



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

November 22, 2023

MEMORANDUM

FOR : **The Regional Executive Director**
DENR-MIMAROPA Region
1515 DENR By the Bay Building, Roxas Boulevard,
Barangay 668, Ermita, Manila

THRU : **The OIC, Assistant Regional Director for Technical Services**

FROM : **The Provincial Environment and Natural Resources Officer**

SUBJECT : **COMPLIANCE MONITORING REPORT ON SPECIAL LAND-USE
PERMIT OF PLDT, INC. – SMART, INC. WITH SLUP NO. DENR
MIMAROPA 2021-003 LOCATED IN BARANGAY BINGA, SAN
VICENTE, PALAWAN**

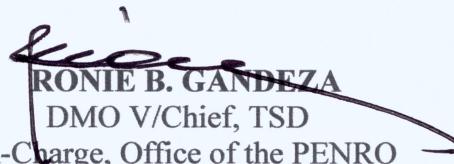
Respectfully forwarded is the memorandum from CENRO Roxas, Palawan dated September 18, 2023 relative to the above subject.

Per memorandum, CENRO Roxas conducted compliance monitoring of Special Land-use Permit (SLUP) awarded to PLDT, Inc. – SMART, Inc. last August 15, 2023 located in Barangay Binga, San Vicente, Palawan. The said holder has settled their Annual Government Share for C.Y. 2023. However, the surcharge for April – July 2023 has not been settled. They also failed to submit any report since the issuance of their tenure. In addition, the holder was found to be in violation to: 1) ECC-PD 1586; 2) R.A. 6969; and 3) R.A. 8749.

Please find the attached memorandum dated August 21, 2023 regarding the findings, observations and recommendations of the compliance monitoring team.

For information and further instruction.

“For the PENRO”


RONIE B. GANDEZA
DMO V/Chief, TSD
In-Charge, Office of the PENRO

Copy Furnished
CENRO Roxas, Palawan
JCP/MES/File doc. Ref. no. 2023-9093

**DENR-PALAWAN
PENRO-RECORDS
RELEASED**
By 29 NOV 2023 *✓*
Date: 29 NOV 2023 *✓* CN. 2023-3297



Republic of the Philippines
Department of Environment and Natural Resources

Region IV- MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan

Contact No. 09171606578 / 09175028647

Email address: cenroroxaspalawan@denr.gov.ph

**DENR PENRO
PALAWAN RECORDS**

RECEIVED

September 18, 2023

MEMORANDUM

BY: *[Signature]*
DATE 09-18-2023 ON 23-9093

FOR : The Provincial Environment and Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : The Community Environment and Natural Resources Officer

SUBJECT : **COMPLIANCE MONITORING REPORT ON SPECIAL LAND-USE PERMIT OF PLDT, INC. – SMART, INC. WITH SLUP NO. DENR MIMAROPA 2021-003 LOCATED IN BARANGAY BINGA, SAN VICENTE, PALAWAN**

Respectfully forwarded is the report relative to the above subject.

Please be informed that on August 15, 2023 our Office conducted Compliance Monitoring on SLUP No. DENR MIMAROPA 2021-003 of the aforementioned Corporation located in Barangay Binga, San Vicente, Palawan.

Based on the said report, the holder have settled their Annual Government Share for C.Y. 2023, however, the surcharge for April – July 2023 has not been settled. Likewise, they have failed to submit any reports since the issuance of their SLUP. In addition, the holder was found to be in violation to: 1) ECC-PD 1586; 2) R.A. 6969; and 3) R.A. 8749.

Further, based on our agreement, the SLUP holder shall apply for Forest Land Use Agreement (FLAg) which also they failed to do so. Hence, recommending the conduct of Performance Evaluation since their tenure will be expiring on January 21, 2024. Notwithstanding, the proponent was found compliant to other terms and conditions stipulated in the contract except for the aforementioned shortcomings.

For information and record.

For the CENRO:

RONNIE P. LILANG
Office In-Charge/LMO III

**DENR-CENRO ROXAS
RELEASED
DATE: SEP 22 2023**

**BY: *[Signature]*
PC. NO. 2023-09-1349**



Republic of the Philippines
Department of Environment and Natural Resources

Region IV- MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan

Contact No. 09171606578 / 09175028647

Email address: cenroroxaspalawan@denr.gov.ph

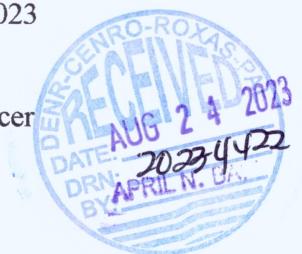
August 21, 2023

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer

FROM : The Compliance Monitoring Team
Roxas, Palawan

SUBJECT : **COMPLIANCE MONITORING ON PLDT, INC. – SMART, INC.
WITH SLUP NO. DENR MIMAROPA 2021-003 LOCATED IN
BARANGAY BINGAY SAN VICENTE, PALAWAN**



Please be informed that on August 15, 2023 the undersigned team together with Forest Protection Officer Jerick Ron M. Sefio conducted Compliance Monitoring of SLUP No. DENR MIMAROPA 2021-003 awarded to PLDT, INC. – SMART, INC. located in Barangay Binga, San Vicente, Palawan.

The following are the findings and recommendations of the team:

1. The holder have not yet secured ECC/CNC which is in violation to ECC-PD 1586;
2. The holder has not yet secured their Permit to Operate which is in violation to RA 6969 and RA 8749;
3. The holder has not submitted any reports since the issuance of their SLUP;
4. The holder has not yet submitted for application Forest Land Use Aggreement;
5. According to EMB Embedded, they have already submitted a report regarding the above violation to their Office and it is recommended for issuance of Notice of Violation to the holder.
6. Since the tenure will be expiring on January 21, 2024, it is therefore recommended for Performance Evaluation; and
7. The holder is compliant to other terms and conditions stipulated in the contract

Attached is the Compliance Monitoring Sheet for Forestry Tenure (SLUP).

For information and record.


RINAIDES L. JUSOS

Forest Technician I/OIC, Admin Unit


MARCO ANGELO M. MARQUEZ

Forest Ranger/Patrol Sector Representative


ANNJELEVITE JUDE F. QUEZADA

Forest Technician II/MES Representative



Republic of the Philippines
Department of Environment and Natural Resources

Region IV- MIMAROPA

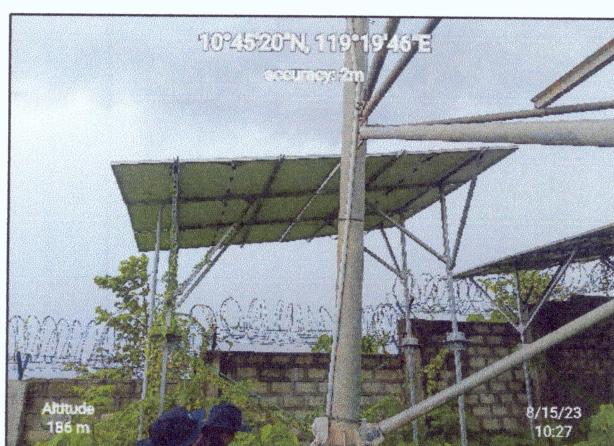
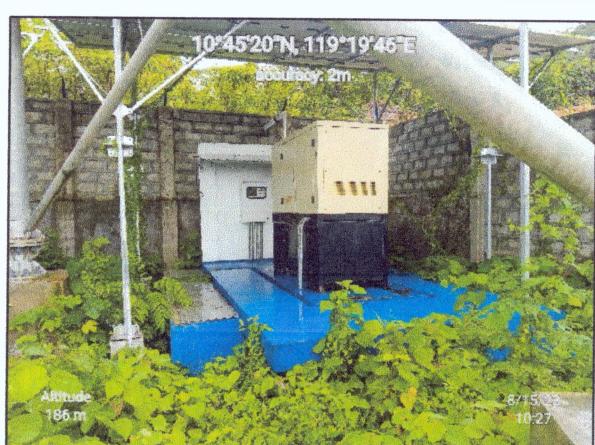
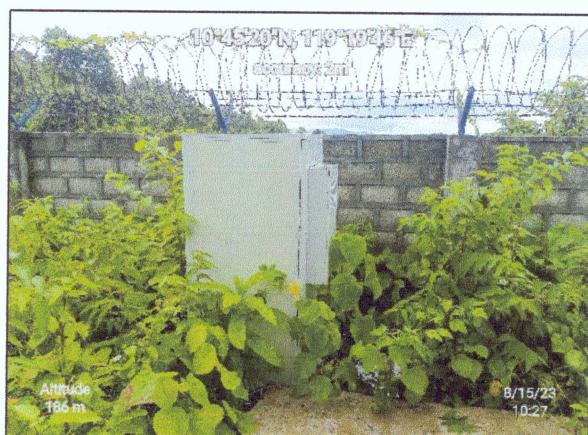
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan

Contact No. 09171606578 / 09175028647

Email address: cenoroxaspalawan@denr.gov.ph

**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY
AT PLDT, INC. – SMART, INC. WITH SLUP NO. DENR MIMAROPA 2021-003**





Republic of the Philippines
Department of Environment and Natural Resources

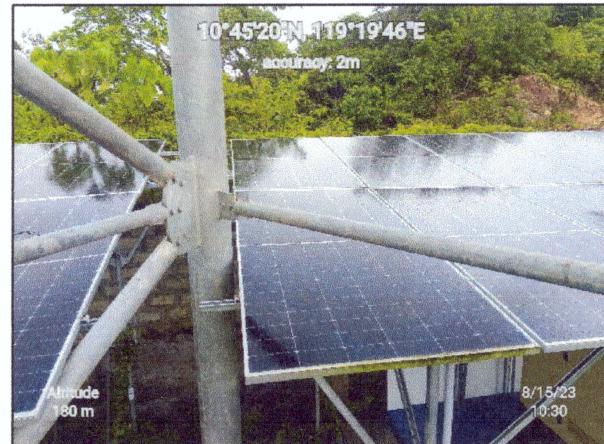
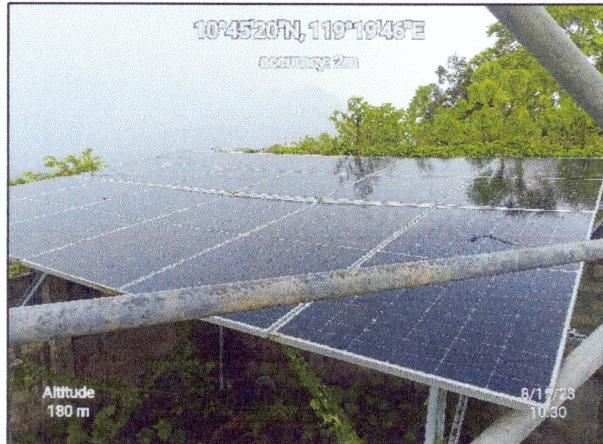
Region IV- MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan

Contact No. 09171606578 / 09175028647

Email address: cenoroxaspalawan@denr.gov.ph



COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (SLUP)

Monitoring Date: August 15, 2023

Monitoring Time: 10:15 A.M.

A. BASIC INFORMATION:

Name of Company: PLDT, Inc.-SMART, Inc.	
Location of Area (Sitio, Bgy., Mun.): Barangay Binga, San Vicente, Palawan	Area in Sq. Meter: 256
Business Address: (email, messenger acct. & contact number): ETGambalan@smart.com.ph / 09189493568	
Amount of Annual Government Share: Php 8,576.00	Date Paid/OR No.: August 15, 2023/OR No. 01005887 J
Year of last revaluation (Per Section 16 DAO 2002-28): Not Applicable	
Nature of Land-use (Per Section 4 of DAO 2004-28): Communication Station Site	
Tenure Instrument Number: DENR MIMAROPA 2021-003	Date of Issuance: January 21, 2021
Kind of Tenure Instrument: Special Land Use Permit	Expire Date: January 21, 2024
Contact Person/Designation: Erlan Gambalan / Head of GMM PPM Network Build	
Name of Pollution Control Officer (PCO): Maria Madonna Malaluan	
PCO Accreditation No.: 2021-R4B-02298	Effectivity: 2024
Contact No.: 0918-242-0040	Email: msmalaluan@smart.com.ph

B. COMPLIANCE TO EXISTING ENR LAWS, RULES AND REGULATION

Conditions	Yes	No	Remarks
1. NCIP/Cert of Pre Condition/Date Issued		/	Not Applicable
2. Free and Prior Informed Consent/Date Issued		/	Not Applicable
1. Compliant to ECC-PD 1586, Philippine Environmental Impact Assessment/DAO 2003-30			With Certificate of Non-Coverage
2. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/DAO 1992-29	/		
3. Compliant to RA 8749, Clean Air Act of 1999/DAO 2000-81	/		
4. Compliant to RA 9003, Ecological Solid Waste Management Act of 2000/DAO 2001-34	/		
5. Compliant to RA 9275-Clean Water Act of 2004/DAO 2003-10	/		
6. Compliant to PD 705, Forestry Reform Code of the Philippines	/		
7. Compliant to water Code of the Philippine/Article No. 51-PD 1067 (No Permanent Structure within Easement Zone) <ul style="list-style-type: none"> a.) Within 3 meters in Urban Areas b.) Within 20 meter in Agricultural (A&D) Areas c.) Within 40 meters in Timberland Areas 			The area is not anywhere near riverbanks, creeks or streams

C. IMPROVEMENTS INTRODUCED

Type of Improvement Introduced	Approximate Value of Improvement	STATUS (Permanent or Temporary)	REMRKS
<u>Current Year 2022</u>			
1. Land	0	N/A	
2. Buildings	0	N/A	
3. Infra/Machineries	Php 6,000,000.00	Permanent	Solar panel, batteries and generator

COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (SLUP)

Monitoring Date: August 15, 2023	Monitoring Time: 10:15 A.M.
----------------------------------	-----------------------------

A. BASIC INFORMATION:

Name of Company: PLDT, Inc.-SMART, Inc.	
Location of Area (Sitio, Bgy., Mun.): Barangay Binga, San Vicente, Palawan	Area in Sq. Meter: 256
Business Address: (email, messenger acct. & contact number): ETGambalan@smart.com.ph / 09189493568	
Amount of Annual Government Share: Php 8,576.00	Date Paid/OR No.: August 15, 2023/OR No. 01005887 J
Year of last revaluation (Per Section 16 DAO 2002-28): Not Applicable	
Nature of Land-use (Per Section 4 of DAO 2004-28): Communication Station Site	
Tenure Instrument Number: DENR MIMAROPA 2021-003	Date of Issuance: January 21, 2021
Kind of Tenure Instrument: Special Land Use Permit	Expire Date: January 21, 2024
Contact Person/Designation: Erlan Gambalan / Head of GMM PPM Network Build	
Name of Pollution Control Officer (PCO): Maria Madonna Malaluan	
PCO Accreditation No.: 2021-R4B-02298	Effectivity: 2024
Contact No.: 0918-242-0040	Email: msmalaluan@smart.com.ph

B. COMPLIANCE TO EXISTING ENR LAWS, RULES AND REGULATION

Conditions	Yes	No	Remarks
1. NCIP/Cert of Pre Condition/Date Issued	/		Not Applicable
2. Free and Prior Informed Consent/Date Issued	/		Not Applicable
1. Compliant to ECC-PD 1586, Philippine Environmental Impact Assessment/DAO 2003-30	/		Without ECC/CN
2. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/DAO 1992-29	/		Without Permit to Operate
3. Compliant to RA 8749, Clean Air Act of 1999/DAO 2000-81	/		Without Permit to Operate
4. Compliant to RA 9003, Ecological Solid Waste Management Act of 2000/DAO 2001-34	/		
5. Compliant to RA 9275-Clean Water Act of 2004/DAO 2003-10	/		
6. Compliant to PD 705, Forestry Reform Code of the Philippines	/		
7. Compliant to water Code of the Philippine/Article No. 51-PD 1067 (No Permanent Structure within Easement Zone) <ul style="list-style-type: none"> a.) Within 3 meters in Urban Areas b.) Within 20 meter in Agricultural (A&D) Areas c.) Within 40 meters in Timberland Areas 			The area is not anywhere near riverbanks, creeks or streams

C. IMPROVEMENTS INTRODUCED

Type of Improvement Introduced	Approximate Value of Improvement	STATUS (Permanent or Temporary)	REMRKS
<u>Current Year 2022</u>			
1. Land	0	N/A	
2. Buildings	0	N/A	
3. Infra/Machineries	Php 6,000,000.00	Permanent	Solar panel, batteries and generator
4. Plantation	0	N/A	
5. Other Improvements	0	N/A	

Previous Years (2021-2022)			
1. Land	0	N/A	
2. Buildings	Php 1,300,000.00	Permanent	
3. Infra/Machineries	0	N/A	
4. Plantation	0	N/A	
5. Other Improvements	0	N/A	

D. COMPLIANCE PURSUANCE PURSUANT TO DENR ADMINISTRATIVE ORDER NO. 2004-28

Term and Conditions	Response	
	Yes or No	Remarks
1. The area granted in this Permit: (a) is public forest land base on existing records; (b) shall not be used as security for any indebtedness of the Permittee , neither shall be involved in any private transaction.	Yes	
2. The Permittee shall: (a) comply with the laws, rules and regulations and instruction now or hereinafter enforce for the proper use of the land; (b) respect any legal prior claims by settlement or occupation within the area granted; (c) conserve the corners and boundary lines of the area; (d) protect any spring, waterfalls or natural/historical/archeological sites in the area; (e) report to the concerned Regional Executive Director thru channels every six (6) months the kind, number and value of improvement(s) introduced in the area.	Yes	The holder was reminded to submit report of improvements of any kind, number and value every six (6) months to this Office.
3. The Permittee shall: (a) not appropriate for himself the exclusive use of public trails traversing or adjoining the area or impede the use thereof by the public; (b) not sublease the area or any portion thereof; and (c) protect and conserve the unique, rare and endangered tree/plants/wildlife identified under existing rules and regulations.	Yes	
4. No trees, regardless of species, shall be cut in the permitted area if found within twenty (20) meters from bank of river, creeks or steams and of public roads. In case the said 20 meter strip is bereft of trees, the same shall rehabilitated by the Permittee .	Yes	The area is not anywhere near riverbanks, creeks or streams
5. The Permittee shall strictly observe sanitary measure within the permit area to ensure protection of watershed values.	Yes	
6. The Permittee shall protect the permitted area from forest fire and other forms of forest destruction.	Yes	
7. The Permittee shall protect and conserve unique, rare and endangered flora and fauna, if any, within the permitted area pursuant to existing laws, rules and regulations.	Yes	
8. Permanent improvements made in the area shall: (a) not give the Permittee any kind of right, claim or title over the permitted area or any right to claim reimbursements for expenses incurred on the improvements introduced; and (b) shall become the property of the government upon the expiration/cancellation of the permit.	Yes	
9. Non-use of the area within four (4) months after it is granted may result in the cancellation of the permit.	Yes	
10. The annual government share or user's fee shall be in accordance to the provisions of Section 18 of DAO No. 2004-59 dated 31 August 2004 and subject to change once a new user's fee for the special use of the forest land has been promulgated by the DENR.	Yes	
11. The Permittee shall post performance bond in accordance to the provisions of Item C (10) of DAO 2004-16 dated 15 June 2004 or the Revised Schedule of Forestry Administrative Fees, until otherwise amended. The performance bond in cash form shall be posted at the CENRO.	Yes	

12. Violation or non-compliance of any of the terms and conditions of the permit or any forestry laws, rules and regulations shall be sufficient grounds for the cancellation thereof without prejudice to whatever legal action that may be taken.	Yes	
13. This permit is non-renewable, however, should there be a need for extended use of the forest land, it can be converted into Forest Land Use Agreement (FLAg). The Permittee may opt to apply for the conversion of this permit into FLAg within thirty (30) months before the expiration of the 3-year validity of the same.	Yes	The holder was advised to start their FLAg application and to coordinate with this Office for guidance.

E. PAYMENT OF ANNUAL GOVERNMENT SHARE/RENTAL/FOREST FEES: (O.R. copy here to attached)

Particulars	Amount	Official Receipt No.	Date Issued	Remarks (Indicate if updated or not)
Government Share/Rental	Php 8,576.00	01005887 J	August 15, 2023	Updated. However, the surcharge for April – July 2023 has not been settled. The holder was advised to settle the balance thru letter dated August 15, 2023
Performance Bond	Php 17,152.00	4886813 E	February 19, 2021	Updated
Forest Charges	N/A	N/A	N/A	
Surcharges	N/A	N/A	N/A	

F. Other Environmental, Social activities by the holder (e.g tree planting, coastal clean-up, gift giving etc)

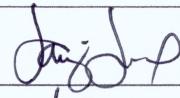
None

J. FINDINGS AND RECOMMENDATION

The holder have not yet secured ECC/CNC which is in violation to ECC-PD 1586.
The holder does not have Permit to Operate which is in violation to RA 6969 and RA 8749
The holder has not submitted any reports since the issuance of their SLUP.
According to EMB Embedded, they have already submitted a report to their Office recommending for issuance of Notice of Violation to the holder.
Recommended for Performance Evaluation.
Compliant to the terms and conditions.

H. DETAILS AND SIGNATURE OF MONITORING TEAM

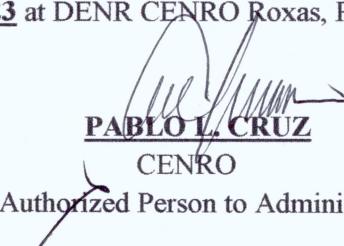
WE HEREBY CERTIFY to the correctness of the data and information as contained herein to the best of our knowledge and belief

Name	Position/Designation/Office	Signature
ANNJELETTE JUDE F. QUEZADA	Forest Technician I / MES Staff DENR CENRO ROXAS, PALAWAN	
RINADES L. JUSOS	Forest Technician I / OIC, Admin Unit DENR CENRO ROXAS, PALAWAN	
MARCO ANGELO M. MARQUEZ	Forest Ranger/Patrol Sector Representative DENR CENRO ROXAS, PALAWAN	

I. ATTACHMENT/S

(See attached photo or geo-tagged/map and other documentations)

SUBSCRIBED AND SWORN to before me this August 21, 2023 at DENR CENRO Roxas, Palawan


PABLO L. CRUZ
 CENRO

Authorized Person to Administer Oath



**Official Receipt
of the
Republic of the Philippines**

No. 0105887 J

Date 9/15/2023

Agency DSWD - CAVITE PROV, PH. Fund

Payor PLDT, Inc. - SM MIT, Inc.

Nature of Collection	Account Code	Amount
Annual Government Share		P 8,576.00
SLIP NO. DSWD - MINTRADUPA 7021-03		
04 2023		
TOTAL		P 8,576.00

Amount in Words *Eight thousand six hundred*

seventy six pesos.

<input checked="" type="checkbox"/> Cash	Drawee Bank	Number	Date
<input checked="" type="checkbox"/> Check	UNIONBANK	2000915M	7/27/2023
<input type="checkbox"/> Money Order			

Received the amount stated above.

(Signature)
Collecting Officer

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