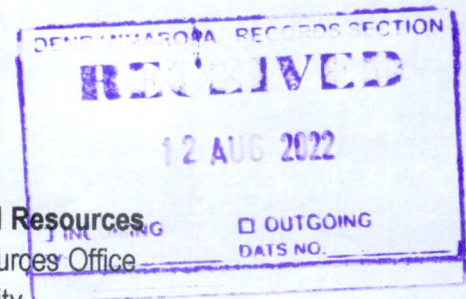




Republic of the Philippines
MIMAROPA Region
Department of Environment and Natural Resources
Provincial Environment and Natural Resources Office
Sta. Monica, Puerto Princesa City



MEMORANDUM:

FOR : THE SECRETARY
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)
MA. ANTONIA YULO-LOYZAGA
VISAYAS AVENUE, DILIMAN, QUEZON CITY

COPY TO: THE UNDERSECRETARY FOR LEGAL, ADMINISTRATION, HUMAN RESOURCES AND
LEGISLATIVE AFFAIRS, DENR
ATTY. ERNESTO D. ADOBO, JR.
CENTRAL OFFICE, VISAYAS AVENUE, DILIMAN, QUEZON CITY

COPY TO: THE REGIONAL EXECUTIVE DIRECTOR (RED), DENR-MIMAROPA
LORMELYN E. CLAUDIO, CESO IV
1515 L&S BUILDING, ROXAS BOULEVARD, METRO MANILA

COPY TO: THE CHIEF, LEGAL DIVISION, DENR- MIMAROPA REGION
ATTY. GANDHI GAGNI-FLORES
1515 L&S BUILDING, ROXAS BOULEVARD, METRO MANILA

THE CHIEF ADMINISTRATIVE OFFICER
ROSARIO GULMATICO
1515 L&S BUILDING, ROXAS BOULEVARD, METRO MANILA

FOR : THE PENRO-PALAWAN
FELIZARDO B. CAYATOC
PENRO COMPOUND, STA. MONICA, PUERTO PRINCESA CITY

COPY TO: THE MANAGEMENT SERVICES DIVISION (MSD), PENRO-PALAWAN
THE CHIEF, ADMINISTRATIVE OFFICER
FRANKLIN G. HERNANDEZ

CHIEF, ADMINISTRATIVE SECTION, MSD, PENRO-PALAWAN
MAILAH L. REGALADO

FROM : ATTY. LILLIBETH MARY ELVISA S. ABIOG, DENR-MIMAROPA @PENRO-PALAWAN

DATE : August 10, 2022

SUBJECT : PERFORMANCE AT THE PENRO-PALAWAN SUBJECT OF MEMORANDUM FOR ATTENDANCE

**REFERENCE DOCUMENT: MEMORANDUM OF THE PENRO-PALAWAN DATED AUGUST 3, 2022 ON
THE SUBJECT: OBSERVANCE OF PRESCRIBED OFFICE HOURS, CITING RULE XVII, SECTION 9
OF THE OMNIBUS RULES IMPLEMENTING BOOK V OF EXECUTIVE ORDER NO. 292 (ADMINISTRATIVE
CODE OF 1987) AS AMENDED BY CSC MC NO. 34, S. 1998, WHICH WAS RECEIVED ON AUGUST 9, 2022,
AND WHICH RELEVANT PORTION OF THE MEMORANDUM READS AS:**

*"Section 8. Officers and employees who have incurred tardiness and undertime,
regardless of the number of minutes per day, ten (10) times a month for at least two*

(2) consecutive months during the year or for at least two (2) months in a semester shall be subject to disciplinary action."

The undersigned employee of the Department of Environment and Natural Resources (DENR)-MIMAROPA, stationed at the PENRO-PALAWAN acknowledges receipt of the PENRO-PALAWAN'S above-referenced MEMORANDUM on August 9, 2022 in the afternoon, and notes the unmistakable threat of a disciplinary action in the tenor stated thus: "In this regard, you are **sternly warned** to refrain from incurring tardiness and undertime **to avoid disciplinary action be taken against you.**"

In this regard, the undersigned employee, from the time that she joined the DENR Legal Division, with work station at the PENRO-PALAWAN, has endeavored to substantially comply with the requirements and challenges of government work, as she has consistently done in the past when she previously worked with government, including the Bureau of Internal Revenue and the Senate of the Philippines. Thus, FIRSTLY in the year 2018, out of her own initiative and in defense of the allegations of corruption hurled against the DENR by one Alex Bergante, a copy of the Presidential Action Complaint Center's receipt of the Complaint dated April 1, 2018 is attached as Annex "A," the undersigned government employee diligently and meticulously researched, studied, analyzed, drafted, and finalized, -- without charges to government and request of reimbursement of expenses incurred claimed, -- the Administrative Complaint that was filed with the CSC Main Office on July 17, 2018 against the Municipal Building Official Engr Ronnie M. Alcantara, and the Acting Municipal Planning and Development Coordinator Ferdinand B. Garcellano, for only SIMPLE NEGLIGENCE OF DUTY, instead of outright Dismissal as the case warranted, for the illegal conversion to private land of more or less 33 hectares of reserve public forest land located in El Nido, Palawan, a screenshot of the date of filing is attached as Annex "B," with complete sets of copies of the Administrative Complaint filed, with their attachments, were furnished to the Undersecretary for Legal, Administration, Human Resources, and Legislative Affairs, and the MIMAROPA Revenue Executive Director Adornado at that time, as reflected in the same Annex "B". A conduit used for the conversion scheme was one Isidro D. Gomez, who incidentally, as of October 17, 2016 at 10:41:90, submitted a Bank Certification of a stand-by deposit of Php11,693,501.61, a copy of which is attached as Annex "C."

As a result of that committed public service and selfless work, the undersigned, within the week after her return to work at the PENRO-PALAWAN, on July 25, 2018, while attending a USAID-sponsored seminar at the Legend Hotel in Puerto Princesa City, suffered a hemorrhagic stroke and a craniotomy to remove the blood clot in her head was performed by Dr. Jesus Nigos of the Adventist Medical Hospital in Puerto Princesa City. Clearly being work-related, particular attention is called to the third paragraph of Section 6 of Republic Act No. 6713, which is quoted in its full provision as follows:

“SEC. 6. System of Incentives and Rewards. - A system of annual incentives and rewards is hereby established in order to motivate and inspire public servants to uphold the highest standards of ethics. For this purpose, a Committee on Awards to Outstanding Public Officials and Employees is hereby created composed of the following: the Ombudsman and Chairman of the Civil Service Commission as Co-Chairmen, and the Chairman of the Commission on Audit. and two government employees to be appointed by the President, as members.

It shall be the task of this Committee to conduct a periodic, continuing review of the performance of public officials and employees, in all the branches and agencies of Government and establish a system of annual incentives and rewards to the end that due recognition is given to public officials and employees of outstanding merit on the basis of the standards set forth in this Act.

The conferment of awards shall take into account, among other things, the following: the years of service and the quality and consistency of performance, the obscurity of the position, the level of salary, the unique and exemplary quality of a certain achievement, and the risks or temptations inherent in the work. Incentives and rewards to government officials and employees of the year to be announced in public ceremonies honoring them may take the form of bonuses, citations, directorships in government-owned or controlled corporations, local and foreign scholarship grants, paid vacations, and the like. **They shall likewise be automatically promoted to the next higher position with the commensurate salary suitable to their qualifications.** In case there is no next higher position or it is not vacant, said position shall be included in the budget of the office in the next General Appropriations Act. The Committee on Awards shall adopt its own rules to govern the conduct of its activities.” (emphasis supplied)

The undersigned, by the quality and unique output borne by her diligent research and paper trailing of the transactions regarding the illegal conversion of public forest reserve land to private land through the use of an indigenous person conduit, one Israel D. Gomez, should have been **automatically promoted following her hemorrhagic stroke and craniotomy, according to the third (3rd) paragraph of the above-quoted Section 6 of RA 6713.** This automatic promotion was denied the undersigned though, compared to the more dramatic incident involving a Puerto Princesa DENR -CENRO employee who was shot and became the center of attention, as a consequence of which, that employee was even given premium treatment by the Central Office of the Department.

SECONDLY. The undersigned employee has timely acted on her case assignments but with no immediate feedback given her by her immediate superiors. In this wise, the undersigned was assigned, among others, too, the case of *Eriberto B. Saños, as Complainant, being then CENRO at Coron, Palawan vs. Jesus Vicente V.D. Fernandez, as Respondent, for Unlawful Occupation or Destruction of Forest Lands under Section 78 of Republic Act No. 7161, docketed as Docket No. IV-08-INV-16E-0312* that was filed with the Office of the Provincial Prosecutor of the Province of Palawan. The undersigned employee again studied the case, including reading about and understanding the circumstances of the allegations narrated in the Prosecutor's Office's dockets. Furthermore, the undersigned employee, on her own initiative, also sourced from the Securities and Exchange Commission documents regarding the Fernvale Living and Leisure Village, at no cost to government but out of her own initiative and in pursuit of the truth of then CENRO Saños's findings of violation by Fernvale, as identified with its President, Jesus Vicente V.D. Fernandez. The two (2) folders of the case involving Mr. Fernandez were turned-over on August 8, 2022 by the undersigned employee to Atty. Jazmin Altea in view of the overheard conversation the latter was having with a contractual legal researcher, with the note verbally conveyed to Atty. Jazmin Altea that the thick folder containing the undersigned's findings, recommendations, and awaiting further instructions from then PENRO-PALAWAN Saños was submitted to PENRO Saños. As an aside, the information that the thick folders of investigation by the Prosecutor's Office are available for reading at the Provincial Prosecutor's Office, and that the case was initially already resolved for filing a case against Mr. Fernandez, but the other party requested for reconsideration, and the case seemed to have been set aside. Further, the case should have been filed, in the first place, against the Ferndale Corporation, represented by Mr. Fernandez, being the President of the Corporation. The Acknowledgment by Atty. Altea of receipt of the two folders and the screenshots of the Acknowledgment Receipt of Folders and of the top cover of the Folders are attached as Annex "D."

THIRDLY. The twin cases of *Republic of the Philippines, represented by Raphael P.M. Lotilla, Secretary, Department of Energy (DOE), et.al. v. Provincial Government of Palawan, Represented by Governor Abraham Kahlil B. Mitra, Respondent, (GR No. 170867, December 4, 2018, EN BANC, Tijam J.)* and of *Bishop Pedro Dulay Arigo, Cesar N. Sariño, et.al. v. Hon. Executive Secretary Eduardo R. Ermita, Hon.*

Energy Secretary Angelo T. Reyes, et.al. (GR No. 185941, December 4, 2018, EN BANC, Tijam, J.)

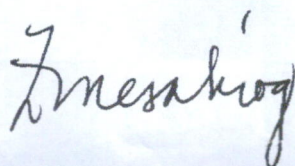
negatively decided against the claim of the Province of Palawan of its 40% share of the government's earnings derived from the Camago-Malampaya natural gas project since October 16, 2001, on the reasoning that: (1) the United Nations Convention of the Law of the Sea (UNCLOS) affects only the right of the Philippines vis-à-vis another sovereign State; (2) Even if the UNCLOS were to be considered to have been transformed to be part of the municipal law, after its ratification by the Batasang Pambansa through Resolution No. 121 on February 27, 1984, the UNCLOS did not automatically amend the Local Government Code and the charters of the local government units. The UNCLOS, transformed into our municipal laws, should be applied as it is worded; (3) an LGU's territorial jurisdiction refers to its territorial boundaries or to its territory. The territory of LGUs, in turn, refers to their land area, **unless expanded by law to include the maritime area**; and, (4) Section 6 of the Local Government Code empowers Congress to substantially alter their boundaries, subject to the plebiscite requirement (Section 10) where a majority of the votes cast in the directly affected area/s approves the boundary alteration, within 120 days from the date of effectivity of the law or on another date fixed. Stated otherwise, unless Congress, with the approval of the political units directly affected, clearly extends an LGU's territorial boundaries beyond its land area, to include marine waters, the seabed and the subsoil, it cannot rightfully share in the proceeds of the utilization of national wealth found therein. Again, the undersigned, on her own initiative, studied the decided cases and drafted the legislative bill to clarify and consolidate the definition of the boundaries of the Province of Palawan as submitted already to the Department Head, through the Undersecretary for Legislative Affairs, with copies furnished to the line officers of the Department, including the PENRO-PALAWAN, and the Technical Heads and point persons at the PENRO-PALAWAN. All these have been taken in stride by the undersigned employee, even without the obvious support of the supervisors, and despite the long-running need for a hands-on connectivity online for research work. Attached is Annex "E" which shows the copy of the First Exposure of the Draft Bill on Palawan Boundaries which at the same time also addresses the fiscal problem of meeting the province's mounting financial loan obligations brought upon the new provincial administration.

FOURTHLY. The undersigned employee, from 2017 to the present, has been consistent in her stand that employees of the Department must be provided with the necessary equipment and support, including particularly, a government-issued computer, official e-mail address, online connection for research work, office supplies, including bond papers and similar fungible office supplies. None of these to this date have been provided to the undersigned, thus, forcing her to do her research work at home, going way beyond the required normal 40 work-hours by a government employee. Finally, the undersigned employee bought a router on July 23, 2022 just so research work can be done directly online in the office using her personal computer in the process! The attached Annex "F" shows the Official Receipt and the Router that the undersigned employee purchased in order to be able to work professionally at her work-station at the DENR PENRO-PALAWAN in Barangay Santa Monica, Puerto Princesa City.

Public office is a public trust. Public officers and employees, indeed, must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives. (Section 1, Article XI, Philippine Constitution)

On the foregoing submissions, the undersigned government employee hopes that the concerned Department Officials will give sufficient consideration to the explanation why no disciplinary action should be taken against her. Thank you.

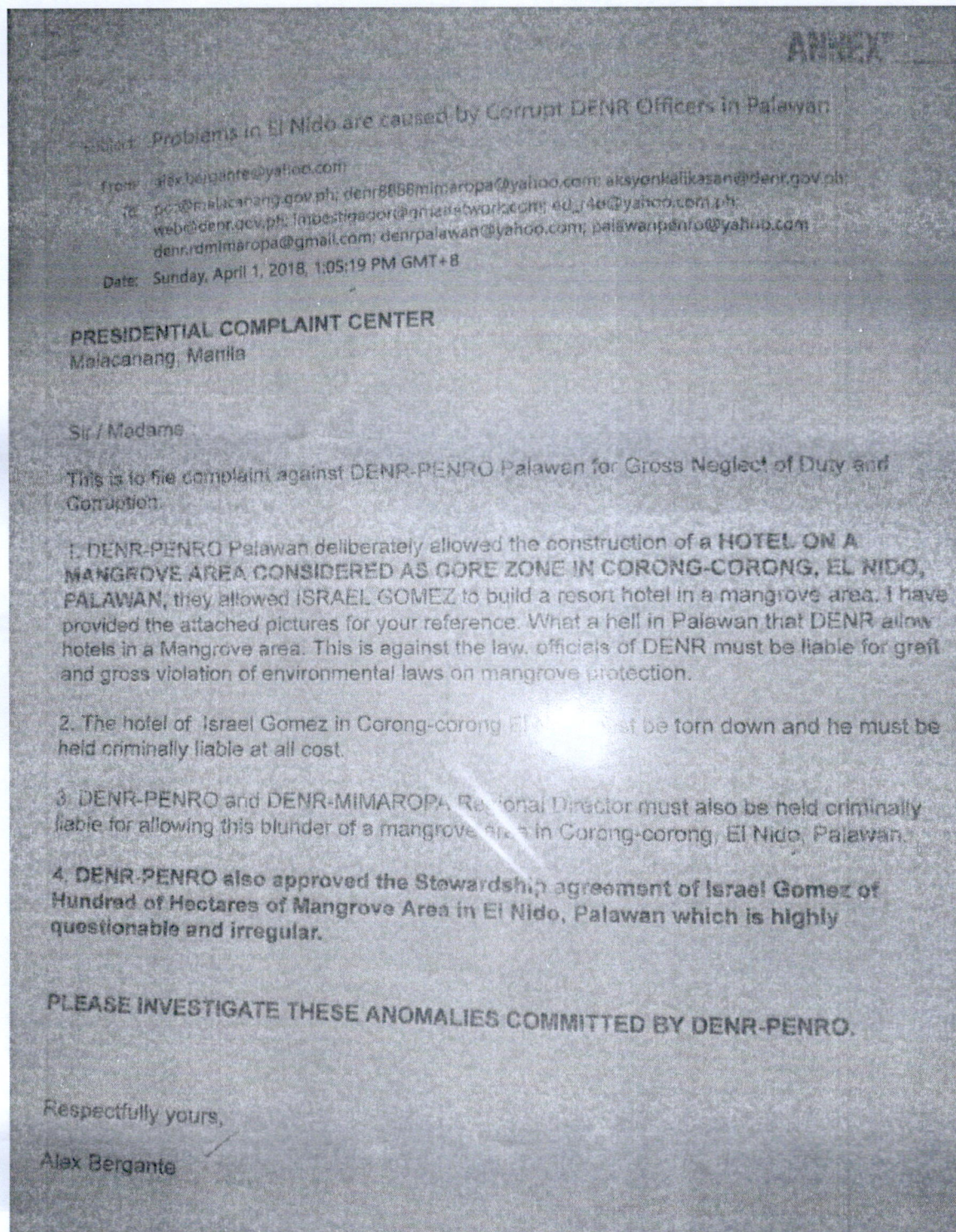
Respectfully submitted.



LILLIBETH MARY ELVISA S. ABIOG
Attorney II
@PENRO-PALAWAN

LSA-2022 - August 10, 2022
MEMORANDUM FOR THE DEPARTMENT SECRETARY WITH COPIES FURNISHED TO LEVEL
DEPARTMENT/REGION/PENRO OFFICIALS

ANNEX "A": Complaint dated April 1, 2018 filed with the Presidential Complaint Action Center by one Alex Bergante.



ANNEX "B": July 17, 2018 Stamp-Received by the Civil Service Commission Main Office of the Administrative Complaint only for Simple Neglect of Duty filed against the El Nido Municipal Building Official and Acting Municipal Planning and Development Coordinator, with copies furnished to the Undersecretary for Legal then on the same date, and to the MIMAROPA Regional Executive Director on July 17, 2018, 3 and a half months reckoned from the date of complaint with the PACC on April 1, 2018, after the matter caught the attention of the undersigned government employee.

ADMINISTRATIVE COMPLAINT

In the Matter of an Administrative Complaint
Against the Building Official ENGR. RONNIE M. ALCANTARA, as Building Official and the Municipal Government Assistant Department Head MR. FERDINAND B. GARCELIANO, as Acting Municipal Planning and Development Coordinator of the Municipality of El Nido, Province of Palawan

Administrative Case No. _____

SECTION 16, ARTICLE IX, PD 807, paragraphs (b)(3), (b)(8), (b)(17), (b)(27), correspondingly referring to Neglect of Duty, Inefficiency and Incompetence in the Performance of Official Duties, Refusal to Perform Official Duty, and Conduct Prejudicial to the Best Interest of the Service, as implemented by, SECTION 48, RULE 10 of the Revised Rules of Administrative Cases in Civil Service (RACCS)

RECEIVED

Republic of the Philippines
MIMAROPA Region
Department of Environment and Natural Resources
Regional Environment and Natural Resources Office
LEGAL DIVISION MIMAROPA @ PENRO - PALAWAN
Sta. Monica, Puerto Princesa City

MEMORANDUM

FOR : The Undersecretary
Hon. Ernesto Distraso Adobo
DENR Central Office
Visayas Avenue
Diliman, Quezon City

Cc : The Undersecretary for Legal

FROM : Lilibeth Mary Elvira S. Ablog
Attorney @ Legal Division-MIMAROPA

CC : REGIONAL DIRECTOR, MIMAROPA

SUBJECT : VILLA ISRAEL ECO-PARK AND THE CONVERSION PROCESS OF THE ENTIRE 33.2701 HECTARES OF RP LAND INTO PRIVATE OWNERSHIP BY ISRAEL D. GOMEZ, IN CORONG-CORONG, EL NIDO, PALAWAN

DATE : 16 July 2018

Sir, please find the attached prepared Complaint against the Building Official and the MPDO of the Municipality of El Nido, Palawan, consisting of forty-six (46) pages and Annexes A - P, for only Simple Neglect of Duty, which the undersigned is filing with the Civil Service Commission Legal Division, in view of the failure / refusal to act on the part of those mandated to act accordingly.

The attached Complaint carries out the understanding of the need to make the Building Official and the Municipal Planning and Development Officer aware of the consequences of their negligence and failure to perform their duties, according to law, and at the same vein, it defends the DENR, by implication, against the allegations in the Complaint (Annex B, et seq.) of corruption of DENR officials in Palawan.

This administrative offense of Simple Neglect of Duty, with only reprimand and fines/penalties attendant to such violation, is submitted for consideration of the Civil Service, with the knowledge that the Commission has the wide authority, in its appreciation of the facts of the case, to add parties and to change the nature of the violations into a grave offense.

ANNEX "C": Bank Certification, as of October 17, 2016 at 10:41:90, of a deposit by
Isidro D. Gomez of the amount of Php11,693,501.61.



BANK OF THE
PHILIPPINE ISLANDS

1704 Ayala A.
Makati City
Philippines
Tel. (832) 8168-641
BPI Express Phone 88-150 / (832) 894-
www.bpiexpress.com

17-OCT-16

BANK CERTIFICATION OF DEPOSIT

Reference No. : BR034920161017001

This is to certify that as of 17-OCT-16 at 10:41:09,

ISRAEL DALISAN GOMEZ

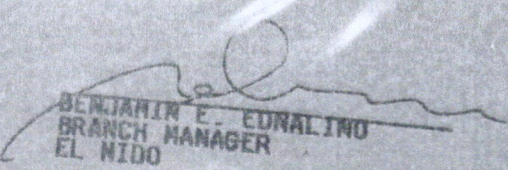
maintain/s the following account/s, with corresponding available balance/s,
excluding uncleared funds, garnishment & / or hold-out on deposit, with
BANK OF THE PHILIPPINE ISLANDS:

Savings

PHP

11,693,501.61

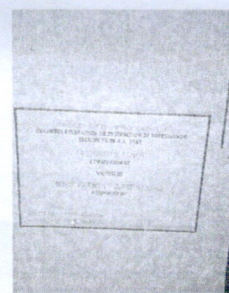
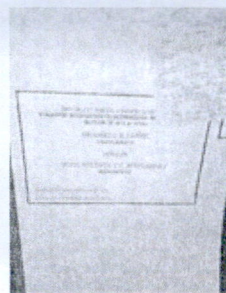
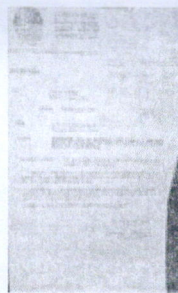
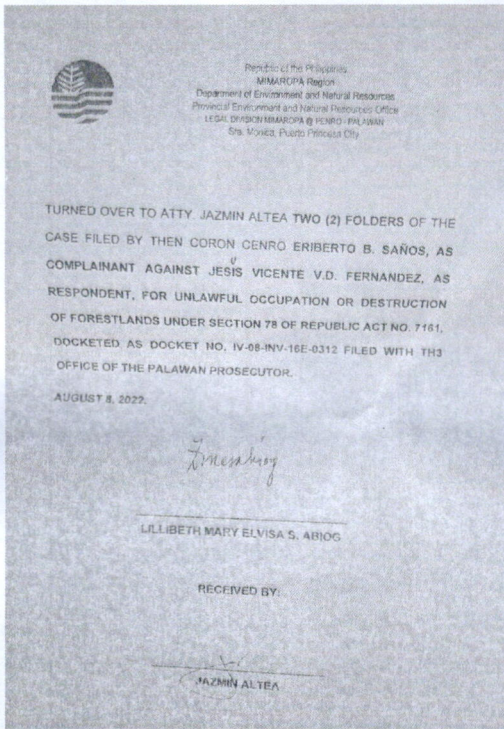
This certification is being issued upon the written request of the above
client/s for whatever purpose it may serve.



BENJAMIN E. EDRALINO
BRANCH MANAGER
EL NIDO

Page 9 of 13

ANNEX "D": ACKNOWLEDGMENT OF TURN-OVER ON AUGUST 8, 2022 TO ATTY. JAZMIN ALTEA OF TWO (2) CASE FOLDERS INVOLVING CENRO-CORON, AS COMPLAINANT, vs. JESUS VICENTE V.D. FERNANDEZ, AS RESPONDENT, DOCKETED BY THE PROVINCIAL PROSECUTOR'S OFFICE AS IV-08-INV-16E-0312 FOR UNLAWFUL OCCUPATION OR DESTRUCTION OF FOREST LANDS UNDER SECTION 78 OF REPUBLIC ACT NO. 7161. THE CNERO-CORON SUBMITTED ITS MEMORANDUM FOR THE REGIONAL DIRECTOR'S OPINION.



ANNEX “E”: FIRST EXPOSURE DRAFT OF PROPOSED LEGISLATIVE BILL
TO CLARIFY AND DEFINE THE PALAWAN BOUNDARIES SUBMITTED ON JUNE 30, 2022, WITH COPY FOR
THE DEPARTMENT HEAD SUBMITTED AND SENT THROUGH THE USEC FOR LEGISLATIVE AFFAIRS

Republic of the Philippines
MIMAROPA Region
Department of Environment and Natural Resources
Provincial Environment and Natural Resources Office
Sta. Monica, Puerto Princesa City

MEMORANDUM

FOR THE ACTING SECRETARY
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)
JIM O. SAMPULNA
VISAYAS AVENUE, DILIMAN, QUEZON CITY

THROUGH THE UNDERSECRETARY FOR LEGAL, ADMINISTRATION, HUMAN RESOURCES AND
LEGISLATIVE AFFAIRS, DENR
ATTY. ERNESTO D. ADORO, JR.
CENTRAL OFFICE, VISAYAS AVENUE, DILIMAN, QUEZON CITY

COPY FOR THE REGIONAL EXECUTIVE DIRECTOR (RED), DENR-MIMAROPA
LORMELYN E. CLAUDIO, CESO IV
1515 L&S BUILDING, ROXAS BOULEVARD, METRO MANILA

THE CHIEF, LEGAL DIVISION, DENR-MIMAROPA REGION
ATTY. GANDHI GAGNI-FLORES
1515 L&S BUILDING, ROXAS BOULEVARD, METRO MANILA

THE PENRO-PALAWAN
FELIZARDO B. CAYATOC
PENRO COMPOUND, STA. MONICA, PUERTO PRINCESA CITY

THE CHIEF, TECHNICAL SERVICES DIVISION, PENRO-PALAWAN
JOSEPHINE L. LARAG
PENRO COMPOUND, STA. MONICA, PUERTO PRINCESA CITY

THE MANAGEMENT SERVICES DIVISION (MSD), PENRO-PALAWAN
THE CHIEF, ADMINISTRATIVE OFFICER
FRANKLIN O. HERNANDEZ

CHIEF, ADMINISTRATIVE SECTION, MSD, PENRO-PALAWAN
MAILAN L. REGALADO

REGULATION AND PERMITTING SECTION, TSD, PENRO-PALAWAN
EMMY C. VILLARREAL

THE PLANNING SECTION, MSD, PENRO-PALAWAN
WENDY L. TALABICAN

THE MONITORING AND ENFORCEMENT SECTION, MSD, PENRO-PALAWAN
NORISA CAYATOC

ATTY. LILIBETH MARY ELVISA S. ADORO, DENR-MIMAROPA (PENRO-PALAWAN)
June 30, 2022

SUBJECT: FIRST EXPOSURE DRAFT PROVIDING A LEGISLATIVE BILL TO CLARIFY, DELINEATE, AND
DEFINE THE LAND AND MARITIME TERRITORIAL BOUNDARIES OF THE PROVINCE OF
PALAWAN

JRSN

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**ANNEX “F”: PURCHASE OF A ROUTER ON JULY 23, 2022 FOR USE AT THE WORK-STATION
AT DENR PENRO-PALAWAN .**

[illegible]