Department of Environment and Natural Resources



PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

Bgy. Sta. Monica, Puerto Princesa City, Palawan

Telfax No. (048) 434 - 8791

Email Add: penropalawan@denr.gov.ph

December 1, 2022

MEMORANDUM

FOR

The Regional Executive Director

DENR MIMAROPA Region

1515 DENR By the Bay Building, Roxas Boulevard,

Barangay 668, Ermita, Manila

THRU

The OIC, ARD for Technical Services

FROM

The Provincial Environment and

Natural Resources Officer

SUBJECT

CLARIFICATION ON IMPOSITION OF SURCHARGE TO

SECRET PARADISE RETREAT CORPORATION (SPRC) IN

BRGY. PORT BARTON, SAN VICENTE, PALAWAN

Respectfully forwarded the memorandum of CENRO Roxas, Palawan dated November 9, 2022 relative to the above subject.

Attached is the memorandum report of SCDO Maria Angelica Dela Peña regarding the details of payments and chronology of events on the matter.

For information and further instruction.

DENR-PALAWAN PENRO-RECORDS FELIZARDO B. CAYATOC

Copy Furnished: CENRO Roxas, Palawan <cenroroxapalawan@denr.gov.ph> K VE/MES Doc. No. 2022-10762

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 En North Royan Country (1997)

PALAWAN RECORDS

RECEIVED

November 9, 2022

MEMORANDUM

FOR :

The Provincial Environment and Natural Resources Officer

Sta. Monica, Puerto Princesa City

FROM

The Community Environment and Natural Resources Officer

Roxas, Palawan

SUBJECT

CLARIFICATION ON IMPOSITION OF SURCHARGE TO SECRET PARADISE RETREAT CORPORATION (SPRC) IN BGY. PORT

BARTON, SAN VICENTE, PALAWAN.

This pertains to a request for clarification on correctness of surcharge to be imposed to Secret Paradise Retreat Corporation for their late payment of government share pursuant to DAO 2021-02.

Attached is the memorandum report of SCDO Maria Angelica dela Pena dated Nov. 9, 2022 re: details of payments and chronology of events on the matter.

For reference, record and further instruction.

DENR-CENRO ROXAS

DATE. NOV 1 0 2022

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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: centrorxaspalawan@denr.gov.ph

November 9, 2022

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer

FROM : The Undersigned

SUBJECT : CLARIFICATION ON IMPOSITION OF SURCHARGE

TO SECRET PARADISE RETREAT CORPORATION (SPRC)

IN BGY. PORT BARTON, SAN VICENTE, PALAWAN.

This pertains to the payment of annual Government Share of FLAgT holder- Secret Paradise Retreat Corp. (SPRC). Table below shows all revenues generated from SPRC from date of approval of their tenurial instrument up to this writing, to wit;

Date	OR No.	Amount	Issuing Office	Remarks
10/30/2019	4794357	1,054,250.00	CENRO-Roxas	- 1,064,250 50% performance bond to be paid in cash - Less: 10,000.00 SLUP performance bond paid May 18, 2008
10/30/2019	*4794358	1,352,080.00	CENRO-Roxas	- 1,064,250.00 User's fee of SPRC for the period Oct. 2, 2019-Oct. 2, 2020 Add: 354,750.00 rental for 4 months - Less: 58,406.04 paid on 2/26/2016 and 8,514.00 paid on 3/9/2018 as annual user's fee - [(1,064,250 + 354,750) - (58,406.04+8,514)]
8/27/2021	1408596	1,064,250.00	CENRO-Roxas	Annual Gov't Share Oct. 2020-Oct. 2021 (Annual Rental Fee)
8/27/2021	1408597	851,400.00	CENRO-Roxas	Annual Gov't. Share Oct. 2020- Oct. 2021 (Back Rental Fee)
9/10/2021	1408692	1,064,250.00	CENRO-Roxas	Annual Gov't. Share Oct. 2021- Oct. 2022 (Annual Rental Fee)
10/28/2021	1408837	851,400.00	CENRO-Roxas	Annual Govt. Share Oct. 2021-Oct. 2022 (Back Rental Fee)
9/30/22	1409414	1,064,250.00	CENRO-Roxas	Annual Govt. Share Oct. 2022-Oct. 2023
10/27/22	1409467	851,400.00	CENRO-Roxas	Annual Govt. Share Oct. 2022-Oct. 2023 (Back Rental Fee)

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: centroroxaspalawan@denr.gov.ph

CHRONOLOGY OF EVENTS:

1.	October 2, 2019	Approval of Tenurial Instrument of SPRC.
2.	October 30, 2019	Made their payment for the annual Government Share and Performance Bond. (See table above)
3.	October 1, 2020	SPRC requested deferment of remittance of its Annual Government Share until October 2021 due to COVID 19 pandemic.
4.	February 23, 2021	CENRO Roxas was not able to hit its annual target (CY 2020) due to non-payment of SPRC for the period October 2020- October 2021, thus a letter was sent to remind them of their obligation on this date.
5.	March 10, 2021	Mr. Worsdell, CEO of SPRC replied to our letter dated Feb. 23, 2021 reiterating his pending request for deferment of payment of government share addressed to DENR Central Office on October 14, 2020.
6.	July 29, 2021	A letter was sent to SPRC with regards to a memorandum from the Regional Executive Director dated July 13, 2021 relative to the revaluation of Government Share for FLAgT purposes and new schedule of payment of government share for SLUP, FLAg and FLAgT.
		A memorandum was later on received on September 30, 2021, clarifying that revaluation of government share of SPRC will commence on the year 2024 and not on year 2022 in contrast with July 13, 2022 memorandum.
7.	August 27, 2021	SPRC made their payment both for the Annual Government Share and Back Rental fee for the period October 2020- October 2021. (See table above) This is the period where they requested deferment of payment.
8.	Sept. 10, 2021	SPRC made their payment for annual government Share for the period covered October 2021-October 2022.
9.	October 6, 2021	Memorandum from the office of Regional Executive Director in reply to the request of SPRC for deferment of payment of its annual Government Share was received by this office.
		This time, SPRC have already paid their obligation (See No. 8). We did not imposed any surcharges due to abeyance of resolution of this concern of SPRC as instructed.
10.	October 28, 2021	SPRC made their payment for Government Share- Back rental fee for the period covered October 2021- October 2022.

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: centroroxaspalawan@denr.gov.ph

	Because of these payments of SPRC for two (2) periods (Oct. 2020-2021 and Oct. 2021-2022) on CY 2021, SPRC have no longer outstanding obligation.
11. March 17, 2022	A letter was sent to SPRC reminding of DAO 2021-02,- the new due date for payment of annual government share.
12. March 23, 2022	Conducted compliance monitoring and submitted the report on April 4, 2022. At this time, SPRC have not yet paid their obligation in spite of our reminder before and days after the monitoring.
13. September 2, 2022	A letter was again sent reminding their obligation pursuant to DAO 2021-02.
14. Sept. 28, 2022	We have sent another letter showing a sample computation of surcharges we may impose due to their late payment.
15. Sept. 30, 2022	SPRC made their payment for annual Government Share for the period covered Oct. 2022-Oct. 2023.
16. October 27, 2022	SPRC made their payment for Government Share-Back rental Fee for the period covered Oct. 2022- Oct. 2023.

With the above information, we would like to clarify the surcharges we may impose to SPRC due to their late payment pursuant to DAO 2021-02. Please take note that on March 31, 2022, SPRC have paid their obligation until Oct. 31, 2022 (See No. 8 & 10), thus imposition of surcharges on months wherein technically they are paid is unconscionable.

However, on the other hand, if we treat their payment for the period covered Oct. 2021- Oct. 2022 as advance payment for March 31, 2022 due date, and not impose surcharge, their payment for the period covered Oct. 2022- Oct. 2023 might as well be treated as advance payment for March 2023. Then, their next due date will be on March 31, 2024- having no obligation to pay on CY 2023. This will have a great effect on our 2023 annual target since almost 90% of the target is from collection of revenues from SPRC (assuming no change /revaluation of government share of other FLAgT holders).

For your information and record.

MARIA ANGELICA B. DELA PEÑA



Republic of the Philippines Department of Environment and Natural Resources Region IV- MIMAROPA COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III, Roxas, Palawan Contact no. 09171606578/09175028647 Email address: cenroroxaspalawan@denr.gov.ph

February 23, 2021

Mr. Mark Worsdell Chief Executive Officer Secret Paradise Retreat Corporation (SPRC) Brgy. Port Barton, San Vicente Palawan

Sir,

This letter is to remind your obligation to pay the the annual government share for the approved Forestland use Agreement for Tourism (FLAgT) of the Secret Paradise Retreat Corporation located at Port Barton San Vicente. The last payment received was on the year 2019 after the approval of the said FLAgT, thus we have not yet received payment thereafer.

Kindly settle this annual obligation the soonest time and please inform this office of any concern regarding this notice. This serves as our final reminder.

Please be guided accordingly.

CENRO

FFB 23 2721





REMINDER

3 messages

R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>
To: Mark Worsdell <ceo.sprc@gmail.com>

Tue, Feb 23, 2021 at 11:26 AM

Good day,

Please see attached file.

Thank you

EMER D. GARRAEZ Community Environment and Natural Resources Officer

DENR-CENRO Roxas, Palawan Sandoval Street, Bgy. III, Roxas, Palawan 5308 PHILIPPINES

Email: cenroroxaspalawan@denr.gov.ph

Contact Number: Globe: 09175028647

img120.pdf 482K

Mark Worsdell <ceo.sprc@gmail.com>

To: R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>

Wed, Mar 10, 2021 at 8:21 PM

Dear Mam Emer D. Garraez,

Thank you for your reminder email about Secret Paradise Retreat Corporation obligation to pay the annual government share of our FLAGT.

Please note that we have not forgotten about this obligation. Please see our attached letter dated 1st October 2020 and received by the DENR Central office on the 14th October 2020 addressed to Hon. Juan Miguel T. Cuna. Due to the importance of this letter, we also sent the letter by LBC which was received 19th October 2020.

The reason of the letter was to ask for an extension of time to pay the Flagt payments until October 2021. This request would greatly help our company survive though this world pandemic with Covid-19, and pay our dues owing no later than October 2021. As your aware, the resort has not been open since receiving the privilege of the FLAGT lease in October 2019 due to the World Pandemic. We ask for your kind consideration at these unprecedented times.

Stay safe and warm regards,

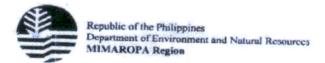
Mark Worsdell
Secret Paradise Resort & Turtle Sanctuary
Secret Paradise Retreat Corporation
[Quoted text hidden]

2 attachments

Secret Paradise_Letter to Hon. Juan Miguel Cuna_01 october 2020.pdf 393K

Atty. Cuna-LBC receipt-Oct 20.pdf 2261K

CRH 2021-1419



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RECEIVED

DATE 01-27-201 CM 21-7374

MEMORANDUM

TO

THE PENRO PALAWAN

THE PENRO OCCIDENTAL MINDORO

THE PENRO MARINDUQUE

ATTENTION THE CENRO CORON, PALAWAN

THE CENRO TAYTAY, PALAWAN THE CENRO ROXAS, PALAWAN

THE CENRO PUERTO PRINCESA CITY THE CENRO QUEZON, PALAWAN

THE CENRO SABLAYAN, OCCIDENTAL MINDORO

FROM

THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT

REVALUATION OF GOVERNMENT SHARE FOR FOREST LANDUSE AGREEMENT FOR TOURISM (FLAGT) PURPOSES AND NEW SCHEDULE OF PAYMENT OF GOVERNMENT SHARE FOR SLUP.

FLAG AND FLAGT

Attached herewith is the list of existing FLAgT with the corresponding revaluated Government Share (GS) in accordance to DAO 2004-28 Section 16. Payment of Government Share and surcharges for late payment, to wit

"The government share shall be five percent (5%) of the most recent zonal value of the commercial zone within the barangay, or the nearest and adjacent barangay within the municipality. A revaluation shall be undertuken every five (5) years thereafter.

The government share shall be paid within thirty (30) days upon issuance of the FLAgT and annually thereafter within the same month that the FLAgI was issued. Failure to pay within the prescribed period shall be subject to surcharges of 8.33% monthly for late payment or 100% for one (1) year.

in view hereof, you are advised to notify the concerned holders of FLAgT under your jurisdiction of the new Annual Government Share required to be paid to the concerned DENR Field Office. Please be reminded that starting year 2022, the payment of government share shall be on or before March 31 pursuant to DAO No. 2021-02 (copy attached). Kindly note that said DAO amends Section 16 of DAO 2004-28 and Section 18 of DAO No. 2004-59 which states that:

DAO 2021-02 Section 1. Amendments to DAO Nos. 2004-28 and 2004-59

"The government share or user's fee for SLUP, FLAg and FLAgT shall be paid within thirty (30) days upon issuance of SLUP, FLAg and FLAgT and annually thereafter on or before March 31 of the succeeding years, Failure of the SLUP, FLAg and FLAgT holder to pay the user's fee within the prescribed period shall be subject to surcharges of 8.33% monthly for late payment or 100% for one (1) year.

With regards to the conducted revaluation of government share for FLAgT, please be informed that this office had a meeting with FLAg and FLAgT stakeholders in Palawan way back July 26, 2018 for Southern Palawan and August 4, 2018 for Northern Palawan to inform/remind the holders of the said activity which is in accordance to existing rules and regulations relative to BIR zonal valuation issuances. This office had also forwarded the list of the revaluated GS and

DENR by the Bay, 1515 LAS Bidg., Rocas Boulevard, Ermita. Manila DENR voice (02) 02-05-300002-05-3007 total 2701



copy of the said meeting report through Memorandum (copy attached) dated January 8, 2019 but no written comment/instruction was received by this office as of writing. Instead, a verbal advise to this office to enforce what is prescribed in the existing policy.

In this regard, you are hereby instructed to facilitate implementation of the aforementioned new GS for FLAgT and new schedule of payments of GS for SLUP, FLAg and FLAgT.

FOR INFORMATION, GUIDANCE, AND COMPLIANCE.

Alla Jule & Feneralia de Franceso III

Copy furnished

- . The Director, Povest Management Bureau
- DENR, Visayas Aveszo, Diliano, Quezon Cay
- The Undersecretary for Field Operations and Environment
- The Chief, Enforcement Birision

 The Chief, Enforcement Birision

DENR MIMARI Ermita, Manila



PERMIT

DENR by the Bay, 1515 L&S Bidg, Rraust Bosslevard, Fernisa, Manula DENR VOIP (02) 8348-30878248-3387 local 2701 Watsits: 1th Printersops deer gov ph

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

July 29, 2021

MARK WORSDELL Secret Paradise Retreat Corporation Sitio Barongbong, Bgy. Port Barton San Vicente, Palawan

Sir

Environmental greetings!

This refers to the memorandum from the Regional Executive Director dated July 13, 2021 relative to the revaluation of Government Share for Forest Landuse Agreement for Tourism (FLAgT) purposes and new schedule of payment of government share for SLUP, FLAG and FLAgT.

In view hereof, please be informed of the *new Annual Government Share* you are required to pay starting year 2022, the amount of Seven Million Ninety Five Thousand Pesos (Php. 7,095,000.00) on or before March 31 pursuant to DAO 2021-02.

Attached herewith is the copy of the above mentioned memorandum and DAO 2021-02 for your reference.

We trust you have been properly informed.

RONIE B. GANDEZA
OIC-CENRO

DATE. AUG 2 0 2021

emailed: July 21, 2021

SEP 2 8 2021

MEMORANDUM

TO

THE PENR OFFICER

Sta. Monica, Puerto Princesa City

ATTENTION:

THE CENR OFFICER

Roxas, Palawan

FROM

THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT

CLARIFICATION ON THE REVALUATION OF GOVERNMENT SHARE OF SECRET PARADISE RETREAT CORPORATION WITH

FLAgT NO. 01-2019

This pertains to your phone inquiry with regards to the Memorandum dated July 13, 2021 with a subject of revaluation of government share for Forest Landuse Agreement for Tourism (FLAgT) purposes and new schedule of payment of government share for SLUP, FLAg and FLAgT (DAO 2021-02), with attached matrix of computation of the revaluated government share of existing FLAgT holders within MIMAROPA Region.

Please be clarified that revaluation of government share of Secret Paradise Retreat Corporation with FLAgT No. 01-2019 shall commence on the year 2024 considering that the agreement was approved on October 2, 2019. Per DAO 2004-28 Section 16, be reminded that revaluation shall be made every five (5) years. Be informed also that the computation indicated on the aforementioned matrix was based on the latest zonal valuation issued by the Bureau of Internal Revenue (BIR) and shall be subject to change depending on the frequency of the zonal valuation being undertaken by the BIR.

FOR INFORMATION AND GUIDANCE

Copy furnished:

Mr. Mark Lee John P. Worsdell
 Secret Paradise Retreat Corporation
 Sitio Barongbong, Brgy Port Barton,
 San Vicente, Palawan



Received 9/30/2021

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

SEP 2 7 2021

MEMORANDUM

TO

THE PENR OFFICER

Brgy. Sta. Monica, Puerto Princesa City

ATTENTION:

THE CENR OFFICER

Roxas, Palawan

FROM

THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT

RE: REQUEST OF SECRET PARADISE RETREAT CORPORATION IN PORT BARTON, SAN VICENTE, PALAWAN TO DEFER REMITTANCE OF ITS ANNUAL FLAGT RENT UNTIL OCTOBER

2021

This pertains to your Memorandum dated April 29, 2021 forwarding the Memorandum dated March 18, 2021 from CENRO Roxas, Palawan regarding the letter dated October 01, 2020 of Secret Paradise Retreat Corporation (SPRC), addressed to the Undersecretary for Field Operations Atty. Juan Miguel T. Cuna, requesting to defer remittance of its annual rental for its FLAgT until October 2021.

Please be informed that as per advice from the Forest Management Bureau (FMB), let us wait for the guidance of the Department of Finance (DOF) as the FMB requested for advice whether or not the payment of annual rentals on the use of forestland can be deferred due to the Covid-19 pandemic. Meantime, it was advised that the resolution of the concern of SPRC's request be held in abeyance.

FOR INFORMATION AND GUIDANCE

Copy furnished:

 Mr. Mark Lee John P. Worsdell Secret Paradise Retreat Corporation Sitio Barongbong, Brgy Port Barton, San Vicente, Palawan



received Oct. 4. 2021



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: centroroxaspalawan@denr.gov.ph

March 17, 2022

SECRET PARADISE RETREAT CORPORATION

Sitio Barongbong, Bgy. Port Barton, San Vicente, Palawan

Sir/Madame;

Environmental greetings!

This refers to your obligation relative to payment of rental fees for holders of approved Tenurial Instruments.

In view hereof, please be informed that payment of rental fees should be made in this office on or before March 31 every year pursuant to DAO No. 20221-02.

Attached herewith is the copy DAO 2021-02 for your reference.

We trust you have been properly informed

CENRO TO

DENR-CEURS POXAS

מיסר דון כט

000 0 2022-03-0348

emailed: March 17,2022



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: centroroxaspalawan@denr.gov.ph

September 2, 2022

SECRET PARADISE RETREAT CORPORATION

Sitio Barongbong, Bgy. Port Barton, San Vicente, Palawan

Sir/Madame;

Environmental greetings!

This is in connection with your obligation relative to payment of rental fees for holders of approved Tenurial Instruments. As stated in our previous letter, payment should be made on or before the end of March of every year pursuant to DAO No. 2021-02. Failure to do so shall be subjected to surcharges of 8.33% monthly or 100% for one (1) year. Hence, respectfully reminding on your prompt payment in this regard.

Thank you.

Sincerely:

PABLO L CR

RELEASED DATE SEP 0 2 2022

76.NH 2022-09-13 78

emailed: Sept. 2, 2072

Republic of the Philippines Department of Environment and Natural Resources

Region IV- MIMAROPA OMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan Contact No. 09171606578 / 09175028647 Email address: centroroxaspalawan@denr.gov.ph

September 28, 2022

SECRET PARADISE RETREAT CORPORATION

Sitio Barongbong, Bgy. Port Barton, San Vicente, Palawan

Sir/Madame:

Environmental greetings!

This is in connection with your obligation relative to payment of the Annual Government Share for holders of approved Tenurial Instruments. As stated in our previous letter, payment should be made on or before the end of March of every year pursuant to DAO No. 2021-02.

In view hereof, the following is a sample computation of surcharges for your late payment;

	Surcharge per Month	Accumulated Surcharge (April- Aug. 2022)
Annual Government Share	Php. 88,652.025	Php. 443,260.125*
Back Rental Fee	Php. 70,921.62	Php. 354,608.10**
Total		Php. 797,868,225

^{*[1,064,250.00} x 8.33% x 5] **[851,400.00 x 8.33% x 5]

As stated above, total surcharge incurred for late payment of Annual Government Share and Back Rental Fees amounted to Php. 797,868.225 as of August 31, 2022. This may increase depending on your prompt payment.

At this instance, we advise you to pay first the Annual Government Share and Back Rental fees, and pay the surcharges on subsequent month/s upon clarifications.

Thank you!

Sincerely:

RONNIE P. LILANG Chief RPS / Office In Charge DENR-CENRO ROXAS

RELEASED

CNO. 2022-09-1

emailed: Sept. 28, 2027