



Republic of the Philippines
Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU
Visayas, Avenue, Diliman, 1100 Quezon City
Tel. No.: (632) 8925-2141 / (632) 8927-4788
E-mail Address: fmb@denr.gov.ph Website: <https://www.forestry.denr.gov.ph>



NOV 04 2021

ATTY. ARTHUR P. TUGADE

Secretary
Department of Transportation
APO Court along Sergio Osmeña Street,
Clark Freeport Zone, Pampanga

Attention :

CAPTAIN JIM C. SYDIONGCO
Director General
Civil Aviation Authority of the Philippines
MIAA Road, Pasay City

Dear **Secretary Tugade**:

Greetings!

This pertains to the execution of the Memorandum of Agreement (MOA) by and between the Department of Environment and Natural Resources (DENR) and the Department of Transportation (DOTr) through the Civil Aviation Authority of the Philippines (CAAP) on the utilization of 299.7342 hectares of land for the establishment and development of a fully-functional aerodrome covered by the Busuanga Pasture Reserve (BPR).

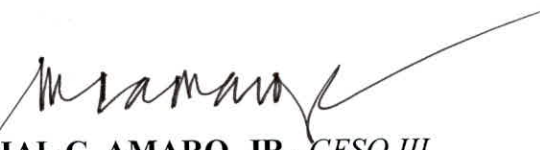
We are pleased to inform the good Secretary that the said MOA by and between DENR and DOTr has been recently signed by DENR Secretary Roy A. Cimatu.

In line with this, respectfully forwarded are the copies of the signed MOA, including map of the Busuanga Airport Expansion Project within the BPR. We find however that only one (1) out of the three (3) copies of the MOA was signed by DOTr, hence, may we kindly request for the signing of the remaining two (2) copies from your end.

May we further request your good Office to provide us with one original copy of the signed MOA once notarized, for our reference and record purposes.

Thank you and regards.

Very truly yours,


MARCIAL C. AMARO, JR., CESO III
Assistant Secretary for Policy, Planning and
Foreign-Assisted and Special Projects, and
Director, in concurrent capacity

cc

Undersecretary for Field Operations and Environment
Undersecretary for Legal, Administration, Human Resources and Legislative Affairs
Undersecretary for Enforcement, Mining & Muslims Affairs and Supervising Undersecretary for Forest Management
Head Executive Assistant, Office of the Secretary - DENR
Director, Legal Affairs Service - DENR
Regional Executive Director, DENR MIMAROPA
PENRO Puerto Princesa City, Palawan
CENRO Coron - Calamianes Islands
OIC, BPR Management Office

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **MEMORANDUM OF AGREEMENT** is made and entered into by and between:

The **DEPARTMENT OF TRANSPORTATION (DOTr)**, a government agency with principal office at S. Osmeña Road, Clark Freeport Zone, Pampanga, herein represented by its **Secretary, HON. ARTHUR P. TUGADE**, hereinafter referred to as the **DOTr**;

The **CIVIL AVIATION AUTHORITY OF THE PHILIPPINES (CAAP)**, an attached agency of the DOTr, with principal office at Old MIA Road, Pasay City, herein represented by its **Director General, CAPTAIN JIM C. SYDIONGCO**, hereinafter referred to as the **CAAP**;

-and-

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)**, a government agency with principal office at Visayas Avenue, Diliman, Quezon City herein represented by its **Secretary, HON. ROY A. CIMATU**, hereinafter referred to as the **DENR**;

WITNESSETH:

WHEREAS, the DOTr, is the primary policy, planning, programming, coordinating, implementing and administrative entity of the executive branch of the government on the promotion, development and regulation of a dependable and coordinated network of transportation and communication systems, as well as in the fast, safe, efficient and reliable transportation and communication services;

WHEREAS, the CAAP, an attached agency of the DOTr, created under Republic Act No. 9497 authorized among others, to provide safe and efficient air transport and regulatory services in the Philippines, regulate the air safety and security aspects of air transportation, and exercise general supervision and regulation, including jurisdiction and control over all airports, air carriers, and other entities doing air transport and the like;

WHEREAS, the DENR, under Executive Order (E.O.) No. 192 dated 10 June 1987 is mandated as the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources as well as licensing and regulation of all natural resources as may be provided by law in order to ensure equitable sharing of the benefits derived therein, including forest and forest lands, watersheds, mangrove and grazing lands;

WHEREAS, the Forest Management Bureau (FMB), an agency under the DENR created by virtue of E.O. No. 192 issued on 10 June 1987, is tasked, among others, to recommend policies and/or programs for the effective protection, development, occupancy, management and conservation of forest lands and watersheds, including grazing and mangrove areas, reforestation and rehabilitation of critically denuded/degraded forest reservations, improvement

of water resource use and development, ancestral lands, wilderness areas and other natural preserves, development of forest plantations including rattan, bamboo, and other valuable non-timber forest resources, rationalization of the wood-based industries, regulation of the utilization and exploitation of forest resources including wildlife, to ensure continued supply of forest goods and services;

WHEREAS, the DENR-FMB, by virtue of Presidential Proclamation No. 663 series of 2013 is the administrator of the whole Busuanga Pasture Reserve (BPR) area; portion thereof is being reserved for the reorientation and expansion of Busuanga Airport therein;

WHEREAS, the vast increase in the number of passengers traveling to Coron, Palawan via air transport is compelling airline operators to increase flights to Francisco B. Reyes Airport, Busuanga, Coron, Palawan using larger aircrafts;

WHEREAS, the present Busuanga aerodrome can neither be expanded nor extended to accommodate larger aircrafts given the lack of available lands and presence of natural obstacles in its present location;

WHEREAS, the DOTr-CAAP is planning for the reorientation and construction of a longer runway at Francisco B. Reyes Airport in order to accommodate larger aircrafts;

WHEREAS, based on the feasibility study conducted by Schema Konsult, Inc. of Busuanga Airport in 2008 and the results of the Obstacle Limitation Surface survey conducted by DOTr-CAAP in 2013, both the feasibility study and survey recommend the reorientation of Busuanga Airport;

WHEREAS, DOTr-CAAP requires **TWO HUNDRED NINETY NINE AND 7342/10000 HECTARES (299.7342 Has.)** of the BPR in order to establish a fully-functional aerodrome complete with all the necessary facilities essential for aerodrome operations;

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual covenants hereinafter set forth, the PARTIES have agreed, as follows;

SECTION I. SCOPE AND COVERAGE

This MOA authorizes DOTr, thru the CAAP to use, occupy and utilize Two Hundred Ninety Nine and 7342/10000 (299.7342) hectares of land within the BPR in order to establish a fully-functional aerodrome complete with all the necessary facilities essential for its operations.

The sketch map with technical description is hereto attached as "**Annex A**".

SECTION II: ROLES AND RESPONSIBILITIES

A. The DOTr thru the CAAP shall:

1. Shoulder all expenses pertaining to the proposed Busuanga Airport Reorientation Project;

2. Coordinate with the Local Government Unit (LGU) and other concerned government agencies in facilitating the relocation of residents to be affected by the undertaking;
3. Include in the project the rerouting of all infrastructures to be affected;
4. Provide technical description of the land to be utilized based on the requirements of the Manual of Standards for Aerodromes based on Annex 14 of the International Civil Aviation Organization – Standards and Recommended Practices (ICAO SARPs);
5. Gather relevant documents for processing of Presidential Proclamation awarding the portion of the Busuanga Pasture Reserve in favor of DOTr-CAAP;
6. Secure all necessary permits and/or clearances pertinent to the completion of the Busuanga Airport Reorientation Project;

B. The DENR thru the FMB shall:

1. Grant the request of CAAP, to utilize TWO HUNDRED NINETY NINE AND 7432/10000 HECTARES (299.7432 Has.) of the BPR as the site for the Busuanga Airport Reorientation Project;
2. Facilitate amendment of Proclamation No. 1387 series of 1975 to exclude therein the 299.7432 Has for Busuanga Airport reorientation project;
3. Assist in the peaceful possession, utilization and implementation of infrastructure projects by DOTr-CAAP over the above described parcel of land.

SECTION III: MISCELLANEOUS PROVISIONS

A. Settlement of Disputes

Parties agree that any conflicts, controversies, issues or disputes which may arise regarding the interpretation or performance within or during the effectivity of this Agreement shall, in their best efforts, try to settle the same among themselves.

In the event of failure to arrive to an amicable settlement, the parties agree to resort the above mentioned to any modes of alternative dispute resolution pursuant to Republic Act No. 9285, otherwise known as the "Alternative Dispute Resolution Act of 2004" in relation to Sections 66-77 of Book IV, Chapter XIV of Executive Order No. 292, as amended or the "Administrative Code of 1987".

B. Amendment or Modification

The parties herein may enter into a supplemental agreement that may be necessary in the course of the implementation of this Agreement. Any amendments, revisions and/or modifications in this Agreement shall require the prior written approval of both Parties.

C. Separability Clause

In the event that any provision of this Agreement is held invalid or contrary to law, the validity of the other terms and conditions hereof shall not be affected thereby.

SECTION IV: EFFECTIVITY

This Agreement shall take effect immediately upon signing by the parties concerned and shall continue to be in full force and effect until and subject to the decision of the President of the Philippines through a Presidential Proclamation covering the subject area.

IN WITNESS WHEREOF, the parties have **HEREUNTO** entered into this Memorandum of Agreement and hereunder affixed their signatures, this ____ day of _____ 2019.

DEPARTMENT OF TRANSPORTATION

By:

HON. ARTHUR P. TUGADE

Secretary

**CIVIL AVIATION AUTHORITY OF
THE PHILIPPINES**

By:

CAPTAIN JIM C. SYDIONGCO

Director General

**DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES**

By:

HON. ROY A. CIMATU

Secretary



DOT-OSCE OUTGOING 19-00483



WITNESSES:

CAPTAIN DONALDO A. MENDOZA

Deputy Director for Operations
Civil Aviation Authority of the Philippines

NONITO M. TAMAYO, CESO IV

Director
Forest Management Bureau

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
QUEZON CITY) S.S.

BEFORE ME, a Notary Public for and in _____, this _____ day of 2020,
personally appeared the following public officials to wit.

ROY A. CIMATU with ID No. _____ in representation of the
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES;

ARTHUR P. TUGADE with ID No. _____ in representation of the
DEPARTMENT OF TRANSPORTATION;

JIM C. SYDIONGCO with ID No. _____ in representation of the
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES;

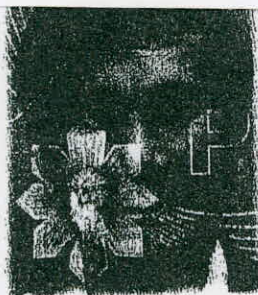
Who are known to be the same public officials who executed the foregoing instrument and they both acknowledged to me that the same is their own free and voluntary act and deed and that of the entities that they respectfully re present.

This instrument consists of four (4) pages including this page on which this acknowledgement appeared have been signed by the Parties and their witnesses on each and every page hereof, and refers to a Memorandum of Agreement. Annex "A" is hereto attached as integral part hereof.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place above written.

NOTARY PUBLIC

Doc. No. : _____
Page No. : _____
Book No. : _____
Series of 2020 _____



Pangalan/ Given names
ROY

Pangitnang apelyido/Middle name
AGULLANA

Petsa ng kapanganakan/Date of birth
04 JUL 1946

Kasarian/sex
M Lu, eng kapanganakan/Place of birth
BANGUI ILOCOS N

Petsa ng pagkakalathala/Date of Issue
13 AUG 2018

Paksa ng pagkawalang bisa/valid until:
12 AUG 2023

Nasyonal na Unibersidad ng
FILIPINAS

Maykapangyarihang nagkaloob/Issuing authority
DFA MANILA

PDPHLCIMATU<<ROY<<<<<<<<<<<<<<<<<<<<<<<<<<<<
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Maka-Diyos,
Maka-Tao,
Makakalikasan
at Makabansa.



PASAPORTE/
PASSPORT

PD

Kodigo ng bansa/ country code
PHL

Pasaporte blg/Passport no
000092470

DO0082134

Apolyido/Surnome
CIMATU

Pangalan/ Given names
ROY

Panggitnang apelyido/Middle name
AGULLANA

Petsa ng kapanganakan/Date of birth
04 JUL 1946

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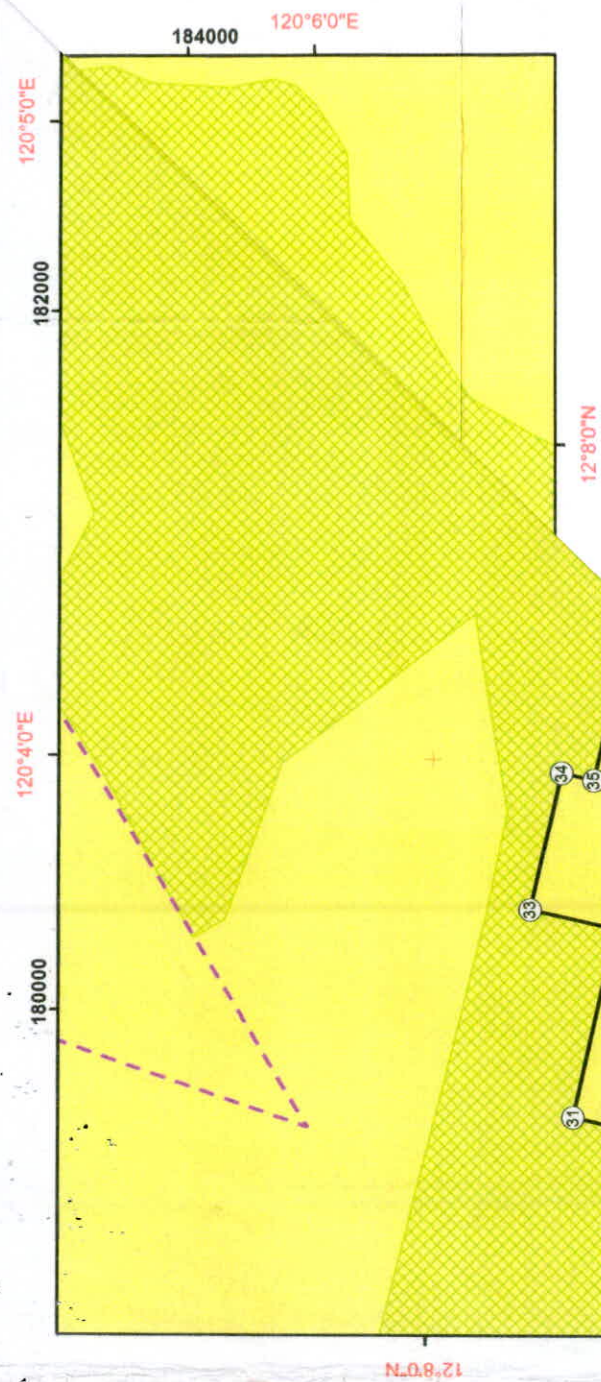
Petsa ng pagkakalathala/Date of Issue
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Petsa ng pagkawalang bisa/valid until:
12 AUG 2023

Nasyonalidad at Pambansapang
FILIPINO

Maykapangyarihang nagkaloob/Issuing authority
DEA MANILA

PDPHLCIMATU<<ROY<<<<<<<<<<<<<<<<<<<<<<<<<<<<
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BUSUANGA AIRPORT EXPANSION PROJECT WITHIN BUSUANGA PASTURE RESERVE

n:
Decalachao
Coron
Palawan

ctares

Line	Area
1-2	1911
2-3	
3-4	
4	