



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>

## MEMORANDUM

**FOR :** The Regional Executive Director  
DENR MIMAROPA Region  
1515 Roxas Blvd., Ermita Manila

**FROM :** The Director

**SUBJECT :** **THE APPLICATION OF BUSUANGA RENEWABLE ENERGY DEVELOPMENT (BRED) FOR FOREST LAND GRAZING MANAGEMENT AGREEMENT (FLGMA) WITHIN BUSUANGA PASTURE RESERVE (BPR)**

**DATE :** NOV 03 2022



This pertains to the Memorandum dated 02 June 2022 of the Regional Executive Director, DENR MIMAROPA Region forwarding the application for Forest Land Grazing Management Agreement (FLGMA) of Busuanga Renewable Energy Development (BRED) covering an approximate area of 685.70 hectares within Busuanga Pasture Reserve (BPR), Barangay Cheey, Quezon and Sagrada, Busuanga, Palawan.

Based on the technical meeting conducted on 19 July 2022 attended by representatives from FMB and BPRMO (Annex A) to evaluate the submitted documentary requirements of BRED and to advise and assist the company with the lacking documentary requirements. Please be informed that Mr. Maxime Droit and Erwin Krishna Nakpil Santos, representatives of the BRED have submitted their SEP Clearance No. FLGMA-080422-031 (Annex B) and Certification of Non-Overlap CNO RIVB-PAL-2020-06-10 (Annex C). However, the company's Articles of Incorporation of the company is still on the process of amendment.

Considering that the company had already complied with the lacking documentary requirements except for the amended Articles of Incorporation to reflect the sole purpose of FLGMA which is for grazing of livestock, we are returning the application of BRED for your evaluation and approval consistent with DAO No. 2022-10 dated 30 May 2022 entitled "*Revised Manual of Authorities on Technical Matters*".

**FOR INFORMATION AND FURTHER APPROPRIATE ACTION, PLEASE.**

**TIRSO P. PARIAN, JR., CESO IV**

Copy Furnished:

Undersecretary for Policy, Planning and International Affairs

Undersecretary for Field Operations - Luzon, Visayas and Environment

*Harnessing forestry science for sustainable development*



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## MEMORANDUM

FOR : The Regional Executive Director  
DENR MIMAROPA Region  
1515 Roxas Blvd., Ermita Manila

FROM : The Director

SUBJECT : **TECHNICAL MEETING ON THE APPLICATION OF  
BUSUANGA RENEWABLE ENERGY DEVELOPMENT (BRED)  
FOR FOREST LAND GRAZING MANAGEMENT  
AGREEMENT(FLGMA) WITHIN BUSUANGA PASTURE  
RESERVE (BPR)**

ATTACHMENT : Copy of the Annotated Agenda as well as the application of BRED in  
one (1) folder

DATE : **OCT 10 2022**

This has reference to the Technical Meeting conducted on 19 July 2022 via virtual platform regarding the above subject. It was attended by representatives from Busuanga Pasture Reserve Management Office (BPRMO) and the concerned technical staff of this Office. The said meeting focused on the review of the documents submitted by the Busuanga Renewable Energy Development (BRED) as well as their past application for tenure instrument within the Busuanga Pasture Reserve (BPR).

It was observed that the submitted documentary requirements do not reflect the primary purpose of the applied tenurial instrument which is solely for grazing of livestock. Kindly be reminded that proposed projects within the Busuanga Pasture Reserve (BPR) must complement the primary purpose stipulated in the BPR Master Plan and Presidential Proclamation No. 1387, s. 1975.

Relative thereto, based on the agreements reached during the said meeting as embodied in the Annotated Agenda, it is recommended for the Regional Office to cause the the following:

1. Evaluate the completeness and correctness of the submitted application requirements as provided in DAO 2004-35, Sec 1.0; and
2. Advise BRED to update/change/provide documentary requirements, including the following:
  - i. PCSD Strategic Environmental Plan (SEP) Clearance
  - ii. Articles of Incorporation's primary purpose should emphasize raising of grazing livestock and establishment of Napier Grass Plantation



iii. NCIP Clearance/Certificate of Non Overlap (CNO)

Considering that the Busuanga Pasture Reserve (BRP) is under the administration/management of this Office. May we request that FMB representative be invited in the evaluation of tenure applications within the said pasture reserve.

**FOR INFORMATION AND CONSIDERATION, PLEASE.**

  
**TIRSO P. PARIAN, JR., CESO IV**

**TECHNICAL MEETING RE: APPLICATION OF BUSUANGA RENEWABLE ENERGY DEVELOPMENT (BRED) FOR FOREST LAND GRAZING MANAGEMENT AGREEMENT (FLGMA)**

**19 JULY 2022  
ANNOTATED AGENDA**

**FACTS OF THE CASE:**

1. BRED Corporation initially applied for Integrated Forest Management Agreement (IFMA) within Busuanga Pasture Reserve (BPR) - which was later denied by FMB through its letter dated 18 August 2021. The BPR was reserved as such pursuant to Presidential Proclamation No. 1387, s. 1975. Hence, proposed projects must always complement the primary purpose of the BPR, which is for pasture reserve.
2. On 06 September 2021, Ms. Michelle Boccoz endorsed BRED on its intent to apply for FLGMA within the BPR to the DENR Secretary. Subsequently, the company submitted their duly accomplished application form for FLGMA together with the documentary requirements to support their application to the CENRO, Coron on 20 September 2021;
3. In response to Ms. Boccoz, then FMB Director through its letter dated 04 November 2021 advised her of the documentary requirements for FLGMA;

ISSUE/CONCERN	LEGAL BASIS	DISCUSSIONS	AGREEMENTS
Whether the application of BRED fits the laws, rules, and regulation for FLGMA	<p>Presidential Proclamation No. 1387, s. 1975 provides that the Busuanga Pasture Reserve <i>"shall be withdrawn from sale, human settlement or any other form of disposition, exploitation and shall be reserved as a pasture"</i>;</p> <p>DAO 1999-36, Section 22: Responsibilities of Holder of Agreement and the Government. The responsibilities of the agreement holder and the government shall be indicated in the management plan. It should be emphasized that the agreement holder has the responsibility of protecting, developing and maintaining the productivity of the area.</p> <p>DAO 99-26 Procedural Manual in the implementation of DAO 99-36, item 2.2 provides that the <i>"FLGMP and OP should be within the concept of sustainable management and development of the existing grazing land resources including its protection, improvement, rehabilitation of degraded ones and conservation of soil and water and its biodiversity which will result to higher productivity and sustainability of the resources therein and provide greater economic and social benefit for the community"</i>. and item 2.3 provides that in the summary of FLGMP should include <i>"Present grazing lands resource data, grazing management system approved to be practiced, grazing</i></p>	<p>The primary purpose of the company mentioned in its Articles of Incorporation is to <i>explore, discover, develop, generate, produce...any substances or resource...which by itself...causes the generation of heat of power or energy derived from renewable energy resources..."</i></p> <p>Their 5-Year OP provides that the BRED Project <i>"aims to provide a sustainably-sourced feedstock to the Cattle Industry and surrounding grazing areas of the municipality of Busuanga through the establishment of Napier Grass Plantation"</i></p> <p>In their duly notarized application form, item 3 declared that <i>"Number of cattle owned, None."</i></p>	<p>For the Regional Office to provide the necessary documents as attachment to the endorsement Memorandum, to wit:</p> <ul style="list-style-type: none"> <li>- Biophysical Report following the <i>Guidelines for the Survey and Assessment of FLGMA Areas</i> as provided in DAO 99-26, Chapter 1;</li> <li>- Application requirements as provided in DAO 2004-35, Sec 1.0</li> </ul> <p>For the Field Office to advise BRED to update/change/provide documentary requirements, including the following:</p> <ul style="list-style-type: none"> <li>- PCSD Strategic Environmental Plan (SEP) Clearance</li> <li>- Articles of Incorporation's primary purpose should include emphasize on the raising of grazing livestock and establishment of Napier Grass Plantation</li> <li>- NCIP Clearance/Certificate of No-Overlap</li> </ul>



	land protection and improvement" and that the Development and Management System should include "Forage improvement, Grazing systems, herd/livestock management, protection plan, Infrastructure improvement, cattle production schemes and marketing strategy, and other grassland uses such as, food production program, forage production program, tree plantation establishments"		<ul style="list-style-type: none"> <li>- Proof of financial capability either in the form of credit lines or Cattle ownership as Certified by the Municipal Treasurer concerned of one (1) head of cattle for every five (5) years.</li> </ul> <p>Otherwise, if the applicant found the requirements for FLGMA over BPR tedious, assist them in finding an appropriate open area for their project outside BPR</p>
Whether the processing of the application of BRED be delegated to the USEC for Field Operations or by the Regional Executive Director, DENR Region 4B	<p>DAO 2022-10 dated 30 May 2022 re: "Revised Manual of Authorities on Technical Matters" provides that the approving/issuing authority of Tenorial Instruments for forestry is delegated to the RED</p> <p>Proclamation No. 663 dated 14 October 2013, the administration of the BPR is under the FMB</p>	Memo dated 14 January 2021 of USEC Cuna, instructing the DENR R4B for the proper evaluation and processing of the application of BRED.	For the CENRO to invite both BPRMO and members of FMB TWG SO No. 2021-74 dated 09 June 2021 during the evaluation of application for tenure instruments within BPR.

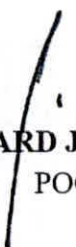
Prepared by:



**FOR. JOEY ACE P. PERALTA**  
PDOIL, CIFS-FRMD



**FOR. DANELYN DE LOS REYES**  
FMSII, FRDS-FIDD



**RICHARD JOHN P. GALAGATE**  
POCO, BPRMO



**FRANCES NICOLE LAVAPIE**  
PDO, FRDS-FIDD

Noted by:



**ILDEFONSO L. QUILLOY**  
OIC, FRMD



**NORLITO SARMIENTO**  
OIC, FIDD



**TIRSO P. PARIAN, JR., CESO IV**  
Director









Republic of the Philippines  
(Republic Act No. 7611)

## PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT

### SEP CLEARANCE

No. FLGMA-080422-031

Pursuant to the mandate of the Palawan Council for Sustainable Development (PCSD) under Republic Act 7611 and concurred by the Department of Environment and Natural Resources (DENR) as provided in its Memorandum of Agreement with PCSD dated 29 December 1994, this SEP Clearance is issued to:

#### FOREST LAND GRAZING MANAGEMENT AGREEMENT (FLGMA)

Name of Project

Site 1: Barangays Cheey and Quezon, Busuanga, Palawan  
Site 2: Barangay Sagrada, Busuanga, Palawan

Project Location (Street, Sitio, Barangay, Municipality)

#### Busuanga Island Renewable Energy Development (BRED) Corporation

Name of Proponent

8 Rockwell Building, Hidalgo Drive, 1210, Makati City

Address of Proponent

This Clearance is issued this 4<sup>th</sup> day of August 2022 in Puerto Princesa City.

O.R. No. : 0577060  
Date : 8/25/22  
Amount : ₱5,060.00



*WJ*  
VICTORINO DENNIS M. SOCRATES  
Chairman, PCSD

Not Valid Without PCSD Official Seal  
(PLEASE SEE OVERLEAF FOR THE TERMS AND CONDITIONS OF THIS CLEARANCE)



*Vision:* Palawan, an innovative and dynamic global center of sustainable development

*Mission:* PCSDS as the driver of environmental conservation and inclusive development in Palawan, a biosphere reserve and science-for-sustainability site, guided by the Strategic Environmental Plan

HEAD OFFICE:

PCSD Building, Sports Complex Road

Santa Monica Heights, Puerto Princesa City, Palawan, Philippines

Tel. (+6348) 434-4235 Trunkline\*(+6348) 434-4234 Telefax

Email: oed@pcsd.gov.ph \* Website: www.pcsd.gov.ph | www.prp.pcsd.gov.ph

METRO MANILA LIAISON OFFICE:

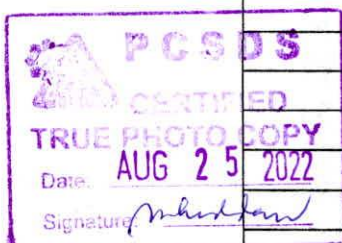
Room 109, G/F Westria Residences

#77 West Avenue, 1104 Quezon City, Philippines

Tel. No: (+632) 376-2061 / (+632) 376-2775

39	12.244962	119.960471
40	12.244900	119.958005
41	12.244575	119.956366
42	12.243459	119.953593
43	12.243426	119.953216
44	12.243832	119.952922
45	12.243987	119.952501
46	12.243901	119.952046
47	12.243554	119.951805
48	12.243156	119.951880
49	12.242746	119.951764
50	12.241544	119.948566
51	12.239963	119.947950
52	12.238456	119.946889
53	12.237584	119.946896
54	12.236901	119.946499
55	12.236764	119.945723
56	12.236331	119.945790
Datum: D Luzon 1911		

BRED – Site 2 Area 1		
POINTS	LATITUDE	LONGITUDE
1	12.093221	119.989900
2	12.094916	119.988843
3	12.097115	119.990258
4	12.098964	119.988704
5	12.098666	119.986998
6	12.103951	119.985468
7	12.104545	119.988302
8	12.103801	119.988587
9	12.102741	119.988606
10	12.101644	119.988473
11	12.100832	119.988793
12	12.100804	119.988636
13	12.099754	119.989433
14	12.102286	119.992941
15	12.099263	119.994501
16	12.098686	119.993962
17	12.098013	119.995290
18	12.098245	119.996336
19	12.097723	119.996840
20	12.096897	119.997477
21	12.096363	119.998428
22	12.096223	119.999236
23	12.095921	119.998950
24	12.095410	119.998214
25	12.094876	119.997690
26	12.093563	119.997607

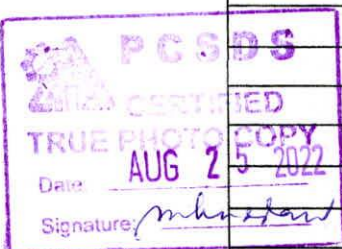




11	12.082325	120.022969
12	12.082736	120.022988
13	12.083201	120.022844
14	12.083512	120.022512
15	12.083849	120.022543
16	12.084026	120.022921
17	12.083978	120.023324
18	12.083987	120.023745
19	12.084386	120.024042
20	12.084704	120.024035
21	12.084490	120.024518
22	12.084398	120.025476
23	12.084596	120.025950
24	12.084382	120.026471
25	12.083807	120.026695
26	12.083644	120.026947
27	12.083688	120.027252
28	12.084094	120.027855
29	12.084674	120.027861
30	12.085167	120.028156
31	12.085261	120.028137
32	12.085834	120.025655
33	12.085792	120.024428
34	12.086278	120.025243
35	12.086662	120.025772
36	12.082822	120.038220
Datum: D_Luzon_1911		

Technical description of the Non-allowable Areas that are not to be included in the FLGMA application:

(CORE ZONE) BRED - SITE 2 AREA 1		
POINTS	LATITUDE	LONGITUDE
1	12.096634	119.994934
2	12.095821	119.995318
3	12.095441	119.995523
4	12.094931	119.996203
5	12.094137	119.997177
6	12.093982	119.997446
7	12.093961	119.997626
8	12.093563	119.997607
9	12.092413	119.996787
10	12.092099	119.995504
11	12.091367	119.995468
12	12.089966	119.996189
13	12.087755	119.996541
14	12.087855	119.998724
15	12.088408	120.001684
16	12.088047	120.002152



17	12.083619	120.031719
18	12.083389	120.031603
19	12.083458	120.031124
20	12.083535	120.030599
21	12.083625	120.029972
22	12.083770	120.029378
23	12.083888	120.028894
24	12.084101	120.028023
Datum: Luzon 1911		

2. The issuance of the SEP Clearance is subject to a post-condition that the corresponding ECC, license, permit, and other similar instruments, whichever are applicable, must be subsequently secured, copies of which shall be furnished to the PCSD;
3. The actual development of the applied areas is subject to a separate ECAN Zoning Certification and SEP Clearance;
4. In the exercise of visitorial power, authorized PCSD/S officials /personnel and ECAN Board by itself or through its SMT shall be allowed to conduct inspection of the applied areas at any time of the day without prior notice;
5. Any expansion of the FLGMA areas is subject to a separate SEP Clearance.

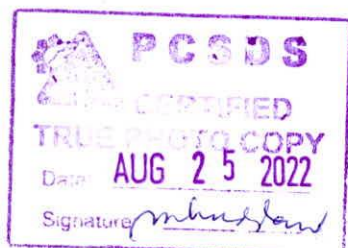
Non-compliance with any of the above conditions shall be sufficient cause for the suspension or cancellation of this clearance and/or the imposition of penalty of fine in the amount of not less than ONE HUNDRED THOUSAND PESOS (Php100,000.00) for every violation with additional ONE HUNDRED THOUSAND PESOS (Php100,000.00) for every attending aggravating circumstance enumerated under Section 23.6 of PCSD Administrative Order No. 06, as amended by PCSD Resolution No. 21-760. You may however waive your right to participation in the adjudication proceedings under Section 24 of PCSD Admin Order No. 6, as amended, by signing your admission to the alleged violations and your conformity to the imposition of fines.

### CONFORME

I, \_\_\_\_\_, proponent/grantee of the foregoing Clearance, hereby certify that I have read and understood the Terms and Conditions for which this SEP Clearance is issued and I hereby express my conformity thereto and my commitment to abide by the provisions of Republic Act 7611, PCSD Administrative Order No. 06, as amended, and other PCSD policies related thereto.

Signature over Printed Name \_\_\_\_\_

Date Signed: \_\_\_\_\_







Republic of the Philippines  
OFFICE OF THE PRESIDENT  
NATIONAL COMMISSION ON INDIGENOUS PEOPLES  
MIMAROPA REGIONAL OFFICE

3/F GLC Building, J. P. Rizal Street, San Vicente, Calapan City, Oriental Mindoro

**CERTIFICATE OF NON-OVERLAP**

Control No. CNO RIVB-PAL-2020-06-10

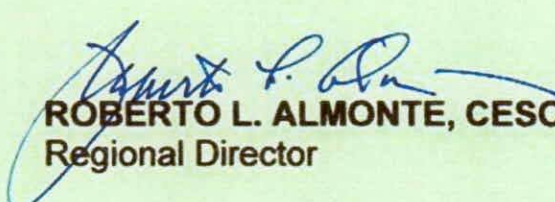
**TO WHOM IT MAY CONCERN:**

**THIS IS TO CERTIFY** that the applied area for the proposed establishment of Hybrid Biomass Production and Power Plant Project under Special Land Use Permit of **BUSUANGA ISLANDS RENEWABLE ENERGY DEVELOPMENT CORPORATION** located at Sitio Dimalantung and Sitio Penya, Barangay Sagrada, Sitio Kumilikili and Sitio Hawl, Barangay Cheey, and Sitio Amaha, Barangay Quezon, all in the Municipality of Busuanga, Province of Palawan, **DOES NOT OVERLAP** any Ancestral Domain/Land of Indigenous Cultural Communities/ Indigenous Peoples based on the assessment of secondary data and Field-Based Investigation conducted in accordance with National Commission on Indigenous Peoples Administrative Order No. 3, Series of 2012.

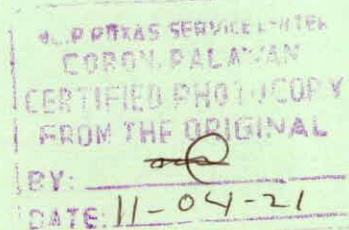
**THIS IS TO CERTIFY FURTHER** that the proponent is required to undergo Free and Prior Informed Consent process should it be found later that there is, in fact, an overlap in whole or in part of any Ancestral Domain/Land.

Issued in compliance with Section 59 of Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act (IPRA) of 1997, and pursuant to Commission En Banc Resolution No. 07-53.2017, approved on September 26, 2017.

June 30, 2020  
Calapan City, Oriental Mindoro

  
**ROBERTO L. ALMONTE, CESO III**  
Regional Director

*Not valid without seal*



Cc: HON. GEORGE M. LARGADO  
Commissioner, Island Groups and Rest of Visayas

TMSD/ Records