



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

November 24, 2023

MEMORANDUM

FOR : The Regional Executive Director
1515 DENR By the Bay Bldg., Roxas Blvd.
Barangay 668, Ermita, Manila

THRU : The ARD for Technical Services

FROM : The OIC, PENR Officer

SUBJECT : COMPLETED STAFF WORK (CSW) REPORT REGARDING
THE REQUEST OF ALTAHUB-TJ ENTERPRISES TO
CONVERT FOREST LAND GRAZING MANAGEMENT
AGREEMENT (FLGMA) NO. 12 INTO ECONOMIC ZONE
UNDER THE PHILIPPINE ECONOMIC ZONE AUTHORITY
(PEZA) LOCATED AT BARANGAY LUMANGBAYAN,
ABRA DE ILOG, OCC. MINDORO

Respectfully forwarded is the memorandum dated November 21, 2023 from CENRO Sablayan re: Completed Staff Work (CSW) regarding the request of Altabub-TJ Enterprises to convert Forest Land Grazing Management Agreement (FLGMA) No. 12 into Economic Zone under the Philippine Economic Zone Authority (PEZA) located at Brgy. Lumangbayan, Abra de Ilog, Occ. Mindoro.

For information and consideration.

For and in the absence of the OIC- PENRO:

ROMUALDO S. TRIAS
LMO III/Chief, MES

TSD/RPS



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November 21, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 DENR By the Bay Bldg., Roxas Blvd,
Brgy. 668, Ermita, Manila

THRU : The OIC, PENR Officer
PENRO Mamburao
Occidental Mindoro

FROM : The CENR Officer

SUBJECT : **COMPLETED STAFF WORK (CSW) REPORT REGARDING
THE REQUEST OF ALTAHUB-TJ ENTERPRISES TO CONVERT
FOREST LAND GRAZING MANAGEMENT AGREEMENT
(FLGMA) NO. 12 INTO ECONOMIC ZONE UNDER THE PHILIPPINE
ECONOMIC ZONE AUTHORITY (PEZA) LOCATED AT BARANGAY
LUMANGBAYAN, ABRA DE ILOG, OCCIDENTAL MINDORO**

TSD

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DATE	11/23/23
TIME	3:00 PM
RELEASED BY:	_____
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REFERENCE

This has reference with the Memoranda of the OIC, Assistant Regional Director for Management Services and OIC, PENR Officer dated August 9, 2022 and August 16, 2022, respectively, regarding the request of Dr. Anthony Jose M. Tamayo and Capt. Robert Joseph S. Moran for conversion of FLGMA No. 12 into Eco-Zone under the Philippine Economic Zone Authority (PEZA)

BACKGROUND

On March 01, 2006, the Forest Land Grazing Management Agreement (FLGMA) No. 12 with an area of two thousand (2,000) hectares located at Sitio Boktot, Urilan, Barangay Lumangbayan, Abra de Ilog, Occidental Mindoro was awarded to the University of Perpetual Help Rizal, Inc. (UPHRI) represented by its Chairman of the Board and CEO, Dr. Antonio L. Tamayo.

Accordingly, as per Memorandum dated May 26, 2022 of the Director, Forest Management Bureau for the Regional Executive Director, DENR MIMAROPA Region, the FLGMA No. 12 was already transferred in favor of T.J. Enterprises which has been approved per letter dated 01 July 2019 of the Undersecretary for Field Operations addressed to Dr. Anthony Jose M. Tamayo.

On April 1 and 2, 2022, the Team of CENRO Sablayan conducted Monitoring and Performance Evaluation of FLGMA No. 12 in reference with the terms and condition as stipulated in the Agreement signed by both parties.

On April 19, 2022, this Office wrote a letter to Dr. Antonio L. Tamayo requesting file copy of all the documents stated in the agreement particularly the Sworn Annual Report, Free and Prior Informed Consent (FPIC) from the NCIP, Five (5) Year Operations Plan, Twenty Five (25) Year Grazing Management Plan, Cash/Surety Bond, Proof of Payments on Government Share and other Financial Obligations



OBSERVATIONS/FINDINGS/COMMENTS

The aforementioned FLGMA No. 12 has its Field Office situated within a lot area near the National Highway to Puerto Galera about two (2) kilometers away Southeast of Abra de Ilog Pier. However, the two thousand (2,000) hectares grazing land can be reached thru horseback riding or dump truck during summer following rough road traversing high sloping mountains approximately three (3) kilometers away Southeast from the field office.

There are four (4) major cow corrals strategically located within the FLGMA area, two (2) of which are established in the frontage or lower elevation adjacent to the cowboy's quarter purposely for the newly born and nourishing calves with maintenance in terms of food supplement until full recovery. Each corral has complete accessories such as feeding and drinking tubs.

The FLGMA Holder had undertaken pasture improvements by replanting with high yielding grasses and practicing rotation basis of grazing by systematic division into compartments thru barbed wire fences to avoid adverse effect on watershed and promote even grazing throughout the pastureland. These compartments were provided with corresponding drinking tubs for livestock use.

Consistent with soil conservation measures, the Lessee planted coconuts sporadically all throughout the grazing land because the root system having the ability to hold soil erosion without impairing grasses and other forage species.

In order to have a continuous water supply for human and livestock use, the Lessee tapped the spring from the upper portion of the pasture land down to the drinking tubs and cowboy's quarter. This spring source can adequately supply the need of the grazing land even in the peak of summer season.

The Lessee has not yet submitted to this Office any copy of the documents as requested in the letter dated April 19, 2022. The Government Share from year one (1) to year fourteen (14) had no record filed in this Office, but from March 2020 up to March 2022 the government shares have been paid to this office in constant amount of eighty thousand (P80,000) pesos per year. However, as per approved FLGMA No. 12 under the terms and condition number 10, "The FLGMA Holder shall pay to the Government as Government Share the amount as prescribed in DAO 99-36. The succeeding payments shall be based on the assessment conducted in the FLGMA area by the Assessment Team. Such payment shall be made on the first month of the succeeding year. For the new Holders, the payment of user's fee shall be the same as that provided under Section 28 of DAO 99-36, within the five year transitory period".

CONCLUSIONS/RECOMMENDATIONS

Based on the recent evaluation/assessment made, the performance of the Lessee is good in terms of management, development, conservation and protection of the Forestland used for grazing purposes through applications of appropriate grazing management strategies and grassland improvement schemes. However, the payment of Government Share or user's fee is not consistent with the provisions of Section 28 of DAO 99-36. Moreover, Section 29 of the same DAO states that "Failure to pay the user's fee on time shall mean a penalty of 100% of the user's fee and failure to pay for two (2) consecutive years shall be a ground for automatic cancellation of the FLGMA".

Further, as to the suitability of the area for Ecozone Site Development is merely not feasible because the elevation of the area which is majority within the range of 500 meters to 700 meters above sea level (ASL) and under the category of severe erosion based on geohazard map available. Moreover, allowing the grazing area to be converted into the proposed land-use will subject the whole area to clearing and opening of roads and thereby massive soil erosion and severe destruction of the biodiversity ecosystems or habitat of wildlife living therein will be destroyed. However, if the



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introduction of Agro-Industrial and Agro-Forestry facilities within the 2,000 hectares FLGMA No. 12 shall be implemented through the highest degree of Forest Conservation and Protection without massive clearing and minimize road openings to preserve biodiversity ecosystem. Likewise, the construction of soil and water conservation facilities such as ripraps and gabions shall be imposed.

In view hereof, we support the plan of ALTAHUB-TJ Enterprises to convert the whole area under FLGMA No. 12 into Economic Zone provided that the Lessee must submit first the lacking documents as stated in the previous paragraph and pay the Government Share, if not settled yet. Also, we would like to emphasize that the management and supervision of the area should be retained with the DENR considering its Land Classification and/or to ensure that any development be introduced in the area shall be in accordance with our existing policies.

For your information and consideration.


FOR. ANASTACIO A. SANTOS, MPA