



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE ORIENTAL MINDORO
PENRO TRACKING NO.
RECEIVED BY: [Signature]
DATE: 4/27/21
TIME: 2:00 PM

April 27, 2021

MEMORANDUM

FOR : The PENR Officer

FROM : The OIC, CENR Officer

SUBJECT : **COMPLETED STAFF WORK ON THE CONSTRUCTION OF POULTRY ESTABLISHMENT IN BARANGAY MALABO, VICTORIA, ORIENTAL MINDORO WITHIN NAUJAN LAKE NATIONAL PARK (NLNP)**

The construction of poultry establishment was discovered during the Asian Waterbird Census (AWC) on January 27, 2021 in NLNP which was alleged to be situated in Barangay Duongan, Victoria.

Monitoring / inspection activity was conducted in the area by the undersigned and CENRO Socorro personnel on January 28, 2021. Said construction is within a remote area which is not noticeable to the public.

Initially, at 8:00 AM, a dialogue with Barangay Chairperson Ronaldo Gayacan of Duongan, Victoria was done. According to him, the area of the on-going construction is already part of Barangay Malabo, Victoria hence, he was not notified by the proponent about the construction, but confirmed that the site is within NLNP. In addition, Barangay Duongan is the easiest access to the area.

Afterwards, the team headed to the site together with Mr. Gil Laylay, foreman of the construction. Accordingly, the establishment being constructed is a poultry farm which is within the 3-hectare titled property owned by Artemisium Corporation, owned by Ms. Anabel Pettersson which was bought from its original titleholder, Mr. Benedicto Matanguihan. The poultry has a floor dimension of 50 x 11 meters and is located approximately 250 meters away from lake water. Mr. Laylay noted that he was the second foreman to work in the construction and said that development in the area probably commenced on October, 2020. He also stated that an aquaculture component was planned to be built beside the poultry.

Mr. Nomer Metante, the trustee of the corporation was also interviewed through a phone call. According to him, they have secured some documents from the municipality and they were currently acquiring documents from the barangay. Mr. Metante was told that although the construction site is within a private property, it is still a must to secure a clearance from the Protected Area Management Board (PAMB) of NLNP since no clearance was issued to the construction per record of our Office. On the other hand, he conveyed that they are willing to comply what is required.

As an action to this matter, a letter dated February 2, 2021 informing the proponent to secure a PAMB Clearance was prepared and sent immediately which was received by Mr. Metante on February 5, 2021. They were notified to stop their operation until such time that



the PAMB issues a clearance since no record from this Office that a PAMB Clearance was issued to said construction. This is relative to the Rule 12 DAO 2019-05 or the Implementing Rules and Regulations of R.A. 11038 or Expanded National Protected Areas System (ENIPAS) Act which amends R.A. 7586, citing that *“All development projects or activities, whether proposed by the government or the private sector, shall require a PAMB Clearance. The Clearance shall be issued through a Resolution by a majority vote of the PAMB members if the project or activity is in consonance with the PAMP.”*

They were also informed that the on-going construction violates the provision under Section 20 (o) of DENR Administrative Order (DAO) 2019-05 or the Implementing Rules and Regulations of R.A. 11038 or Expanded National Protected Areas System (ENIPAS) Act which amends R.A. 7586, *“constructing, erecting, or maintaining any kinds of structure, fence or enclosures, conducting any business enterprise within the protected area without prior clearance from the PAMB and permit from the DENR, or conducting these activities in a manner that is inconsistent with the management plan duly approved by the PAMB”*.

Also, in the letter sent, the proponent was invited for a technical conference which was scheduled on February 11, 2021. On the said event, Mr. Metante attended but was not acknowledged as the representative of the corporation because he failed to present an authorization from the owner.

On February 18, 2021, another technical conference with the proponent was organized. The activity was attended by Mr. Metante, Mr. Francisco C. Dapito, PAgo personnel (marketing assistance) and Engr. Ariel Nonescan, Project Engineer which was facilitated by DMO IV Leo G. Capon and NLNP Assistant PASu Jose Maria M. Fontanilla. Unfortunately, the meeting was not pushed through because Mr. Metante failed again to present the document stating him as the official representative of the company.

Then, an invitation for presentation to the 1st NLNP-PAMB meeting on March 10, 2021 was sent on February 22, 2021. Ms. Pettersson, owner of Artemisium Corporation was present during the meeting where the plans and operations of the poultry farm was presented by Mr. Metante. The PAMB members have commented on the presentation that all planned development in the site should not have adverse effect to the communities and the PA as a whole whereas mitigating measures should be accompanied. It was also agreed that the proponent will revise the plans and incorporate the suggestions.

Based on the monitoring of Protected Area Management Office (PAMO) personnel in the construction area of the poultry establishment, the development in the area has been continuing. So, another letter strongly advising the proponent to stop all construction activities was sent on March 1, 2021.

A letter dated April 12, 2021 from Ms. Pettersson and Mr. Pat Andrew Barrientos, Center Director of Agricultural Training Institute (ATI) MIMAROPA informing that ATI and Ms. Pettersson have been working closely to establish Artemisium Farm Corporation as an Integrated Learning Site. They also expressed their intent to present their updated plans to the PAMB Executive Meeting on April 28, 2021.



On the other hand, the management of the Artemisium Corporation was not complying to the advises to stop the development in the area because based on the monitoring of PAMO personnel the construction of the establishment have been continuing and it is near to completion. Another notice was sent to the management strongly advising them to stop all the developments in the area or the Office will be forced to file criminal complaint against the proponent in Court in violation of the provision in the law.

In view of the uncooperativeness of the Artemisium Corporation to the advices of this Office to stop all developments in the poultry facility in Barangay Malabo, Victoria, we are seeking your advice for the most appropriate action toward this matter. //

Attached are photo taken during the activities and letters sent to the proponent.


ANASTACIO A. SANTOS, RPF, MPA

Cc: *The Regional Executive Director
Roxas Blvd., Ermita, Manila*

*The Municipal Mayor
Victoria, Oriental Mindoro*



Photos during coordination with Barangay Chairperson Ronald Gayacan





Photos during the inspection of the on-going construction of Poultry Facility





Photos during the Technical Conference on February 18, 2021



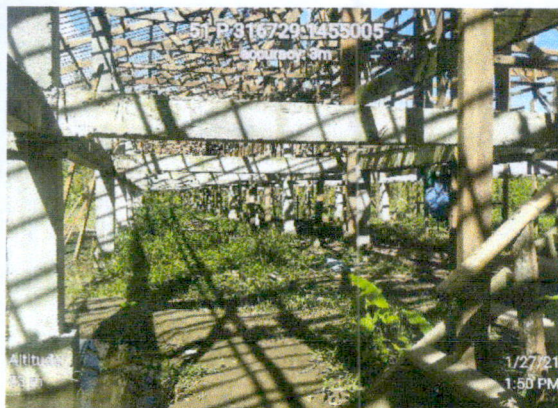


Photos during the presentation of Mr. Metante during the 1st NLNP-PAMB Meeting





Photos during monitoring of the poultry establishment





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NAUJAN LAKE NATIONAL PARK
PROTECTED AREA OFFICE

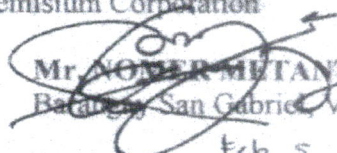


February 2, 2021

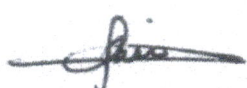
MS. ANABEL PETERSON

Representative, Artemisium Corporation

Thru:


Mr. NOMER MITANTE
Barangay San Gabriel, Victoria

Feb. 5, 2021


MARILYN MAGBUHOS

Dear Ms. Peterson,

A conservation day to you!

This is relative to the on-going construction of poultry facility in Barangay Malabo, Victoria which is within Naujan Lake National Park (NLNP).

Naujan Lake National Park was declared as a national park by virtue of Proclamation No. 282 issued on 27 March 1956. It covers a total area of about 21,665 hectares. Naujan Lake is the 5th largest lake in the Philippines. It has been designated as a Wetland of International Importance to the Ramsar List on 12 November 1999 (Wetlands International, 2003).

NLNP is also an initial component of the National Integrated Protected Areas System (NIPAS) Act, or Republic Act (RA) No. 7586, in 1992. Initial components of the NIPAS include "all areas or islands in the Philippines proclaimed, designated or set aside, pursuant to a law, presidential decree, presidential proclamation or executive order as national park, game refuge, bird and wildlife sanctuary, wilderness area, strict nature reserve, watershed, mangrove reserve, fish sanctuary, natural and historical landmark, protected and managed landscape/seascape as well as identified virgin forests before the effectivity of the NIPAS Act" (RA 7586, Section 5, a).

Please be informed that the on-going construction violates the provision under Section 20 (o) of DENR Administrative Order (DAO) 2019-05 or the Implementing Rules and Regulations of R.A. 11038 or Expanded National Protected Areas System (ENIPAS) Act which amends R.A. 7586, "constructing, erecting, or maintaining any kinds of structure, fence or enclosures, conducting any business enterprise within the protected area without prior clearance from the PAMB and permit from the DENR, or conducting these activities in a manner that is inconsistent with the management plan duly approved by the PAMB".

Violation under this prohibition is subjected to a fine of not less than Two hundred thousand pesos (P200,000) but not more than One million (P1,000,000) or imprisonment of one (1) year but not more than six (6) years, or both, shall be imposed upon any person who violates paragraph (f) to (n) of Section 20 herein [Section 21 (b)].

Also, per record of this Office, no PAMB clearance was issued to said construction which clearly violates the provision under Rule 12.1 of the DAO 2019-05 or the Implementing Rules and Regulations of R.A. 11038 or Expanded National Protected Areas System (ENIPAS) Act



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NAUJAN LAKE NATIONAL PARK
PROTECTED AREA MANAGEMENT OFFICE



which amends R.A. 7586, "All development projects or activities, whether proposed by the government or the private sector, shall require a Protected Area Management Board (PAMB) Clearance. The Clearance shall be issued through a Resolution by a majority vote of the PAMB members if the project or activity is in consonance with the Protected Area Management Plan (PAMP).

In view hereof, please refrain from introducing further development in the area until the site development plan is presented to the PAMB and a clearance is secured.

May we invite you for a technical conference which will be on February 11, 2021 at Protected Area Management Office (PAMO), Barangay Pasi II, Socorro, Oriental Mindoro at 9:00 AM. Kindly bring with you all the documents in relation to the project.

We are looking forward on your cooperation in this matter.

Thank you and God Bless.

In conservation,

JOSE MARIA M. FONTANILLA

ECOMS I / Assistant Protected Area Superintendent, NLNP

Cc: The Regional Executive Director / PAMB Chairperson
The PENR Officer, Calapan City, Oriental Mindoro
The CENR Officer, Socorro, Oriental Mindoro
The Municipal Mayor, Victoria, Oriental Mindoro



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Community Environment and Natural Resources Office
NAUJAN LAKE NATIONAL PARK
PROTECTED AREA OFFICE



February 22, 2021

MS. ANABEL PETERSON
Representative, Artemisium Corporation

Thru: **Mr. NOMER METANTE**
Barangay San Gabriel, Victoria

Dear Ms. Peterson:

Greetings!

This is relative to the construction of your poultry facility in Barangay Malabo, Victoria which is within Naujan Lake National Park (NLNP).

Please be informed that the 1st Regular NLNP-PAMB meeting will be held on March 10, 2021 of which venue is to be announced a week before the meeting. In view hereof, we are inviting you to the said meeting to enlighten us of the project and present its development plan.

For more information, you may email us at naujanlakenp@gmail.com or call the undersigned at mobile number 0905-334-8455.

Thank you and God bless.

In conservation,

JOSE MARIA M. FONTANILLA
ECOMS I / Assistant PASu, Naujan Lake National Park



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PROTECTED AREA MANAGEMENT OFFICE



March 1, 2021

MS. ANABEL PETERSON

Representative, Artemisium Corporation

Thru:

Mr. NOMER METANTE

Barangay San Gabriel, Victoria

Dear Ms. Peterson,

A conservation day to you!

This is relative to the construction of poultry facility in Barangay Malabo, Victoria which is within Naujan Lake National Park (NLNP). The construction of this facility violates the provision under Section 20 (o) of DENR Administrative Order (DAO) 2019-05 or the Implementing Rules and Regulations of R.A. 11038 or Expanded National Protected Areas System (ENIPAS) Act which amends R.A. 7586, "constructing, erecting, or maintaining any kinds of structure, fence or enclosures, conducting any business enterprise within the protected area without prior clearance from the PAMB and permit from the DENR, or conducting these activities in a manner that is inconsistent with the management plan duly approved by the PAMB".

Violation under this prohibition is subjected to a fine of not less than Two hundred thousand pesos (P200,000) but not more than One million (P1,000,000) or imprisonment of one (1) year but not more than six (6) years, or both, shall be imposed upon any person who violates paragraph (f) to (n) of Section 20 herein [Section 21 (b)].

In view hereof, a Technical Conference was called on February 18, 2021 at 9:00 AM in CENRO Socorro Office, Pasi II, Socorro, Oriental Mindoro to discuss about aforementioned matter. It was attended by Mr. Nomer T. Metante, Artemisium Corporation trustee, Mr. Francisco C. Dapito, Marketing Specialist II of Provincial Agriculture Office and Engr. Ariel Nonescan, Project Engineer and was facilitated by DMO IV Leo G. Capon and the undersigned, both from DENR CENRO Socorro.

Unfortunately, during the technical conference, Mr. Metante failed to submit a notarized authorization to represent in behalf of your company and present legal documents, hence, no agreement were reached during said meeting. Also, he once failed to present same document during the meeting on February 11, 2021.

Further, although we didn't recognized them as official representative of Artemisium Corporation but still informed them of the upcoming PAMB meeting comes March 10, 2021 and invited them to attend and present the project proposal you have before the PAMB members and subsequently ask clearance from the them.

In this view, you are strongly advised to stop all construction activities or any development in the area until necessary documents specifically a clearance from the Protected Area Management Board (PAMB) was secured for the application of Environmental Compliance Certificate (ECC) from the DENR Environment Management Bureau (EMB) which are both required for a Special Use Agreement in Protected Areas (SAPA).

We are looking forward on your cooperation in this matter.

Thank you and God Bless.

In conservation,



Republic of the Philippines
Department of Agriculture
AGRICULTURAL TRAINING INSTITUTE
Regional Training Center - MiMaRoPa
Barangay, Naujan, Oriental Mindoro
Tel. (05) 166-1987; 0417-843265; 0438-416671
Email add: ati@ceaaq@yahoo.com; website: www.ati.da.gov.ph/mimaropa

April 12, 2021

MARIA LOURDES G. FERRER, CESO III
Regional Executive Director
Protected Area Management Board Chairperson
DENR MiMaRoPa Region

Thru: **JOSE MARIA M. FONTANILLA**
ECOMS I/ Assistant PASu, NLNP

Dear Ma'am:

We would like to extend our sincerest gratitude to the Department of Environment and Natural Resources (DENR) and Protected Area Management Board (PAMB) for the assistance extended during the conduct of the Action Plan and Project (APP) of our ATI scholars (Ms. Darm, Ms. Magnaye and Mr. Pasana) entitled "Introduction of Sustainable Interventions for the Naujan Lake National Park (NLNP) in Oriental Mindoro" wherein result of this Project has already been presented to the PAMB way back in 2018.

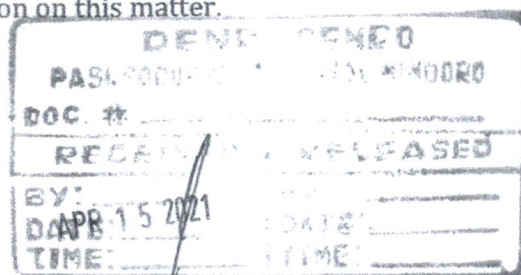
As our way of expressing our appreciation to further serve as an avenue for future studies and development in the NLNP, **we wish to formally endorse a hard-bound copy of the signed and approved APP to the Board during your ExeCom Board Meeting on April 28, 2021.**

Furthermore, as part of our sustainable intervention to the NLNP, we wish to inform you that we are working closely with the establishment of an Integrated Learning Site named Artemisium Farm Corporation in Brgy. Malabo in Victoria, Oriental Mindoro which is owned by Mrs. Anabel L. Pettersson. Hence, may we also seek your kind approval for the said owner to briefly discuss the background of the farm project on the same date.

Thank you in anticipation of your utmost consideration on this matter.

Truly yours,


PAT ANDREW B. BARRIENTOS, M.M., J.D.
Center Director



April 12, 2021

MARIA LOURDES G. FERRER, CESO III
Regional Executive Director
Protected Area Management Board Chairperson
DENR MiMaRoPa Region

Thru: **JOSE MARIA M. FONTANILLA**
ECOMS I/ Assistant PASu, NLNP

Dear Ma'am:

It is of utmost gratitude that we were able to present the initial status of the Artemisium Farm Corporation Project during the PAMB Meeting on March 10, 2021. We do appreciate the comments given by the Board during the presentation and we have incorporated them and further sought guidance from the Agricultural Training Institute - Regional Training Center MiMaRoPa where our farm is applying for certification as Learning Site.

The ARTEMISIUM FARM CORPORATION is now designed to be an integrated farm composed of poultry particularly broiler, rice, vegetables and other fruit bearing trees. The farm will showcase applicable agricultural technologies and employ farming strategies proving agriculture as productive livelihood and source of income among residents in the NLNPcommunity.

In this regard, **we wish to present the updated proposal to the Board during your Executive Committee Board Meeting on April 28, 2021.** Should you need further clarification or notification for our presentation, please feel free to contact the undersigned thru mobile number 0917-1772-915.

Thank you and looking forward on your consideration of this humble request.

Truly yours,


ANABEL L. PETTERSSON
Farm Owner