousness on the value of forests and watersheds.

NGP aims to plant 1.5 billion trees in 1.5 million hectares of lands of the public domain for a period of six years. And this year opens the six-year program in the long journey of reviving forests, watershed areas, mangroves and other protected areas, inactive and abandoned mine sites, river banks, stream banks, urban parks and the like.

Aside from tree planting DENR RXI also conducted sports competitions such as basketball, tennis, bowling, dart and dance competitions.