

OCT 03 2022

MEMORANDUM

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

FROM : The OIC-PENR Officer

SUBJECT : COMPLETED STAFF WORK (CSW) REPORT ON
THE REQUEST LETTER FROM THE PROVINCIAL
OFFICER OF NATIONAL COMMISSION ON
INDIGENOUS PEOPLES (NCIP) RE: ALLEGED
ISSUANCE OF CBFM PERMIT OR ANY PERMIT
TO NON-IP (TAGALOG) AT SO. LANDING,
BRGY. PINAGTURILAN, STA. CRUZ, OCC.
MINDORO

Respectfully forwarded is the Memorandum dated August 31, 2022 from CENR Officer Anastacio A. Santos, regarding the above-mentioned subject.

In this regard, please be informed that based on the CSW report, the team from CENRO Sablayan, Occidental Mindoro has recommended for the conduct of meeting/dialogue together with the IP Leaders, CSC holders, DENR Officials, the NCIP officials and Brgy. Officials to address the issues and concerns surrounding the tenurial instruments issued by the CENR Office and found to be within the Ancestral Domain of the Alangan Tribe.

For information and further evaluation.


ERNESTO E. TAÑADA



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

August 31, 2022

MEMORANDUM

FOR : The PENR Officer
Mamburao, Occidental Mindoro

THRU : The Technical Services Division
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : COMPLETED STAFF WORK (CSW) REPORT ON THE
REQUEST LETTER FROM NATIONAL COMMISSION
ON INDIGENOUS PEOPLES (NCIP) RE: ALLEGED
ISSUANCE OF CBFM PERMIT OR ANY PERMIT TO
NON-IP (TAGALOG) AT SO. LANDING, BRGY
PINAGTURILAN, STA. CRUZ, OCCIDENTAL
MINDORO.

RECORDED
Date: 8-31-22
By: N

Respectfully forwarded herewith is the Completed Staff Work (CSW) Report on the request letter from NCIP, regarding the alleged issuance of CBFM permit or any permit to Non-Ip (tagalog) at So. Landing, Brgy. Pinagturilan, Sta. cruz, Occidental Mindoro.

The team observed during interviews that a "map" has been subjected to misinterpretation particularly on the matter of the land status at So. Landing, Brgy. Pinagturilan, Sta. Cruz, Occidental Mindoro, in which the said map is an attachment to January 11, 2022 report submitted. In the said report, the area describe is different to the area being occupied by the informal settlers.

Based on this CSW Report, the team hereby recommended that a meeting be conducted together with the CSC holder, IP Leaders, DENR Officials, NCIP officials, and Brgy. Officials to address the different issues/concerns with regards to the status of the tenurial instruments that have been issued by this office. Further, the NCIP should be the lead agency in the conduct of this activity as such areas are claimed/found within the Ancestral Domains.

National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

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TIME: [Signature]



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

In addition, it is also recommended that this matter be raised to higher authorities as this issue falls within the jurisdiction of two government agencies (DENR and NCIP), who have different interpretations on the said subject matter and that the above-mentioned activities be conducted with the **sense of urgency** to avoid further misunderstanding to both parties concerned.

For your information, evaluation, and further action, if any.


FOR. ANASTACIO A. SANTOS, MPA



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

MEMORANDUM

FOR : The CENR Officer

FROM : The Forester II
The Ecosystem Management Specialist I
The Forester I

SUBJECT : **COMPLETED STAFF WORK (CSW) REPORT ON THE REQUEST LETTER FROM NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP) RE: ALLEGED ISSUANCE OF CBFM PERMIT OR ANY PERMIT TO NON-IP (TAGALOG) AT SO. LANDING, BRGY. PINAGTURILAN, STA. CRUZ, OCCIDENTAL MINDORO.**

RECORDED

Date: 8-20-22
By: [Signature]

REFERENCE

This is in relation to the Memorandum of PENR Officer Ernesto E. Tañada dated July 12, 2022, referring the letter of Mr. Julito F. Garcia, Provincial Officer of National Commission on Indigenous People (NCIP) Mamburao, Occidental Mindoro, requesting status on the action taken pertaining to the alleged issuance of CBFM Permit to non-IP's (Tagalog) at So. Landing, Brgy. Pinagturilan, Sta. Cruz, Occidental Mindoro.

BACKGROUND

The area being contest in So. Landing, Brgy. Pinagturilan, Sta. Cruz, Occidental Mindoro is claimed to be within the area of Ancestral Domain of the Indigenous Peoples. It was with the same area within Brgy. Pinagturilan that have been also subjected to some discussions particularly with regards to the previously issued tenurial instruments being issued by our office specifically Certificate of Stewardship Contracts (CSC) as seen in the letter attached from the pamunuan ng mga kuyang in Brgy. Pinagturilan.

Prior to the letter from the NCIP Provincial Officer regarding the said issue a meeting has also been called by the concerned Barangay last June 29, 2021 which was attended by some personnel from this office with the same issues being raised. (See attached report dated July 5, 2021)

And on January 6, 2022, a letter received from Mr. Raymundo P. Morales requesting that a parcel of land be surveyed if it falls within the CADT, A&D or forestland. The same communication was referred to the Conservation and



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Development Section (CDS) and a survey/ ground truthing activity was conducted by ECOMS I Joseph M. Mateo. *(See CSW report and attachments submitted)*

On July 15, 2022 a memorandum was received from the PENR Officer instructing this office to act and submit report pertaining to this issue.

Prior to the conduct of actual ground investigation, the team collected data from the office that maybe relevant to this issue. And on August 4, 2022 the team proceeded to Brgy. Pinagturilan to address the issue.

The team first conducted a courtesy call to Brgy. Capt. Nolic Primero wherein the team briefed him regarding the activity that will be conducted. During the said courtesy call Capt. Primero also shared that prior to our visit a separate meeting about the similar issue has been conducted at the Municipal Hall of Sta. Cruz, Occidental Mindoro and it was attended by some personnel from the DENR PENRO and NCIP resulting to an agreement that a separate survey will be conducted to validate/ ground truth the actual boundaries of the CADT and A&D.

After the courtesy visit with the Brgy. Captain, the team proceeded to So. Landing to conduct interview/s with the informal settlers in the areas that are non-IPs as described in the letter. During the said visit at, the team observed that the informal settlers have constructed makeshift houses made up of light materials. It was also observed that the houses have no permanent resident residing *(See attached photos)*.

Fortunately, the team was able to interview Mr. Dante Luna one of the many residents occupying in the said area. Through the interview, he mentioned that he is the Vice President of their organization that is presently occupying the area. When asked about the land status, He claimed that the area is outside the CADT of the IPs and mentioned that a map from the DENR was their reference. The Team asked if there are DENR employees involved as stated in the letter of the IPs but he answered that there are no DENR employees involved with them occupying the area. According to him, the area they are occupying is within the CSC area of a certain Mr. Rey Azurin and that the said CSC lot has been subjected to subdivision of at least 100 lots with an area of 225 sq. m or 15x15.

The team also tried to interview Mr. Rey Azurin but due to his conflict in his schedule we did not have interviewed him but as per initial information from his wife that the claimed area is within CSC under the name of Mr. Azurin.

A separate meeting/ interview was conducted with the IP leaders (Kuyay) at So. Siapo, Brgy. Pinagturilan, Sta. Cruz, Occidental Mindoro. During the said meeting we asked about the allegation regarding the involvement of some DENR employees in the occupation of tagalogs at So. Landing. They said that they have only indicated it in their letter because this was also the statement of some of the occupants to some of the



IPs that some DENR employees have a participation/ knowledge about the illegal occupation.

They have been insisting on their request that a separate meeting be conducted that will be attended by CSC holders, IP leaders, DENR Officials, NCIP Officials, and Brgy. Officials wherein the status of the tenurial instruments issued by the DENR should be discuss as they want also to cultivate the said areas but are currently occupied by the CSC holders. According to them, DENR should discuss with the non-IPs the policies about the tenurial instrument that is required to be implemented

They also confirmed regarding the meeting conducted at the Municipal Hall that a date of the activity will be conducted to finalize the said map to determine the boundaries of the CADT and A&D.

OBSERVATIONS/ RECOMMENDATIONS

It was observed during the interviews that a “map” has been subjected to misinterpretation particularly on the matter of the land status at So. Landing, Brgy. Pinagturilan, Sta. Cruz, Occidental Mindoro in which the said map is an attachment to the January 11, 2022 report submitted. In the said report the said area describe is different to the area being occupied by the informal settlers (See attached map).

That during the said interview also it was shared that the area that has been surveyed thru the request of Mr. Morales have been subdivided into smaller lots and that a construction is now on-going in the said area with the information that Mr. Morales is fully aware of the said construction activity.

That the IP leaders are requesting for an immediate conduct of meeting that the issues with regards to the tenurial instruments within their CADT be explained as soon as possible, not just for their sake but also to clear things with the non-IP holders.

With the above information the team recommends that a meeting be conducted together with the CSC holders, IP leaders, DENR Officials, NCIP Officials, and Brgy. Officials to address the different issues/ concerns with regards to the status of the tenurial instruments that have been issued by the office.

That after the said ground survey/ validation to be conducted based on the meeting conducted at Municipal Hall of Sta. Cruz both parties should observe a status quo in the areas of conflict until the final survey/ delineation activity have been conducted.

That the NCIP should be the lead agency in the conduct of this activities as such areas are claimed/ found within the Ancestral domains.



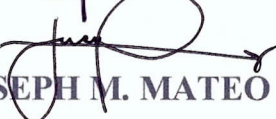
Finally, this matter must be elevated to higher authorities as this issue falls within or different policies of two (2) government agencies have been interpreted (DENR and NCIP) and are contradicting and that the above-mentioned activities be conducted with the *sense of urgency* to avoid further misunderstanding to both parties concerned.

ATTACHMENTS

1. Geo-tagged photos taken during the interview
2. GIS generated maps
3. CSW report of ECOMS I Joseph Mateo
4. Letter intent of IPs and NCIP
5. Monitoring Report of Monitoring and Enforcement Section

For information and record.


ALVIN E. SANICO


JOSEPH M. MATEO


MARY GRACE C. ROBLES

PHOTO DOCUMENTATION

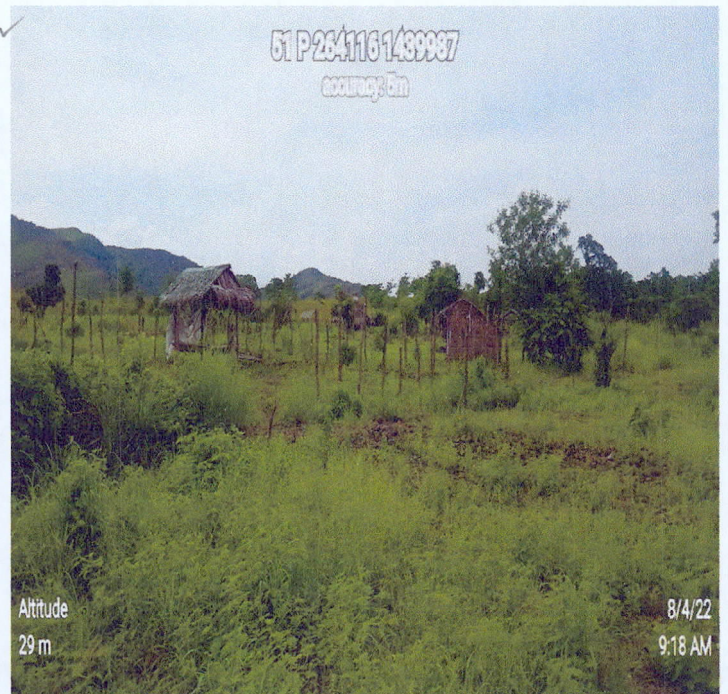
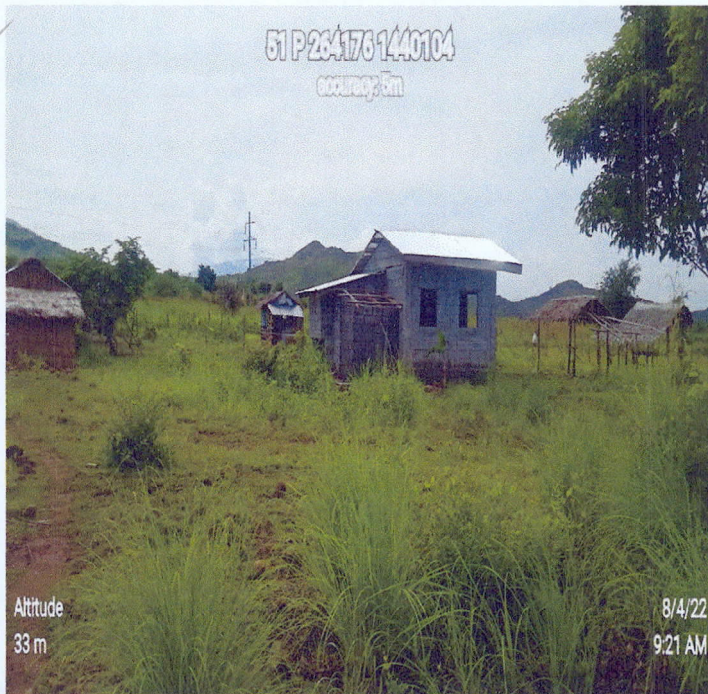
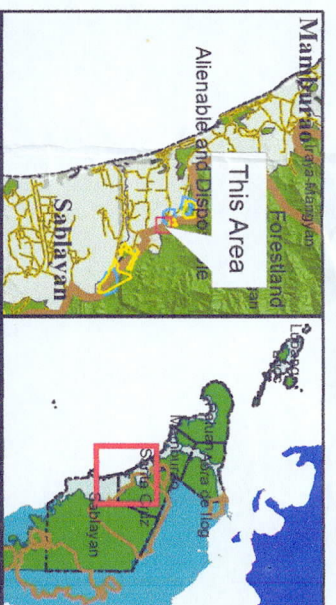
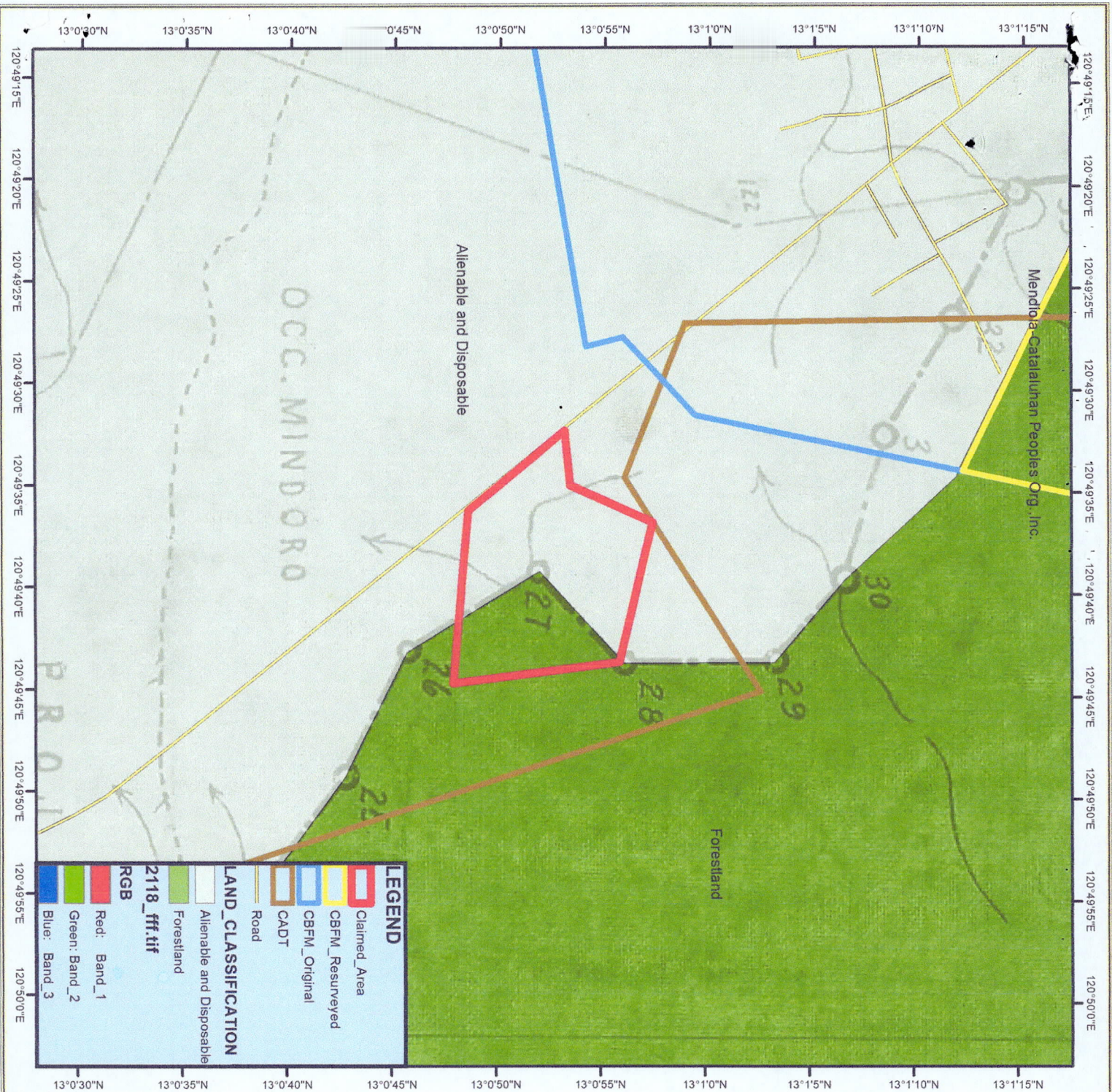


PHOTO DOCUMENTATION

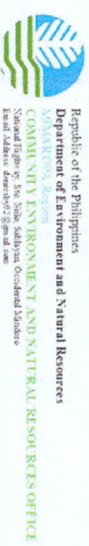
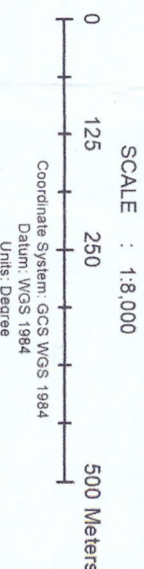




MAP SHOWING the Area claimed by Mendiola-Cataluhan Peoples Org., Inc.

LOCATION

Sito : Mendiola
Barangay : Pinagturian
Municipality : Sta. Cruz
Province : Occidental Mindoro
Alienable & disposable : 3.72 ha
Forestland : 2.28 ha
TOTAL AREA : 6.00 ha



This map was prepared based on submitted data, maps, and other documents available from this office.

Prepared by:
JOSEPH ANTONIO
ECONOMICS GIS Unit Asst. Chief

Reviewed by:
ALVIN E. SANCIO
Forestry II/CDS Chief

Verified by:
ISAIAH A. GUTMANN
Technical Services Supervisor
GIS Unit Chief



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Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

MEMORANDUM

FOR : The CENR Officer

THRU : The Deputy CENR Officer
The Chief, Conservation and Development Section

FROM : The Ecosystem Management Specialist I

SUBJECT : **COMPLETED STAFF WORK (CSW) REPORT FOR THE REQUEST OF MR. RAYMUNDO P. MORALES TO SURVEY A CERTAIN PORTION OF LOT SITUATED AT SO. MENDIOLA, BRGY. PINAGTURILAN, STA. CRUZ, OCCIDENTAL MINDORO**

I. REFERENCE

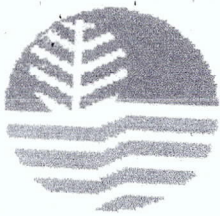
This has reference to the letter of Mr. Raymundo P. Morales requesting to survey a lot they are currently occupying if it falls within the area of CADT and to identify if the said lot is still part of the forest land or is already Alienable and Disposable (A&D).

II. BACKGROUND

On January 6, 2022, a letter has been referred to Conservation and Development Section (CDS) regarding the above cited subject. The communication was later referred to the undersign for the conduct of field validation in the area.

During the filed validation, the undersigned met Mr. Morales who is the Chairman of the CBFM Mendiola wherein he discussed that they have developed the said area in the past years together with the CBFMA area which was awarded to them. During these years, the area is now being claimed by the IPs who are residing they are claiming that the area is within their CADT (CADT R04-SAB-0309-098).

Upon validation, it was found out that a total area of 6.0 hectares of the claimed area of Mendiola Catalaluhan Peoples Organization represented by its Chairman Raymundo P. Morales is outside CADT R04-SAB-0309-098 and 3.72 of which is within Alienable and Disposable (A&D) land based on LC Map. No. 2118 dated June 29, 1957 while the remaining 2.28 hectares is within Forestland.



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COMMENTS/RECOMMENDATIONS

The result of the ground validation conducted it is highly recommended that a meeting be facilitated by the Enforcement and Monitoring Section (EMS) with representatives from Barangay Pinagturilan, IP Community representative, CBFMA representative and NCIP representative to address the conflict between the parties and after the conflict has been settled said area shall be evaluated by personnel from the Regulation and Permitting Section (RPS) to be included to their target for patent issuance.

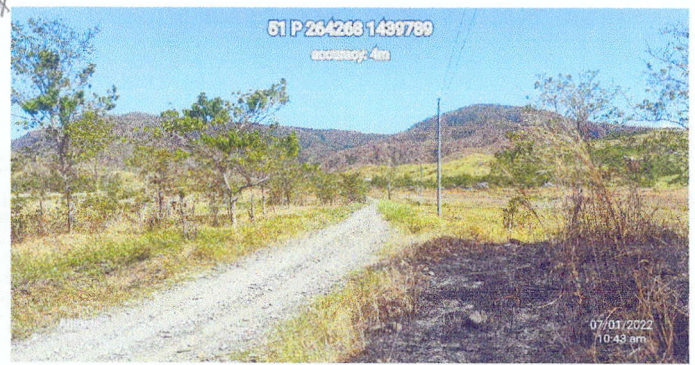
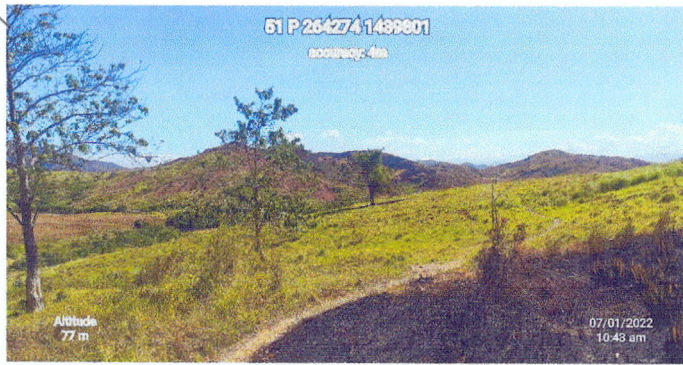
III. ATTACHMENTS

- A. Letter of Mr. Raymundo Morales,
- B. Geo-tagged photos,
- C. GIS Generated map.

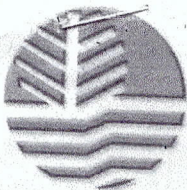
For your information, evaluation and record.


JOSEPH M. MATEO

PHOTO DOCUMENTATION



Julian



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Provincial Environment And Natural Resources Office

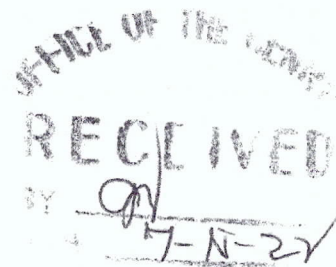
JUL 12 2022

MEMORANDUM

TO : The CENR Officer
Sablayan, Occidental Mindoro

FROM : OIC, PENR Officer

SUBJECT : **REQUEST LETTER FROM NATIONAL COMMISSION ON
INDIGENOUS PEOPLES (NCIP) RE: ALLEGED ISSUANCE OF
CBFM PERMIT OR ANY PERMIT TO NON-IP (TAGALOG)**



Referred is the copy of letter dated June 29, 2022, Julito F. Garcia, Provincial Officer of National Commission on Indigenous Peoples (NCIP) Mamburao, Occidental Mindoro requesting status on the action taken pertaining to the alleged issuance of a CBFM permit to non-IP's (Tagalog) inside the approved and registered CADT No. R04-SAB-0309-098 at Sitio Landing, Brgy. Pinagturilan, Sta. Cruz, Occidental Mindoro.

In this regard, you are hereby advised to act on this matter and submit report pertaining to the aforementioned complaint copy furnish the office of the National Commission on Indigenous Peoples (NCIP).

For information and appropriate action please.


ERNESTO E. TAÑADA

So. Pag-asa, Brgy. Payompon, Mamburao, Occidental Mindoro
email : tsdoccmin042@gmail.com

2nd



Republic of the Philippines
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
MIMAROPA Regional Office
Occidental Mindoro Provincial Office
91 San Jose Street, Brgy. Payompon, Mamburao

June 29, 2022

ERNESTO E. TANADA

Provincial Environmental and Natural Resources Officer
Brgy. Payompon, Mamburao, Occidental Mindoro

THRU : THE CENRO-SABLAYAN

Dear Sir:

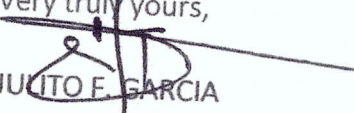
Good day to you Sir!

This office is in receipt of a letter from the IP communities addressed to the Chairperson of this Commission regarding the alleged issuance of CBFM Permit or any permit to non-IP (Tagalog) which they categorized as squatter that flocks inside the approved and registered CADT No. RO4-SAB-0309-098 specifically in Sitio Landing, Brgy. Pinagturilan, Sta. Cruz, Occidental Mindoro. They also cited in their letter that it was also brought to your office their complaints.

In this regard, we are coordinating with your office on the action taken of their complaint and the veracity of their allegation of issuing any permit inside the said ancestral domain. Attach is the letter from the elders of Mangyan Alangan.

Looking forward your positive response to uphold and protection to the rights of our indigenous peoples (Mangyan Alangan) on their ancestral domain. Thank you very much.

Very truly yours,


JULITO E. GARCIA
OIC Provincial Officer

09682660994

Copy furnished:

- Dir. Marie Grace T. Pascua, CESO III
Regional Director, NCIP MIMAROPA

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tsd 92-7 *Q*

HON. ALLEN A. CAPUYAN
Chairperson ON NATIONAL
COMMISSION

DR. P. PIAGTURILAN

Received
6/28/22 fr

Sangalan ng mga kuyag ng tribang Alangan
ng samahang SASSAMA. Sa Nasasakupan ng dalawang
bayan Sta Cruz, Sablayan, Kanlurang Mindoro

Sapagkat → ang mga kuyag ng tribang Alangan sa dalawa
bayan ay nag plano itungkol sa usapin sa lupaing
Ninuno na may katibayan na kami sa aming lupaing Ninu
CERTIFICATE OF ANCESTRAL DOMAIN TITLE CADTE

Sapagkat → Ang mga DENR ay aming ng sinulat na walang
mag-iiyos ng CBFM sa mga iskwater sa loob ng aming
lupaing Ninuno

Sapagkat → sa aming inalam ay tulog tuloy ang pamimigay
ng lupa sa mga iskwater sa loob ng aming
lupaing Ninuno

na si sir AUVIC

Sapagkat - ang DENR ay patuloy ang ~~pamimigay~~ pagpamimigay
ng CBFM sa mga tagalog sa loob ng aming lupaing Ni
dahil dito malakas ang katuwiran ng mga tagalog dah
dahil ang DENR ang nag uutos sa mga iskwater na tagalog
na pumasik sa loob ng aming lupaing Ninuno

Subalit ang usapin sa lupaing Ninuno ang DENR. Ang nag
papabigat sa usapin ng lupaing Ninuno.

Kaya ang usapin ay nais namin na mapadali na sa Agosto in
taong ito ay magkaroon na ng usapin

1 JUN BASA
ALDEN GERONIK

Basa

NO.:
DATE:

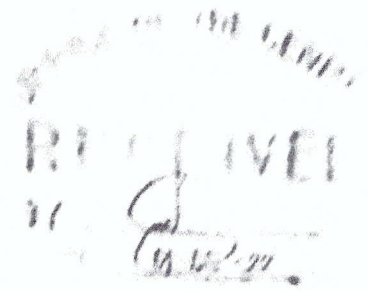
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6.	PANDIRONG	MALIWANAG		PANDIRONG
7.	OPRING	SINYABO		OPRING
8.	JUNIOR	BERNARDO		J. B.
9.	JESSIE	GARONG		Jessie Garong
10.	ABLING	DANGIROS		A. D.
11.	SIMO	RUBEN	JIAPD	
12.	ARTOS	BINIDO	SIAPD	
13.	BENLY	SINYABO	TULAY	Ben Sabo
14.	FILISING	BASITO	LANDING	
15.	AGOMSTO	GARONG		A. G.
16.	PILIAN	BULIAN	BALUGO	- Pilian
17.	SAMEI	VISINTI		SAMUEL ✓

Republika ng Pilipina
Lalawigan ng Occ. Mdo
Bayan ng Sta-Cruz
Brgy Pinyatulan

ZAR QUEBEC

INPO SABLAYAN

O-NIÑO, Sablayan, Occ. Mdo



Sir,

Mapagpalong! Araw po!!!

Kami po na mga miembro ng Mendiola, Catalu
Lahon People's Organization (MEPO) ay humihiling
sa inyong Tongonan na masukat ang Aming lup
nukupahan, upang makamun nomun kung ito ay
alienable and disposable land at kung nasusun ng lu
vinuno (CADTI) at ng sakop ng CBFM o ng Forest for

Umaasa po kami sa inyong maagap at posit
bagtugon para sa ika-aayos ng nasabing mga
problema

Phoral
Raymundo P. Morales
CBFM-A CHAIRMAN

0963-848-2912



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

SEP 04 2020

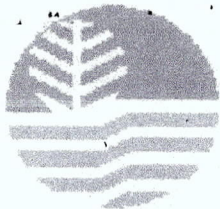
MEMORANDUM

FOR : The CENR Officer
THRU : The Technical Services Supervisor
FROM : Chief, Monitoring and Enforcement Section
SUBJECT : **MONITORING OF MENDIOLA-CATALALUHAN PEOPLES ORGANIZATION ASSOCIATION, INC AT SO. MENDIOLA, PINAGTURILAN, STA. CRUZ, OCCIDENTAL MINDORO USING PRESCIBED MONITORING AND ASSESSMENT TOOL.**

The Community –Based Forest Management Agreement under report is the Mendiola – Catalaluhan Peoples Organization, Inc located at So. Mendiola, Pinagturilan, Sta. Cruz , Occidental Mindoro. Monitoring and Assessment details is enumerated as follows:

A. CBFMA Profile

CBFMA No.	- RIV-OCCMIN-CBFMA-2000-08
DATE AWARDED	- June 30, 2000
NAME OF PO	- Mendiola- Catalaluhan Peoples Organization, INC
LOCATION	- So. Mendiola, Pinagturilan, Sta. Cruz, Occ. Mindoro
CONTACT PERSON	- Mr. Raymundo Morales
REGISTERING OFFICES	- DOLE Reg # OCCI2017-0093 dated July 12, 2017 SEC Registration No. A200007700
NO. OF MEMBERS	- 62 members Female - 18 Male - 44
TOTAL AREA	- 165.13 hectares
CRMF	- None
5 YEARS WORK PLAN	- None



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Department of Environment and Natural Resources
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COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

The Community-Based Forest Management Monitoring and Assessment Tool is hereto attached duly accomplished/filled up base on the interview conducted by the undersigned to the CBFMA officers and members. Copy of the documents mentioned in the CBFMA profile is also attached for your reference except the copies of CSC issued.

At the moment, map of this CBFMA is now digitized having a total land area of 165.13 hectares as mentioned in the CBFMA Agreement. Attached map showed only portion of CADT that includes in the CBFMA but did not reflected the Alienable and Disposable land. Mapping activities to segregate areas A & D, CADT and Forestland is still on going.

The PO has no Community Resource Management Framework (CRMF), No Five (5) year work plan and other related plans. According to the PO Chair, there's no organize Forest Protection group of this community, they managed to address forest exploitation using their own adopted unwritten strategy except the issue of kaingin making done by the IPs which is part of their customary tradition.

B. LIVELIHOOD

There are also livelihood opportunities adopted per household basis like planting of cash crops, rice and corn, cassava, gabi, camote, among others. This association is a beneficiary of DBP Forest of 50 hectares planted with mangoes and other fruit bearing trees. The project is currently manage by the Peoples Organization. Benefit sharing scheme has not yet discussed. When the project was already approved with corresponding budget, they discovered that the status of project area is Alienable and Disposable land. That time, they can no longer move the project to another place because the adjacent area is a CADT occupied by Mangyan – Alanagn tribe.

C. ISSUES

During interview, just like other CBFM site, the issue of selling of ISF areas to outsiders was one of the issues that highlighted as well as squatting within open areas. The biggest issue was the overlapping of Alienable and Disposable land (A&D), CADT and Forestland or the CBFMA. was already issued infavor of Mangyan Alangan Tribe. Another issue was PO members discovered that portion of CBFM falls within Alienable and Disposable Land. The result of survey has not yet finalize at the moment, but the initial survey shows that approximately 17 hectares forestland left out of 165 hectares total area mentioned in the CBFMA. Another issue that surfaced during interview was the existence of IP community composed of transient settler (IPs came from other tribe) allegedly resettled by a politician without any livelihood program provided - making them indulge in cutting of trees/kaingin making and charcoal making to sustain everyday subsistence. Related to the said multi- million resettlement project, the PO Chair revealed that indigenous trees were cut purposely for the construction of that housing project located at the center of CBFM area.



D. RECOMMENDATIONS

1. The result of initial survey and mapping shows that the area or size of forest land left within CBFM area is already too small and no longer qualified for CBFMA. The 17 hectares is found to be within Forest land, the 26.4 hectares falls within CADT area. The rest falls within Alienable & Disposable land. Please find attached digitized map for your reference. This CBFMA is therefore recommended for cancel the CBFM Agreement due to the reason mentioned above. The remaining 17 hectares forest land be open for IFMA/SIFMA applications.

E. ATTACHMENTS

1. Copy of Tenorial Instrument
2. Copy of CBFM digitized Map showing land status
3. Copy of SEC Registration
4. Geotagged Photos

For your information, record and consideration.


FE M. RAGUINDIN

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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

July 5, 2021

MEMORANDUM

FOR : The CENR Officer
THRU : The Technical Services Supervisor
FROM : The Chief, Conservation and Development Section
SUBJECT : **MEETING ATTENDED ON THE ISSUE OF CERTIFICATE OF STEWARDSHIP CONTRACT (CSC) HOLDERS WITHIN AREAS COVERED BY CERTIFICATE OF ANCESTRAL DOMAIN TITLE (CADT) AT BRGY. PINAGTURILAN, STA. CRUZ, OCCIDENTAL MINDORO**

RECORDED

Date: 7-6-21
By: A

This pertains to the letter of invitation dated June 23, 2021, of Hon. Alex Aquino of Barangay Pinagturilan, Sta. Cruz, Occidental Mindoro regarding the aforementioned subject.

In connection with this, we would like to request for existing policies or any plans that we would present to the non-indigenous CSC holders within CADT areas whom the IP's are requesting to vacate the area upon the expiration of their tenures. The concerned CSC holders have made developments within the area and some of them have been occupants since 1996.

Attached are copies of the highlights of meeting attended, geo-tagged photos and a letter from the IP's expressing their unwillingness to grant permission to renew the stated tenurial instruments.

For your information and record.

ALVIN E. SANICO



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

HIGHLIGHTS OF THE MEETING ATTENDED AT BRGY. PINAGTURILAN, STA. CRUZ, OCCIDENTAL MINDORO

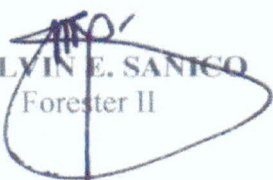
Meeting started at 10:30 in the morning.

Meeting proper.

TOPIC	ISSUE/CONCERN	AGREEMENT	REMARKS
➤ Certificate of Stewardship Contract (CSC) Holders within areas covered with Certificate of Ancestral Domain Title (CADT)	➤ Status of CSC holders	➤ IP's will allow the DENR personnel to conduct assessment especially on the original holders.	➤ Most of the CSCs that had been issued at Brgy. Pinagturilan is set to expire this year.
	➤ New application of tenure	➤ It was explained thoroughly that there will be no processing/ application of new CSCs.	➤ IP representatives have misinterpreted the issue. They thought that we will be processing new applications for CSC.
	➤ Unwillingness of the IP's to grant the non-indigenous CSC holders permission for renewal of their tenurial instruments.	➤ Representative from the NCIP recommended that the concerned non-IP holders to secure for a Free Prior Informed Consent (FPIC).	➤ Non-indigenous CSC holders to submit application for FPIC.
	➤ Immediate evacuation of the non-indigenous CSC holders from the CADT areas.	➤ Ask the higher offices for existing plans/ policies for non-indigenous CSC holders within CADT areas.	➤ Clarify if there is an existing policies/ plans with regards to the non-indigenous CSC holders within CADT areas.
-nothing follows-			

End of meeting at 12:50 in the afternoon.

Prepared by:


ALVIN E. SANICO
Forester II


FERDINAND B. MAGNO
Park Maintenance Foreman

Republika ng Pilipinas
Lalawigan ng Kanlurang Mindoro
Bayan ng Santa Cruz
BARANGAY PINAGTURILAN



Ika-23 ng Hunyo, 2021

G. CAESAR E. QUEBEC
CENR OFFICER
Sablayan, Kanlurang Mindoro

G. CAESAR E. QUEBEC;


Mapagpalang araw po sa inyo

Ipinapaalam po ng Tanggapang ito na magkakaroon po ng dayalogo sa pagitan ng Katutubong Mangyan-Alangan at mga taong nakaposisyon sa lupang nasasakupan ng So. Mendiola, Barangay Pinagturilan, Santa Cruz, Kanlurang Mindoro na nasakop ng CADT sa ika-29 ng Hunyo, 2021 (Martes) ganap na ika-9:00 ng umaga sa Tanggapan ng Barangay Pinagturilan.

Sa bagay po na ito, nais po naming makasama kayo o sinumang representante mula sa Geodetic Engineer ng inyong Tanggapan para sa kaayusan ng usaping pagitan ng CADT.

Maraming salamat po at hangad namin ang inyong positibong pagtugon.

Lubos na gumagalang;


KGG. ALEX T. AQUINO
Punong Barangay

NO.:

DATE:

Hunyo 13, 2021

Hon. Cesar Quebec

Department Environment and Natural
Resources (DENR)

Region IV-B MIMAROPA

Sablayan Kanlurang Mindoro

OFFICE OF THE CHIEF

RECEIVED

JUN 21 6:21

Sir Magandang araw po!

Napagpasyahan ng Tribung

Alangan na sumulat sa inyong makataong
tanggapan upang ipaabot ang kabuuwang
desisyon na hindi na po namin pinapayagan
ang pagri-renew ng mga kontrata sa lupa
tulad ng mga sumusunod: CBFM, ISF,
STEWARDSHIP CLOA, at iba pa sa
nasasaklawan ng aming Certificate of
Ancestral Domain Title (CADT) no. RD4-
SAB-0309-098.

Sapagkat ayon sa Indigenous People's Right
Act (IPRA) 8371 Section 59. Lahat ng kagawara
at iba pang Pampamahalaang ahensya
mahigpit na ipinagbabawalang magbigay,
mag-ulit, magpanibago, Renew o magpahintulot
ng anumang konsesyon o lisensiya sa
alinmang bahagi ng lupaing Ninuno na
walang ~~kat~~ na unang katibayan mula sa
Pamayanan, Katutubo, Kultural, Pamayan
(PKKP)/NCIP.

Maraming Salamat po

Kasiyahan nawa kayo ng Poong maykapal!

Ang kapasgahanang ito ay Pinagtibay ng
aming Pangulo: Marconi Mamba nandimundo





NCIP. In case of conflicting claims among individuals or indigenous corporate claimants, the Ancestral Domains Office shall cause the contending parties to meet and assist them in coming up with a preliminary resolution of the conflict, without prejudice to its full adjudication according to Sec. 62 of this Act. In all proceedings for the identification or delineation of the ancestral domains as herein provided, the Director of Lands shall represent the interest of the Republic of the Philippines; and

g) The Ancestral Domains Office shall prepare and submit a report on each and every application surveyed and delineated to the NCIP, which shall, in turn, evaluate the report submitted. If the NCIP finds such claim meritorious, it shall issue a certificate of ancestral land, declaring and certifying the claim of each individual or corporate (family or clan) claimant over ancestral lands.

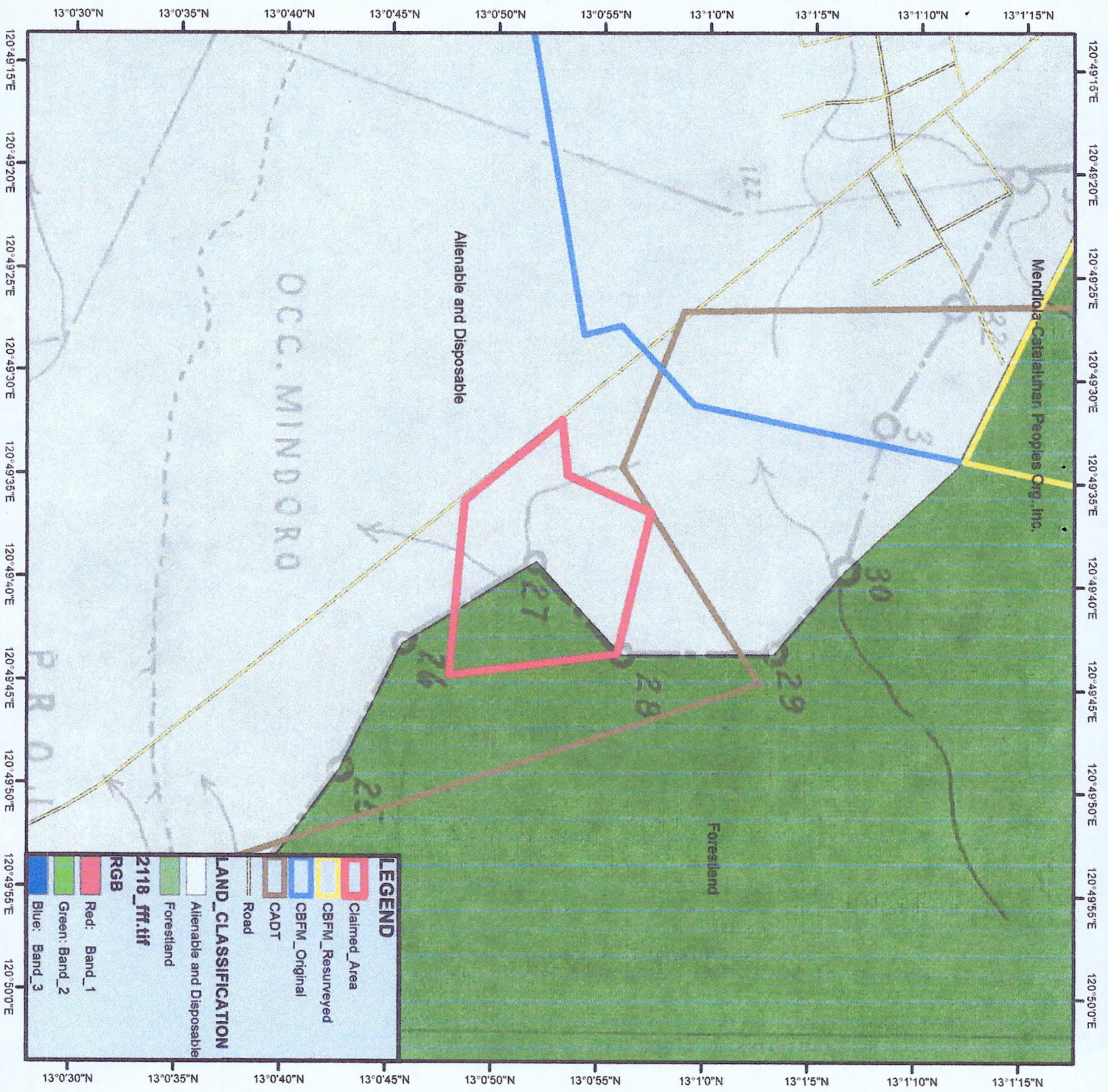
SECTION 54. Fraudulent Claims. — The Ancestral Domains Office may, upon written request from the ICCs/IPs, review existing claims which have been fraudulently acquired by any person or community. Any claim found to be fraudulently acquired by, and issued to, any person or community may be cancelled by the NCIP after due notice and hearing of all parties concerned.

SECTION 55. Communal Rights. — Subject to Section 56 hereof, areas within the ancestral domains, whether delineated or not, shall be presumed to be communally held: Provided, That communal rights under this Act shall not be construed as co-ownership as provided in Republic Act No. 386, otherwise known as the New Civil Code.

SECTION 56. Existing Property Rights Regimes. — Property rights within the ancestral domains already existing and/or vested upon effectivity of this Act, shall be **recognized and respected**.

SECTION 57. Natural Resources within Ancestral Domains. — The ICCs/IPs shall have priority rights in the harvesting, extraction, development or exploitation of any natural resources within the ancestral domains. **A non-member of the ICCs/IPs concerned may be allowed to take part in the development and utilization of the natural resources for a period of not exceeding twenty-five (25) years renewable for not more than twenty-five (25) years: Provided, That a formal and written agreement is entered into with the ICCs/IPs concerned or that the community, pursuant to its own decision making process, has agreed to allow such operation:** Provided, finally, That the NCIP may exercise visitatorial powers and take appropriate action to safeguard the rights of the ICCs/IPs under the same contract.

SECTION 58. Environmental Considerations. — Ancestral domains or portions thereof, which are found to be necessary for critical watersheds, mangroves, wildlife sanctuaries, wilderness, protected areas, forest cover, or reforestation as determined by appropriate agencies with the full participation of the ICCs/IPs concerned shall be maintained, managed and developed for such purposes. The ICCs/IPs concerned shall be given the responsibility to maintain, develop, protect and conserve such areas with the full and effective assistance of government agencies. Should the ICCs/IPs decide to transfer the responsibility over the areas, said decision must be made in writing. The consent of the ICCs/IPs should be arrived at in accordance with its customary laws without prejudice to the basic requirements of existing laws on free and prior informed consent: Provided, That the transfer shall be temporary and will ultimately revert to the ICCs/IPs in accordance with a program for technology transfer: Provided, further, That no ICCs/IPs shall be displaced or relocated for the purpose enumerated under this section without the written consent of the specific persons authorized to give consent.



LEGEND

- Claimed Area
- CBFM_Resurveyed
- CBFM_Original
- CADT
- Road

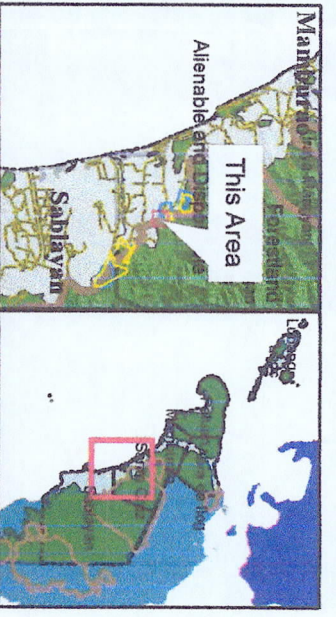
LAND CLASSIFICATION

- Alienable and Disposable
- Forestland

2118_m.tif

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

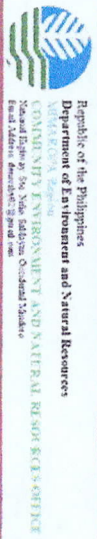
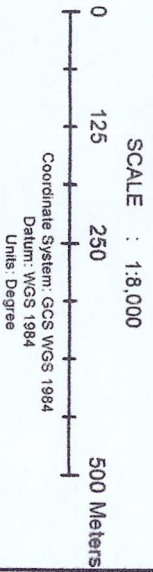


LOCATION MAP

MAP SHOWING the Area claimed by Mendiola-Catalaluhan Peoples Org., Inc.

LOCATION

Sito : Mendiola
Barangay : Pinaguitan
Municipality : Sta. Cruz
Province : Occidental Mindoro
Alienable & disposable : 3.72 ha
Forestland : 2.28 ha
TOTAL AREA : 6.00 ha

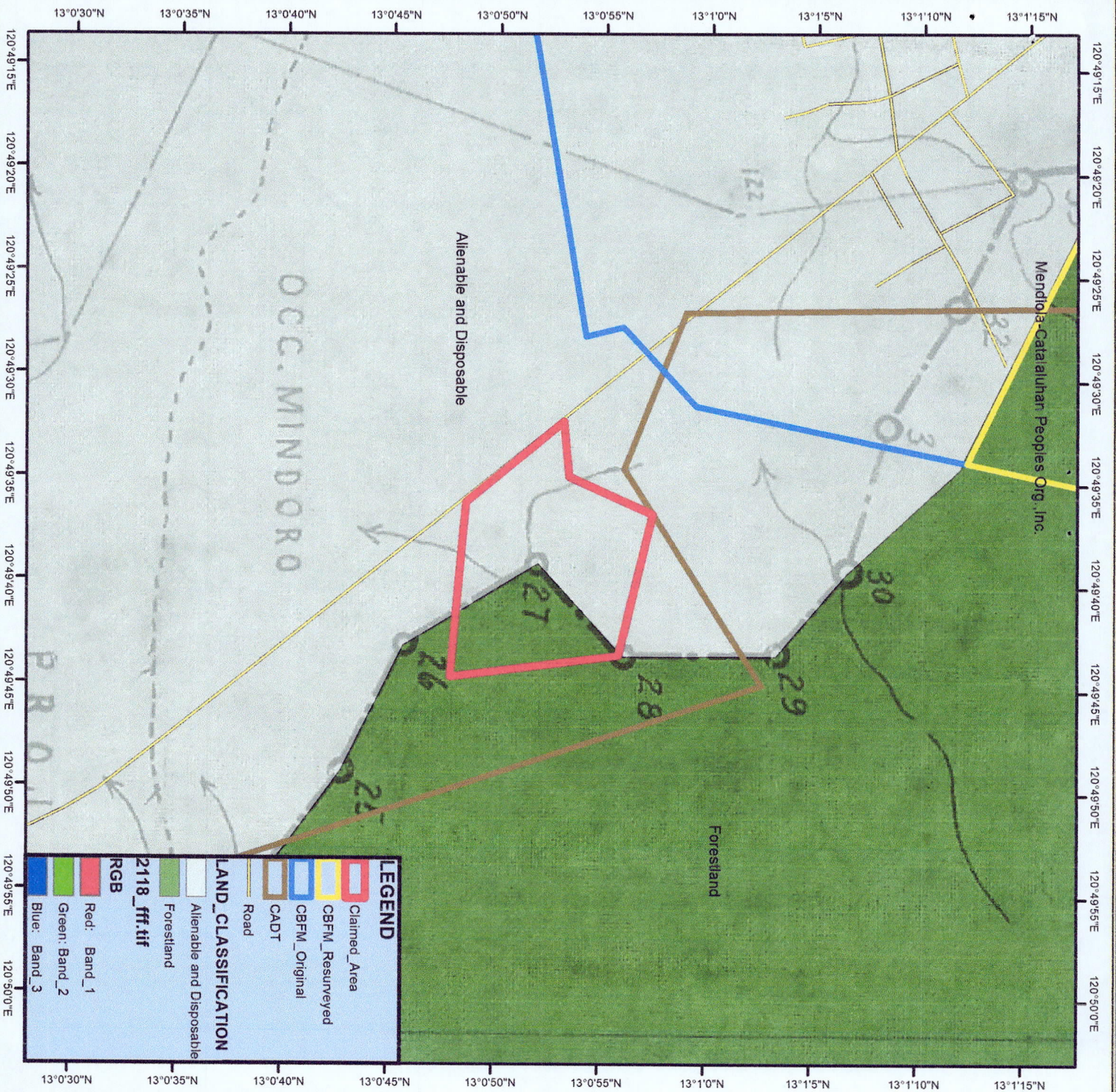


This map was prepared based on submitted data, maps, and other documents available from the office.

Prepared by:
JOSEPH ALMATEO
ECON GIS Unit Asst. Chief

Reviewed by:
JOSEPH ALMATEO
ECON GIS Unit Asst. Chief

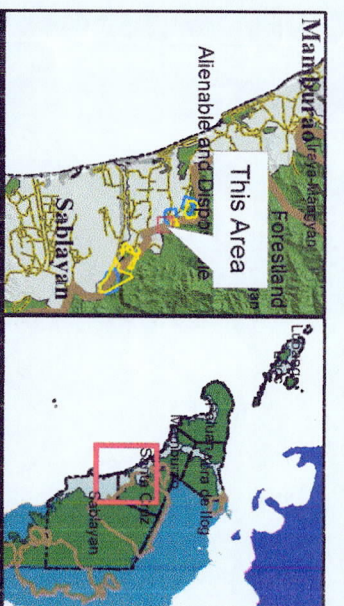
Verified by:
JOSEPH ALMATEO
Technical Services Supervisor



LEGEND

	Claimed_Area
	CBFM_Reserved
	CBFM_Original
	CADT
	Road
LAND CLASSIFICATION	
	Alienable and Disposable
	Forestland
2118_fff.tif	
RGB	
	Red: Band_1
	Green: Band_2
	Blue: Band_3

LOCATION MAP

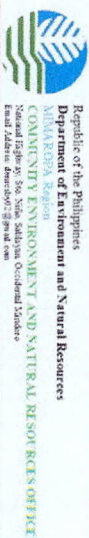
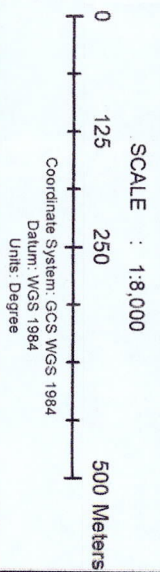


MAP SHOWING the Area claimed by Mendiola-Cataluhan Peoples Org., Inc.

LOCATION

Sito : Mendiola
Barangay : Pinagutiran
Municipality : Sta. Cruz
Province : Occidental Mindoro

Alienable & disposable : 3.72 ha
Forestland : 2.28 ha
TOTAL AREA : 6.00 ha



This map was prepared based on submitted data, maps, and other documents available from this office.

Prepared by:
JOS. P. MANTO
ECONOMICS Unit Asst. Chief

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Forest Management Unit Chief

Verified by:
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Technical Services Supervisor
GIS Unit Chief