



Republic of the Philippines  
Department of Environment and Natural Resources  
**FOREST MANAGEMENT BUREAU**  
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**OCT 20 2021**

**ATTY. ELMER N. DISTOR**

Undersecretary

Field Operations Office

Department of Agrarian Reform

Elliptical Road, Diliman, Quezon City

Attention : **ATTY. MARVIN V. BERNAL**  
Regional Director  
DAR MIMAROPA Region

**DAISY D. MAGBANUA**

OIC-Provincial Agrarian Reform Program Officer II  
DAR Provincial Office - Palawan

Dear Sir:

Greetings!

This pertains to the issuance of Certificate of Land Ownership Awards (CLOAs) within Busuanga Pasture Reserve (BPR) despite the pending protest of this Office and in the absence of validation of the area. Pursuant to Presidential Proclamation No. 663, series of 2013, the Forest Management Bureau is the administrator of BPR. It has jurisdiction and authority over the administration, protection, management of pasture lands in the area. The CLOA signed by DAR Secretary John R. Castriciones covers Lot No. 535 and Lot No. 385, CAD 1150-D and Lot Number 697, CAD 1150-Case D with an area of 27.5807, 127.5156, and 427 hectares, respectively.

Upon review and evaluation of CLOA with Lot numbers 535 and 385, CAD 1150-D as previously described in the Deed of Transfer of DAR, this Office finds the area as forest land and some parts of the area within the >18% slope. Based on the analysis, 4.03 and 65.91 hectares of Lot No. 535 and Lot No. 385, CAD 1150-D fall within the >18% slope of BPR. Moreover, a review of Lot Number 697, CAD-1150 case D, reveals that 386.84 hectares out of the 486.06 hectares (80%) fall under the category of >18% slope.

It can be recalled that the Dispute Resolution Committee (DRC) of the Department of Justice (DOJ) terminated the conciliation proceedings and issued a Certificate of No Settlement in its final conciliation hearing on 17 August 2020. The DENR is still waiting for the decision of the Department of Agrarian Reform Adjudication Board (DARAB) on the protest on the cancellation of Notice to Proceed Acquisition (NTPA) of Busuanga Pasture Reserve (BPR) lands. In the absence of the said decision from DARAB, this Office is of the considered view that the distribution of CLOAs within BPR violates existing laws. Also, this Office maintains

its position that Executive Order No. 75 is not applicable to the BPR. Hence, the BPR is withdrawn from "sale, settlement or any other form of disposition, exploration or exploitation and reserve as a pasture reserve" pursuant to Presidential Proclamation No. 1387, s. 1975.

In view of the foregoing, we are requesting your good Office to immediately hold in abeyance the issuance of CLOAs within BPR until the issues surrounding the matter has been resolved.

Please be guided accordingly.

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:     *The Undersecretary for Field Operations and Environment, DENR*  
          *The Undersecretary for Legal, Administration, Human Resources and Legislative Affairs, DENR*  
          *The Head Executive Assistant, Office of the Secretary - DENR*  
          *The Director, DENR Legal Affairs Service*  
          *The Regional Executive Director, DENR MIMAROPA*