



RE: 1<sup>st</sup> Notice of Violation of PD 1067 and  
DAO 2004-24 and its Implementing Rules and Guidelines

**MR. HANNIEL T. NGO**

President, Altai Philippines Mining Corporation  
1901 Tycoon Center, Pearl Drive, San Antonio,  
Ortigas Center, Pasig City

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**NOTICE OF VIOLATION**

This is to inform you about the investigation conducted by our personnel dated January 25, 2023 in Sitio Bato, Brgy. España, San Fernando, Romblon where an on-going construction of docking port is in development. The investigation was sanctioned by this Office to look into the activities in the vicinity to verify an allegation of violation/s as regards to your Miscellaneous Lease Application (MLA) with MLA No. 045913-3.

Per report there is an on-going construction of docking port and flattening of the proposed roadway by dumping gravel into the water. At present the area is being utilized as the gateway for the incoming/outgoing dump trucks where it unloads to nearby barge. These are being done without an approved lease agreement and/or provisional permit. This constitutes a direct violation of Article 51 of PD 1067 known as the Water Code of the Philippines and reflected in the miscellaneous lease application bullet number 9 as there should be no construction to be conducted while approval of the application is in process.

**Legal Basis:**

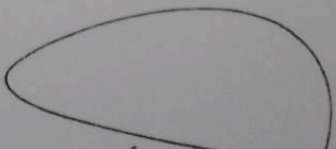
**Implementing Rules and Regulations of PD 1067**

**Section 31. Determination of Easements.** – For purposes of Article 51 of the Code, all easements of public use prescribed for the banks or rivers and the shores of seas and lakes shall be reckoned from the line reached by the highest flood which does not cause inundation or the highest equinoctial tide whichever is higher.

Any construction or structure that encroaches into such easement shall be ordered removed or cause to be removed by the Board in coordination with DPWH, LGU or appropriate government agency or local government unit.

**DAO 2004-24, Section 2 (c) and Section 2 (f)**

2(c) "Foreshore Lease Agreement (FLA) is an agreement executed by and between the DENR and the applicant to occupy, develop, utilize and arrange the foreshore land."

Issued by:  Japheth Pincillo  
2/2/23

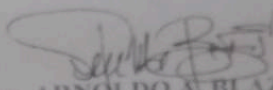



2(f) Salvage Zone - lands measuring twenty (20) meters measured landward from the interior limit of the shoreline for easement purposes.

With these on-going activities you are hereby ordered to stop from further developing the area while reminding your contractor and personnel in-charge of the construction to do the same. Further, avoid unnecessary activities that would worsen the situation in the area. As a final point, you are reminded to be prudent and abide with the existing Environmental Laws and Rules and Regulations.

Be guided accordingly.

Odiongan, Romblon, this FEB 01 2023

  
For. ARNOLDO A. BLAZA, JR.  
OIC, DENR Officer  


Cc:

The RFD, DENR MIMAROPA Region  
The Municipal Mayor, San Fernando, Romblon