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**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**  
**KAGAWARAN NG KAPALIGIRAN AT LIKAS NA YAMAN**  
**PENRO MARINDUQUE**



July 26, 2024

**MEMORANDUM**

**FOR : The OIC-Regional Executive Director**  
**DENR MIMAROPA Region**

**THRU : The OIC-Assistant Regional Director for Technical Services**

**FROM : The Chief, Technical Services Division**

**SUBJECT : COMPLIANCE MONITORING OF ONE (1) SOCIALIZED**  
**INDUSTRIAL FOREST MANAGEMENT AGREEMENTS (SIFMA)**  
**AND GRATUITOUS SPECIAL USE PERMIT (GSUP) HOLDERS**

Respectfully forwarded are the attached Monitoring and Evaluation Forms, with enclosed sketch map and geotagged photos regarding the Compliance monitoring of one (1) Socialized Industrial Forest Management Agreement (SIFMA) holder in Brgy. Dampulan, Torrijos, Marinduque and the Gratuitous Special Use Permit (GSUP) in Brgy. Balogo, Sta. Cruz, Marinduque.

The SIFMA issued to Mr. Benito Albrando and the GSUP issued to Provincial Government of Marinduque were subjected to compliance monitoring.

Based on the assessment, Mr. Benito Albrando did not introduce any development nor improvement in the SIFMA. No maintenance nor any silvicultural activity conducted by the holders for the past years. On the other hand, the GSUP issued to Provincial Government of Marinduque is currently undergoing development. The holder through its contractor is conducting construction of pier and disposal of other dilapidated buildings and equipment in the area.

Per record, SIFMA issued to Mr. Benito Albrando was issued a Show-Cause Order dated December 09, 2022 from Regional Executive Director Lormelyn E. Claudio, *CESO IV*.

For information and record.

  
**IMELDA M. DIAZ**

MONITORING AND EVALUATION FORM

Monitoring date: March 15, 2024

Monitoring Time: 09:25 AM

Monitoring Team/Members: DON GIBSON D. MERCADO

MICHAEL VENCINT M. SUALOG

FLORANTE G. FANDIALAN, JR.

MICHAEL JOSEPH A. MARANAN

TRISTAN JOSHUA O. SAET

ERNIE OYONG, JR.

JAKE F. VALENCIA

1. Tenurial Instrument Information:

Name of Holder: Benito R. Albrando		Area (ha): 3.04
Address: Barangays Dampulan, Torrijos, Marinduque		
SIFMA No.: R-IV-14-00-2000	Type of Agreement: Socialized Industrial Forest Management Agreement (SIFMA)	Year Approved: 2000
Name of Holder: Benito R. Albrando		
Name of Contact Person/Designation:		
Contact Numbers:		
Email:		

2. Nature of Improvement:

Plantation (Area Planted Developed)			Infrastructure (if, any)			Others Observation
Name of Species	Area Planted (Ha)	No. of Trees Planted	Kind	Dimension	Estimated Value	
			No Improvement was observed in the area			

Compliance to the terms and conditions of the Tenurial instrument:

	YES	NO	Remarks
1. The SIFMA Holder shall comply the following under item number 1 conditions for SIFMA Area			
1.A. – At least 90% of the plantable area:			
a. Plant forest tree species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Non-Timber species (Rattan, Bamboo, etc...)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1.B – Planted with the following conditions:			
a. At least 50% minimum stocking density of five hundred (500) seedlings per hectare within one (1) year from grant of the Agreement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. At least 75% cumulative plantation established on the second year.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. At least 100% planted on the third year with no case shall the stocking density be lower than five hundred (500) saplings/trees per hectares	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1.C – Cash Crops:			
a. Planted crops within SIFMA Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Devoted not more than 10% of the area for permanent agricultural purpose.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Introduction of exotic species untested in Philippine conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Cutting of trees within SIFMA area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Reforested area along river	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Converted SIFMA Area to other land use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Provided management and financial services for the development of the SIFMA area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Activities committed to community development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Observe rights of workers/employees	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Prevention and responses to arrest gully erosions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Protection of natural and protected forest within or adjacent to the SIFMA area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Protection from forest fires and other forms of forest destruction and encroachment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. Prevention and protection from pollutive activities within or in the vicinity of the SIFMA area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Obstruction or in any manner prevent passage through SIFMA area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Protection and conservation of unique, rare, or endangered trees, palms, wildlife found within the SIFMA area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15. Alteration or modification of boundaries or legal status of the SIFMA area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Cooperation on LGU, PENRO and RD in the development and execution of the agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Transfer, convey and sell rights of SIFMA Holder to any person, cooperative or association	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. Utilization of SIFMA area or portion/s thereof for other government projects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19. Women participation in the project planning and implementation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
20. Submission of Annual Report	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
21. Utilization of harvested crops and trees except under environmental protection and ecological balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
22. Use of SIFMA as collateral to obtain loans for the area improvement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
23. Upon expiration of the agreement all improvements introduced, including forest crops shall remain within the SIFMA area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
24. Fair compensation for any improvements due to SIFMA holder or Government	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
25. Payment of annual rental due to the government	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
26. Termination of the agreement upon death of the SIFMA Holder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
27. Cancellation of the agreement (through the fault of the SIFMA Holder)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
28. Renewal of the agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
29. Amendment of the agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
30. Breach of any provision in the agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
31. Any dispute between SIFMA holder and DENR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



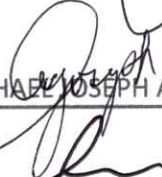
Other findings:

The area was abandoned by the holder and no development or any improvement to utilized the area.

Comments/Recommendations:

Recommended for cancellation

Submitted by:

 DON GIBSON D. MERCADO	 MICHAEL VINCENT M. SUALOG
 MICHAEL JOSEPH A. MARANAN	 JAKE F. VALENCIA
 FLORANTE G. FANDIALAN, JR.	 ERNIE OYONG, JR.
 TRISTAN JOSHUA O. SAET	

Noted by:

  
NANNETTE M. JOVEN  
Forester III  
Chief, Monitoring and Enforcement Section





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PENRO MARINDUQUE



Geotagged Photos gathered during the compliance monitoring activity within the SIFMA area in Brgy. Dampulan, Torrijos, Marinduque

X





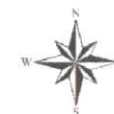
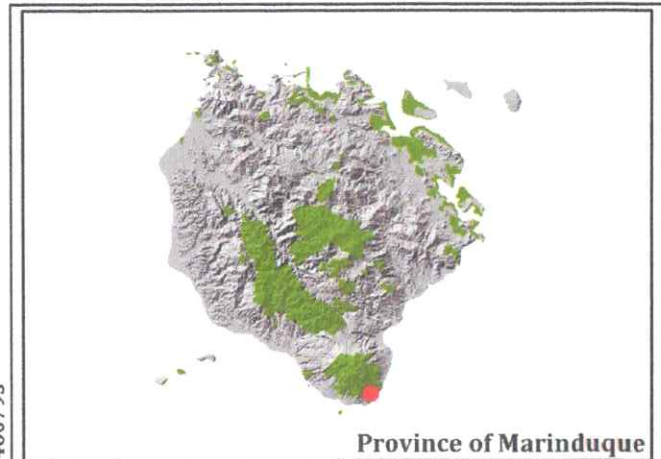
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Geotagged Photos gathered during the compliance monitoring activity within the SIFMA area in Brgy. Dampulan, Torrijos, Marinduque

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**COMPLIANCE MONITORING OF  
SIFMA**



Projection: UNIVERSAL TRANSVERSE MERCATOR  
Datum: WGS\_1984

**Location**

Sitio : Bulaksina  
Barangay : Dampulan  
Municipality : Torrijos  
Province : Marinduque



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**Certification**

This is to certify that this is the true and correct map of  
SIFMA issued to Benito Albrando.

**Prepared by:**

**Monitoring and Enforcement Section**

## MONITORING AND EVALUATION FORM

Name of Agreement Holder : Provincial Local Government Unit of Marinduque

Kind of Tenure Instrument : Gratuitous Special Use Permit (GSUP)

Instrument Number : DENR-MIMAROPA-GSUP-2023-01

Location of the area : Barangay Balogo, Sta. Cruz, Marinduque

Area in hectares : 13.369 Hectares.

Date conducted : July 17, 2024

Conducted by :  
Forester III/Chief, MES Nannette M. Joven,  
Forester II Don Gibson D. Mercado  
Forest Technician I Michael Vencint M. Sualog

Purpose/s: To conduct compliance monitoring of holder of Gratuitous Special Use Permit (GSUP) DENR MIMROPA-GSUP-2023-01 awarded to Provincial Local Government Unit of Marinduque.

### Improvements introduced in the area:

During the time of compliance monitoring, developments and improvements within the tenured area are still on-going.

### Compliance to the Terms and Conditions of GSUP

Terms and Conditions	Status / Remarks
1. The area granted in this Permit: (a) is a public forest land based on existing records; (b) shall not be involved in any private transaction.	<b>Complied</b>
2. The annual government share or user's fee is waived in favor of the Permittee.	<b>Complied</b>
3. The Permittee shall: (a) comply with the laws, rules and regulation and instruction now or hereinafter enforced for the proper use of the land; (b) respect any legal or prior claims (c) conserve the corners and boundary lines of the area; (d) protect any wetlands such as spring, waterfalls, peatlands, swamps, lake and marshes or natural/historical/archaeological sites in the area; (e) report to the nearest local forest	<b>Complied</b>



<p>officer(s) all forest violations in the area and adjacent lands; and (f) submit a year-end, not later than March 30 of the succeeding year, to the concerned Regional Executive Director thru the CENRO/PENRO the kind, number and value of improvement(s) introduced in the area, among others.</p>	
<p>4. The Permittee shall strictly adhere with Section 43 of Presidential Decree (PD) 705 (Revised Forestry Code of the Philippines) which state that the, "Swamplands and Mangrove Forests – strip of mangrove forest bordering numerous island/s which protect the shoreline, the shoreline roads, and even coastal communities from the destructive force of the sea during winds and typhoons, shall be maintained and shall not be alienated. Such strips must be kept free from artificial obstruction so that flood water will flow unimpeded to the sea to avoid flooding or inundation of cultivated areas in the upstream.</p>	<p><b>Complied</b></p>
<p>5. The Permittee shall: (a) not appropriate for himself/herself the exclusive use of public trails traversing or adjoining the area or impede the use thereof by the public; (b) not sublease the area or any portion thereof; and (c) protect and conserve threatened, unique, rare and endangered trees/plants/wildlife identified under existing rules and regulations</p>	<p><b>Complied</b></p>
<p>6. A separate permit shall be secured by the Permittee should tree cutting be necessary. However, no tree, regardless of species, shall be cut in the permitted area if found within forty (40) meters from the bank of rivers, creeks or streams and buffer strips. In case the said 40-meter strip is bereft of trees, the same shall be rehabilitated by the Permittee.</p>	<p><b>Not Applicable for this period as no cutting of trees within the area is conducted</b></p>
<p>7. The Permittee shall strictly observe the terms and conditions of the ECC. In case the Permittee will conduct periodic rehabilitation of thee infrastructure or introduce new appurtenances within the GSUP area, the same shall secure an appropriate clearance from the EMB for the purpose and submit the clearance to the concerned DENR Regional Office prior to such undertakings therein.</p>	<p><b>Complied</b></p>

8. The Permittee shall strictly observe sanitary measures within the permit area to ensure protection of watershed values.	<b>Not Applicable for this period</b>
9. The Permittee shall protect the permittee area from forest fires and other forms of forest destruction.	<b>Complied</b>
10. Non-use of the area within six (6) months after it is granted will result in the cancellation of the Permit except in case of force majeure or fortuitous events.	<b>Complied</b>
11. In case the area no longer serves the purpose as warranted under the said Permit, the Permit shall be cancelled and the subsequent management and administration of the affected area shall be assumed by the DENR.	<b>Not Applicable for this period</b>
12. Violations on non-compliance of any of the terms and conditions of the Permit or any environment and natural resources management laws, policies, rules and regulations shall be sufficient grounds for the cancellation thereof without prejudice to whatever legal action that may be taken.	<b>Complied</b>
13. The GSUP for the construction of roads and bridges shall have a maximum non-renewable term of five (5) years and similarly, the GSUP for the construction and operation of schools, hospitals, health centers, flood control facilities, water reservoir or impounding dam and its related facilities, air strip, landing site, harbor, public market, public plazas and evacuations site shall have a maximum non-renewable term of five (5) years. The GSUP and its additional terms and conditions shall be approved by the RED.	<b>Complied</b>
14. Except the agencies permitted to construct roads and bridges, the other agencies permitted to construct and operate infrastructure projects or facilities for the public service and use shall apply for the issuance of Presidential Proclamation starting on the second year from the issuance of the GSUP to ensure effective management and sustainability of the infrastructure and facilities and its long term use of the area where the infrastructure exists.	<b>On-going</b>
15. Failure to secure a Presidential Proclamation within the allowable period starting from the	<b>On-going</b>



second (2 <sup>nd</sup> ) year to the fifth (5 <sup>th</sup> ) year of the GSUP, the Permittee shall apply for Forest Land Use Agreement (FLAG) pursuant to DENR Administrative Order No. 2004-59 dated 31 August 2004 and other related policies on special uses of forest lands.	
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**Other findings:**

- The construction of crane way was observed in the tenured area.
- Pile driving activity was also conducted by the Contractor.
- Some of the properties of the MARCOPPER Mining Corporation were already bid by the Provincial Government of Marinduque.
- Hazardous waste is still present in one of the storeroom.

**Comments/Recommendations:**

- To advise and require the holder to submit their Annual Report about their activities in the tenured area.
- To advise the holder to secure a Presidential Proclamation within the allowable period starting from the second (2<sup>nd</sup>) year to the fifth (5<sup>th</sup>) year of the GSUP, failing to avail PP within the prescribed period, the holder shall apply for Forest Land Use Agreement (FLAG) pursuant to DAO No. 2004-59.
- The holder shall maintain and protect the mangrove forest therein.
- The hazardous waste within the tenured area must be removed and cleaned

Submitted by:

  
**MICHAEL VENCINT M. SUALOG**  
Forest Technician I

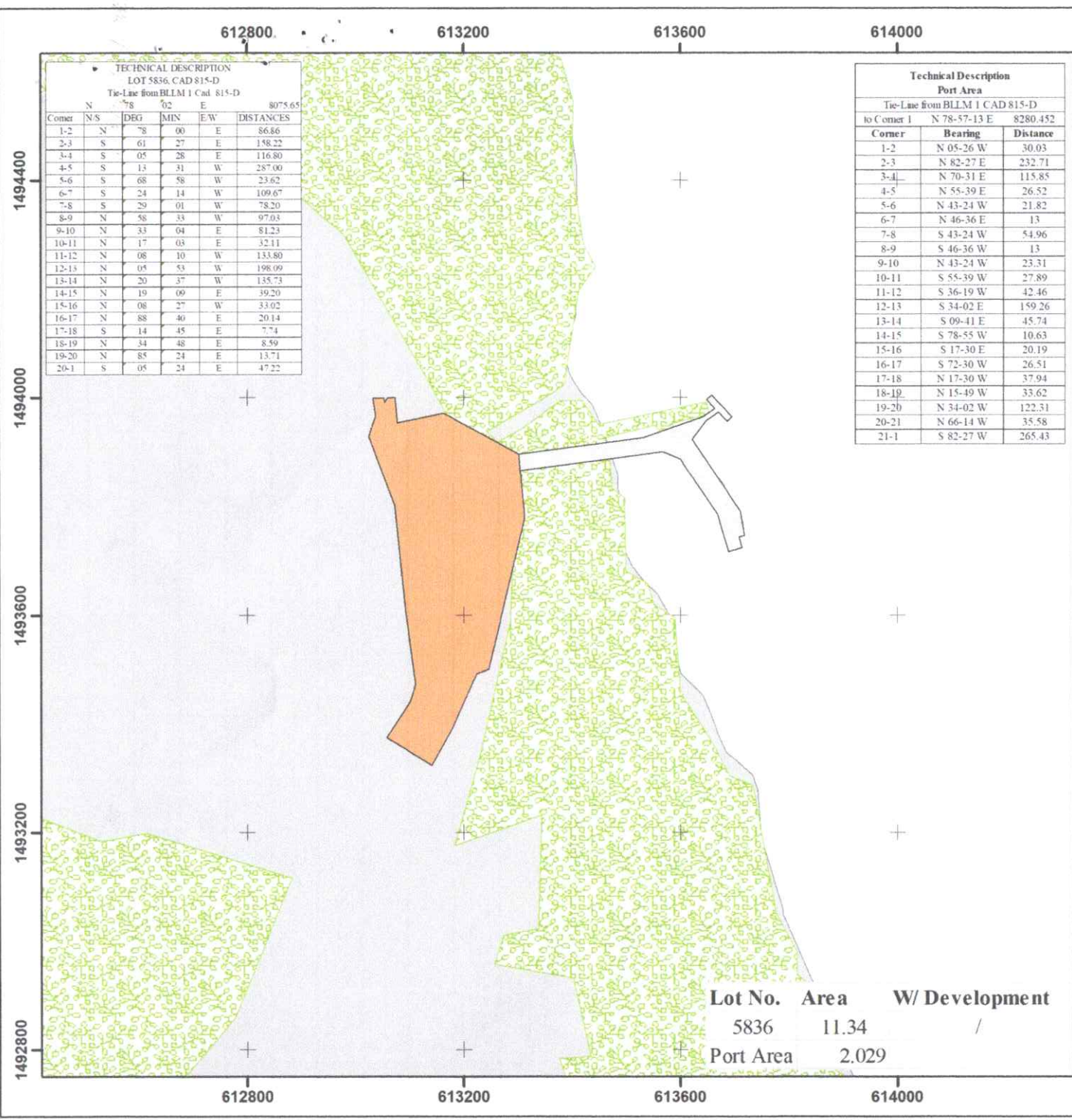
  
**DON GIBSON D. MERCADO**  
Forester II

**NANNETTE M. JOVEN**  
Forester III/Chief, MES



Photos showing the activities within the tenured area covered with Gratuitous Special Use Permit (GSUP) No. DENR-MIMAROPA-GSUP-2023-01 awarded to Provincial Local Government Unit of Marinduque located in Barangay Balogo, Sta. Cruz, Marinduque





**Technical Description**  
**Port Area**  
Tie-Line from BLM 1 CAD 815-D 8280.452

to Corner 1	N	S	DEG	MIN	E/W	DISTANCES
1-2	N	05	26	W		30.03
2-3	N	82	27	E		232.71
3-4	N	70	31	E		115.85
4-5	N	55	39	E		26.52
5-6	N	43	24	W		21.82
6-7	N	46	36	E		13
7-8	S	43	24	W		54.96
8-9	S	46	36	W		13
9-10	N	43	24	W		23.31
10-11	S	55	39	W		27.89
11-12	S	36	19	W		42.46
12-13	S	34	02	E		159.26
13-14	S	09	41	E		45.74
14-15	S	78	55	W		10.63
15-16	S	17	30	E		20.19
16-17	S	72	30	W		26.51
17-18	N	17	30	W		37.94
18-19	N	15	49	W		33.62
19-20	N	34	02	W		122.31
20-21	N	66	14	W		35.58
21-1	S	82	27	W		265.43

**MAP**  
**SHOWING THE AREA APPLIED FOR**  
**FOREST LAND-USE AGREEMENT BY**  
**PROVINCIAL GOVERNMENT OF MARINDUQUE**

**SCALE : 1:10,000**

0 190 380 760  
Meters

Coordinate System: PRS 1992 Philippines Zone III  
Projection: Transverse Mercator  
Datum: Philippine Reference System 1992

**Legend**

- Cadastral Lot
- Provincial\_Boundary
- PORT\_AREA
- FL (Mangrove)
- FL (Upland)

Prepared by:  
Don Gibson Mercado  
Forester I

Reviewed by:  
Engr. Cynthia U. Lozano  
Chief Technical Services Division

Approved by:  
Imelda M. Diaz  
OIC-PENR Officer

Republic of the Philippines  
Department of Environment and Natural Resources  
Provincial Environment and Natural Resources Office  
Boac, Marinduque