



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>

FOREST MANAGEMENT BUREAU

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
L & S Building, Roxas Blvd., Ermita, Manila

FROM : The OIC, Assistant Secretary for Field Operations-Western Mindanao,
and Director, in concurrent capacity

SUBJECT : **LETTER OF MR. ORLANDO R. BALBON, JR. FOR REPRESENTATIVE JOSE CH. ALVAREZ, 2ND DISTRICT REQUESTING FOR ASSISTANCE REGARDING HIS APPLICATION FOR FOREST LANDUSE AGREEMENT FOR TOURISM (FLAgT) PURPOSES LOCATED BALABAC, PALAWAN**

DATE : **OCT 03 2023**



This has reference with the letter dated 02 June 2023 of Mr. Orlando R. Balbon, Jr. for Representative Jose CH. Alvarez, 2nd District of Palawan requesting for assistance regarding his application for FLAgT purposes located at Municipality of Balabac, Province of Palawan.

Relative thereto the aforementioned letter of Mr. Balbon, Jr., is being referred to DENR MIMAROPA for appropriate action the matter within your area of jurisdiction. Please provide necessary assistance to Mr. Balbon regarding his concerns.

FOR INFORMATION AND APPROPRIATE ACTION, PLEASE.


ARLEIGH J. ADORABLE, CESO III

Copy furnished:

Office of the Undersecretary for Policy, Planning and International Affairs

Office of the Undersecretary for Field Operations – Luzon, Visayas, and Environment

June 2, 2023



HON. JOSE CH. ALVAREZ

Representative
Palawan 2nd District

Dear Cong. Jose Ch. Alvarez,

The undersigned is one of those who responded to your call to invest in and contribute to the development of Southern Palawan. My investment will consist in, among others, the development for tourism purposes several areas in the Municipality of Balabac, Palawan, classified as public (forest) land.

Recently, I was informed by my people that my complete applications for FLaGT cannot be approved because the areas covered by my applications will now be awarded to the highest bidder. It is for this reason that I am asking for your intercession as my duly-elected Representative because I believe I have valid reasons to the grant of FLaGTs to my applications. For your reference, I am attaching here copies of my FLaGT applications.

I was informed that the bidding process is a requirement under DAO 2004-28 issued on August 25, 2004 by then DENR Secretary Elisea G. Gozun. The bidding requirement under DAO 2004-28 has never been implemented. Even the official website of the DENR and its offices do not mention bidding as a requirement in the processing of FLaGTs. I am also attaching for your reference the DENR checklist of requirements for FLaGT which does not mention any bidding. Based on the current DENR requirements, I have complied with all the requirements for the award of FLaGTs on my applications, including the submission of Comprehensive Development and Management Plan (CDMP), which is required under Section 14.2 of DAO 2004-28 of FLaGT awardees.

I respectfully submit, Hon. Congressman Jose Ch. Alvarez, and with all due respect to the DENR, that it is very unfair to impose new requirements after applicants such as the undersigned have spent considerable amounts of time and funds to comply with the existing requirements. At the very least, new requirements (and first-time implementation of old requirements) should be applied only to future applications.

I also respectfully submit that the unique situation in Palawan makes the bidding requirement inapplicable, even unfair. The Palawan Council for Sustainable Development (PCSD) already imposes stringent requirements on FLaGT applicants such as the undersigned before it issues a clearance. For one, all details of the proposed project (building plans, environmental impact studies, etc.) must pass evaluation by the PCSD. Also, a FLaGT applicant must secure favorable endorsements from the Barangay, the Municipal, and the Provincial sanggunians not only of the suitability of the site but also of the

acceptability of the applicant and the proposed project. By requiring a bidding after the PCSD has cleared the project, the DENR will make it possible for someone to be issued a FLAgT without securing a PCSD clearance. Such a scenario makes the PCSD irrelevant which could not have been the intention of Congress in creating it.

I sincerely hope that you can help explain to the relevant officials of the DENR my predicament and my concerns. I am sure that many other investors not only in Southern Palawan but throughout the entire province are in the same predicament and I am. Thank you.

Very sincerely yours,


ORLANDO R. BALBON, JR.
Brgy. San Manuel, Puerto Princesa City



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

November 21, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 DENR by the Bay Building,
Roxas Boulevard, Barangay 668
Ermita, Manila

THRU: The OIC, Assistant Regional Director for
Technical Services

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **APPLICATION FOR FOREST LAND USE AGREEMENT FOR
TOURISM PURPOSES (FLAgT) ON ROUGHTON (ONOK) ISLAND
OF MR. ORLANDO R. BALBON JR. LOCATED AT BARANGAY
POBLACION 5, BALABAC, PALAWAN**



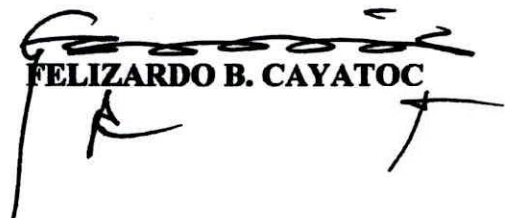
Respectfully forwarding is the memorandum dated August 17, 2022 from CENRO Brooke's Point, Palawan, regarding Completed Staff Work (CSW) Re: Application for Forest Land Use Agreement for Tourism (FLAgT) of Mr. Orlando R. Balbon, Jr. Represented by Mr. Edgar A. Luengo on Roughton (Onok) Island containing an approximated area of 2.040 hectares located at Barangay Poblacion 5, Balabac Palawan.

Attached herewith are the pertinent documents supporting the above cited application, it includes the re-submitted revised Comprehensive Development Management Plan (CDMP) (2 book bind) dated November 11, 2022. Furthermore, endorsement for the issuances of Certificate of Non-Overlap or Certificate of Precondition (CP) was forwarded to the National Commission on Indigenous People (NCIP) Regional office, hence recommending for the issuance / approval of Agreement and or Provisional Agreement (DAO No. 2021 - 27 dated August 03, 2021).

For your information, consideration and approval.

Copy Furnished:
The Community Environment and
Natural Resources Officer
Brooke's Point, Palawan

DAIF Ref. 2022-7681
TSD-RPS-Utilization
rac


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date **23 NOV 2022**



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penro@denr.gov.ph

November 21, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 DENR by the Bay Building,
Roxas Boulevard, Barangay 668
Ermita, Manila

THRU: The OIC, Assistant Regional Director for
Technical Services

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **APPLICATION FOR FOREST LAND USE AGREEMENT FOR
TOURISM PURPOSES (FLAgT) ON CAMIARAN (PINK) ISLAND
OF MR. ORLANDO R. BALBON JR. LOCATED AT BARANGAY
INDALAWAN, BALABAC, PALAWAN.**

DENR MIMAROPA RECORDS SECTION	
RECEIVED	
01 DEC 2022	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: <i>[Signature]</i>	DATE NO.

Respectfully forwarding is the memorandum dated August 17, 2022 from CENRO Brooke's Point, Palawan, regarding Completed Staff Work (CSW) Re: Application for Forest Land Use Agreement for Tourism (FLAgT) of Mr. Orlando R. Balbon, Jr. Represented by Mr. Edgar A. Luengo on Camiaran Island (Pink) containing an approximated area of 4.2159 hectares located at Bgy. Indalawan, Balabac Palawan.

Attached herewith are the pertinent documents supporting the above cited application, it includes the re-submitted revised Comprehensive Development Management Plan (CDMP) (2 book bind) dated November 11, 2022. Furthermore, endorsement for the issuances of Certificate of Non-Overlap or Certificate of Precondition (CP) was forwarded to the National Commission on Indigenous People (NCIP) Regional office, hence recommending for the issuance / approval of Agreement and or Provisional Agreement (DAO No. 2021 - 27 dated August 03, 2021).

For your information, consideration and approval.

Copy Furnished:
The Community Environment and
Natural Resources Officer
Brooke's Point, Palawan

DAIF Ref. 2022-7680
TSD-RPS-Utilization
rac

[Signature]
FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By: *[Signature]*
Date: 23 NOV 2022 22-3129



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

November 21, 2022

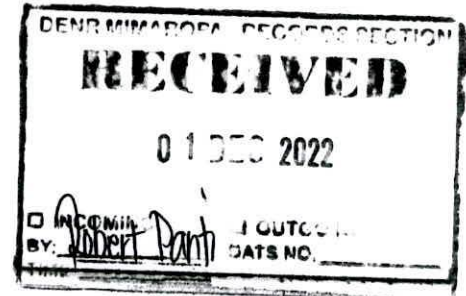
MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 DENR by the Bay Building,
Roxas Boulevard, Barangay 668
Ermita, Manila

THRU: The OIC, Assistant Regional Director for
Technical Services

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **APPLICATION FOR FOREST LAND USE AGREEMENT FOR
TOURISM PURPOSES (FLAgT) ON NASUBATA (PULAO BATO)
ISLAND OF MRS. MARIA CONCEPCION LAYA BALBON
LOCATED AT BGY. POBLACION 5, BALABAC, PALAWAN.**




Respectfully forwarding is the memorandum dated August 17, 2022 from CENRO Brooke's Point, Palawan, regarding Completed Staff Work (CSW) Re: Application for Forest Land Use Agreement for Tourism (FLAgT) of Mrs. Maria Concepcion Laya Balbon Represented by Mr. Edgar A. Luengo on Nasubata (Pulao Bato) Island containing an approximated area of 1.7499 hectares located at Barangay Poblacion 5, Balabac Palawan.


Attached herewith are the pertinent documents supporting the above cited application, it includes the re-submitted revised Comprehensive Development Management Plan (CDMP) (2 book bind) dated November 11, 2022. Furthermore, endorsement for the issuances of Certificate of Non-Overlap or Certificate of Precondition (CP) was forwarded to the National Commission on Indigenous People (NCIP) Regional office, hence recommending for the issuance / approval of Agreement and or Provisional Agreement (DAO No. 2021 - 27 dated August 03, 2021).

For your information, consideration and approval.

Copy Furnished:
The Community Environment and
Natural Resources Officer
Brooke's Point, Palawan

DAIF Ref. 2022-7679
TSD-RPS-Utilization
rac


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date **23 NOV 2022** 22-3128

**Forest Land Use Agreement for Tourism Purposes (FLAGT)
Checklist of Requirements**

Name of Applicant: _____
Name of Representative If application is a Corporation,
Cooperative, Association, or a Partnership: _____
Location of Area applied for: _____
Area in Hectares: _____

- ☒ 1. Application form duly accomplished (Original copy) DAO 2004-28 Section 8
- ☒ 2. Official Receipt of Payment of Application fee of P500.00 per application (Certified True Copy)
DAO No. 2004-16 Section A Item 6
Amount paid Php _____
O.R. Number _____
Date Paid _____
- ☒ 3. Pertinent documents showing proof that the applicant is legitimate entity qualified to be a holder of a forestland tenurial instrument or agreement, as follows: DAO 2004-28 Section 8.1
 - ☒ 3.1 For an individual applicant, certified copy of birth certificate or, if applicant is naturalized Filipino citizen, a certified copy of his/her Certificate of Naturalization.
 - ☒ 3.2 For an association, corporation, cooperative, or partnership,
 - ☒ • certified copy of SEC registration certificate and Articles of Incorporation/partnership, and
 - a resolution of the corporate governing body (Board of Directors, Board of Trustees, etc.) designating the authorized representative of said corporation, association or partnership to apply/sign documents for and in behalf of the company.
 - 3.3 For an association or partnership, certified copy of registration from the appropriate registering agency.
 - 3.4 For cooperative, certified copy of certificate of registration with the Cooperative Development Authority (CDA).
- ☒ 4. Appropriate clearance from the NCIP: (Certified True Copy) DAO 2004-28 Section 3
 - Certificate of Non-Overlap or
 - Free and Prior informed consent (FPIC) and Certification of Precondition (CP)
- ☒ 5. If the area applied is located in PALAWAN, clearance from Palawan Council for Sustainable Development (PCSD). (Certified True Copy) DAO 2004-28 Section 8.3
- ☒ 6. Tourism Development Plan (TDP) prepared by the Local Government Unit (LGU) and duly approved by the Department of Tourism. (Certified True Copy) DMO No. 2011-02
 - if not yet available, clearance/certification (Original or Certified True Copy) issued by municipal tourism officer. The certification should manifest that the proposed or existing tourism facilities is within the ambit of the forest land use plan as incorporated in its comprehensive land use plan and approved tourism framework plan for the locality.
- ☒ 7. Endorsement (in the form of resolution) by the LGU(s) Sanggunian(s) concerned: DAO 2004-28 Section 9.2 and 9.3
 - Barangay
 - Municipality/City
 - Province
- ☒ 8. Comprehensive Development and Management Plan (CDMP) DAO 2004-28 Section 14.2 as amended by DAO No. 2009-16; and DMO No. 2011-02
- ☒ 9. Proof of available capital to undertake developmental activities (proofs of available credit line together with a certificate of undertaking stating among others that said amount shall be used only in the development of the subject area) DAO 2004-28 Section 12.3
- ☒ 10. Endorsement from •CENRO and •PENRO concerned
 - ☒ • Inspection Report;
 - ☒ • 100% timber inventory
 - ☒ • Geo-tagged photos
 - ☒ • Most recent zonal value of the commercial zone within the Barangay, or the nearest and adjacent barangay within the Municipality (based on BIR)
 - ☒ • Metes and bounds of the FLAGT area, defined by the technical description and final map at a scale of 1:20,000 and geo-referenced to the Philippine Reference System (PRS 92). DAO 2004-28 Section 9.2

UPON ISSUANCE OF FLAGT:

- ☒ 10. Environmental Compliance Certificate (ECC) Issued by the Environmental Management Bureau of DENR (prior to conduct of any activity in the area) DAO 2004-28 Section 14.3
- ☒ 11. Performance bond which is twice the annual rental or users fee as the case maybe, but not less than P10,000. Provided, that 50% of the computed bond deposit shall be posted in CASH and the balance in the form of surety bond with a duration of five (5) years renewable every five (5) years in case of a lease or management agreement or continuous to a permit. Provided, further, that the face value of the surety bond shall be increased by 25%. DAO No. 2004-16 Section C Item 10 The performance bond shall be posted within thirty (30) days upon issuance of the FLAGT.
- ☒ 12. Government share/user's fee 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 undertaken every five (5) thereafter. The government share or user's fee for SLUP, FLAG and FLAGT shall be paid within thirty (30) days upon issuance and 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. DAO 2004-28 Sections 26 as amended by DAO 2011-02 Section 1

as / Other relevant documents submitted: _____

- ☒ = submitted; original/certified
- ☒ = submitted; photocopy only
- ☒ = lacking / for submission
- ☒ = incomplete; content for verification/clarification/revision