



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, 1100 Quezon City  
Tel. Nos. (632) 8929-6626 to 29; (632) 8929-6633, to 35  
Email: web@denr.gov.ph Website: www.denr.gov.ph

FOREST MANAGEMENT BUREAU  
RECEIVED  
NOV 23 2023  
RECORDS UNIT

## MEMORANDUM

TO : The Regional Executive Director  
DENR-MIMAROPA, Ermita, Manila

FROM : The Undersecretary for Field Operations-Luzon, Visayas and Environment

SUBJECT : FMB's COMMENTS RE: REQUEST CLEARANCE ON THE  
MEMORANDUM OF AGREEMENT (MOA) BETWEEN DENR  
MIMAROPA AND MINA DE ORO MOTORS INCORPORATED (ISUZU  
CALAPAN)

DATE : NOV 22 2023

DENR MIMAROPA  
RECORDS SECTION  
RECEIVED  
DEC 13 2023  
BY: \_\_\_\_\_ DATE NO. \_\_\_\_\_  
TIME: \_\_\_\_\_

This refers to your memorandum dated 18 July 2023 requesting for clearance to enter into a Memorandum of Agreement (MOA) with Mina De Oro Motors Incorporated for the enrichment planting of 0.5 hectare of Mangrove area located in Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro.

Based on the review of the said MOA, the following are our observations and recommendations:

1. Need to establish the affiliation/network of Isuzu Philippines Corporation (IPC) as cited in the WITNESSETH Chapter with Mina De Oro Motors Incorporated in the clause of the MOA.
2. Need to clarify the fifth preambulatory clause which states that *"WHEREAS, upon the completion of the three (3) years of the project, the proponent shall turn-over the said project to the Barangay LGU for its sustainability"* while they are not part of the Agreement as stated in the fourth preambulatory clause. Hence, this clause should be deleted.
3. It was stated that the proponent shall *"g. Allocate fund for the maintenance and protection of the identified area to ensure sustainability and growth of the species planted for at least 3 years"*. However, the agreement is silent on the financial arrangements in the implementation of the project. This should be clarified whom the Proponent shall give the funds. May we suggest also that the funds for the enrichment and maintenance shall be pass on directly to the Barangay LGU.
4. Lastly, the MOA needs to be enhanced which should include the attached usual format in the provisions of the MOA.

FOR YOUR INFORMATION AND APPROPRIATE ACTION PLEASE.

  
ATTY. JUAN MIGUEL T. CUNA, CESO I



OD Records Unit &lt;records@fmb.denr.gov.ph&gt;

**D-42056- FMB's comments RE: Request Clearance on the Memorandum of Agreement (MOA) between DENR MIMAROPA and Mina De Oro Motors Incorporated (Isuzu Calapan)**

1 message

OD Records Unit &lt;records@fmb.denr.gov.ph&gt;

Thu, Nov 23, 2023 at 10:41 AM

To: DENR Mimaropa Region &lt;mimaroparegion@denr.gov.ph&gt;, Records Section\_DENR MIMAROPA &lt;recordsectionmimaroparegion@gmail.com&gt;

Cc: FRCD Forest Resources Conservation Division &lt;frcd@fmb.denr.gov.ph&gt;, FRCD-RFRS Reforestation and Forest Rehabilitation Section &lt;frcd.rfrs@fmb.denr.gov.ph&gt;, "Ma. Teresa Aquino" &lt;mtaquino@fmb.denr.gov.ph&gt;, Percival Cardona &lt;pcardona@fmb.denr.gov.ph&gt;

Sir/Ma'am

Good day

Attached file is a Memorandum for the RED R4B dated November 22, 2023 RE: FMB's comments RE: Request Clearance on the Memorandum of Agreement (MOA) between DENR MIMAROPA and Mina De Oro Motors Incorporated (Isuzu Calapan)

Thank you

**Records Unit**

Forest Management Bureau

Phone : (63-2) 8925-2141

Email Address : [fmb@denr.gov.ph](mailto:fmb@denr.gov.ph)

*"DISCLAIMER: This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message. Furthermore, views and opinions expressed herein are those of the sender and do not necessarily reflect the views of the Forest Management Bureau."*

**11-22-23- D-42056- FMB's comments RE Request Clearance on the MOA between DENR MIMAROPA and Mina De Oro Motors Incorporated (Isuzu Calapan).pdf**

1678K

## **SUGGESTED ADDITIONAL CLAUSE AND ARTICLE ON MOA**

### **WITNESSETH**

WHEREAS, under Section 4 of Executive Order 192 series of 1987, DENR shall be the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources, specifically forest and grazing lands, mineral resources, including those in reservation and watershed areas, and lands of the public domain, as well as the licensing and regulation of all natural resources as may be provided for by law in order to ensure equitable sharing of the benefits derived therefrom for the welfare of the present and future generations of Filipinos.

### **ARTICLE \_ EFFECTIVITY AND TERM**

- 3.1. This Agreement shall take effect immediately upon signing (the "Commencement Date") by the Parties, and shall remain valid and effective for a period of \_\_\_\_ ( ) years, unless otherwise terminated by either Party pursuant to Article 6.

### **ARTICLE \_ TERMINATION**

- \_.1. Either Party may terminate this Agreement at any time for any cause by serving the other Party a written notice at least thirty (30) days before its intended date of termination ("Termination Date").

### **ARTICLE \_ AMENDMENT**

- \_.1. Any amendment, revision, or modification to this Agreement including extension of the term may be proposed by either Party, and shall be effective only if made in writing and with approval of both Parties.
- \_.2 Any intention of either Party to extend the term of this Agreement shall be communicated to the other Party in writing within sixty (60) days prior to the expiration of the term.

### **ARTICLE 8 DISPUTE SETTLEMENT**

- \_.1. All disputes, controversies, or claims arising out of or relating to this Agreement, including, but not limited to any question regarding the breach, validity, or termination thereof, shall be resolved amicably by the Parties through negotiations between the authorized representatives of the Parties.
- \_.2 In the event that no agreement is reached by the Parties within thirty (30) days after the commencement of the discussion, such dispute, controversy or claim arising from or relating to this Agreement shall be administratively settled or adjudicated pursuant to Presidential Decree (PD) No. 242, as amended by Chapter 14, Book IV, Title III of Executive Order No. 292, and in relation to the Department of Justice Uniform Rules on Dispute Resolution under PD No. 292, as amended, for

government agencies, government instrumentalities, and government-owned and controlled corporations.

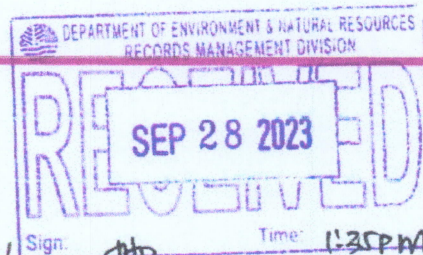
**ARTICLE \_**  
**SEPARABILITY CLAUSE**

- \_.1. Any provision of this Agreement subsequently declared illegal, invalid or unconstitutional by the court of law shall not affect the other provisions which shall remain valid, subsisting and binding.



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
MIMAROPA REGION

24241



MEMORANDUM

FOR : **ATTY. JUAN MIGUEL T. CUNA, CESO I**  
Undersecretary for Field Operations-Luzon, Visayas and Environment

FROM : **THE REGIONAL EXECUTIVE DIRECTOR**

SUBJECT : **REQUEST CLEARANCE ON THE MEMORANDUM OF AGREEMENT BETWEEN DENR MIMAROPA AND MINA DE ORO MOTORS INCORPORATED (ISUZU CALAPAN)**

DATE : **JUL 18 2023**

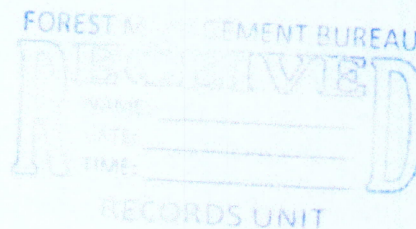
This refers to the draft Memorandum of Agreement by and between DENR MIMAROPA Region represented by the Regional Executive Director Lormelyn E. Claudio and Mina de Oro Motors Incorporated represented by Operations Manager Genaro Rhon D. Cleofe, Jr. for the enrichment planting of 0.5 hectares/5,000 square meter of Mangrove area located in Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro.

In this regard, this Office is requesting for clearance prior to the implementation of the activity.

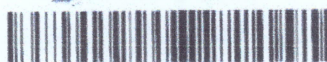
Attached is the MOA, the implementation plan, location map, and three (3) years work and financial plan, for your reference.

For your reference and consideration.

  
**LORMELYN E. CLAUDIO, CESO IV**  

Department of Environment  
and Natural Resources  
MIMAROPA Region



Doc ID: 102959

NGP011/DN P-2023-102959

DENR by the Bay Bldg., Roxas Boulevard, Barangay 668, Ermita, Manila  
DENR VOIP (02) 8248-3367 / 8249-3367 local 2701  
Website: <http://mimaropa.denr.gov.ph>  
Email: [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph)

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# MEMORANDUM OF AGREEMENT

for the Enrichment Planting of Half (0.5) Hectares  
within the Mangrove Area located  
at Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro

## KNOW ALL MEN BY THESE PRESENTS

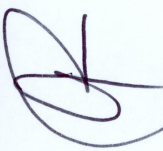
This **MEMORANDUM OF AGREEMENT (MOA)** is made and entered into in \_\_\_\_\_, Oriental Mindoro this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by and between:

The **MINA DE ORO MOTORS INCORPORATED**, with office/business address at Km. 9 Nautical Highway Brgy. Puting Tubig, Calapan City represented by its Operations Manager, **MR. GENARO RHON D. CLEOFFE JR.**, hereinafter referred to as the **PROPONENT**;

- and -

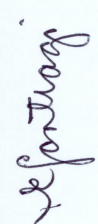
The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES – MIMAROPA Regional Office**, with office address at 1515 DENR by the Bay Building, Roxas Boulevard, Ermita Manila, represented by its Regional Executive Director, **LORMELYN E. CLAUDIO**, CESO IV, hereinafter referred to as the **DENR**.

- WITNESSETH -

 **WHEREAS**, in the introduction of Isuzu Philippines Corporation (IPC) Road to Progress, the Isuzu dealership supports the United Nation's Sustainable Development Goals (SDG)- Life on Land in caring for the environment and combating climate change;

**WHEREAS**, the proponent seeks advise on their proposed environment tree planting/tree growing as its remuneration to the environment thus, requesting for a site to be planted with mangrove species;

**WHEREAS**, the proponent agreed on the proposal of the DENR to provide planting materials and undertake the tree planting activities within the Half (0.5) hectare area located at Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro;

 **WHEREAS**, the proponent shall enter into a Memorandum of Agreement with the DENR-MIMAROPA Region for the enrichment planting of the 0.5 hectare plantation site;

**WHEREAS**, the proponent has formulated and herein attached as "Annex A" its Rehabilitation Plan together with the three-year Work and Financial Plan as guide in the implementation of the said activities;

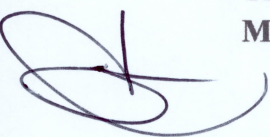
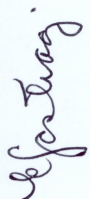
**WHEREAS**, upon the completion of the 3 years of the project, the proponent shall turn-over the said project to the Barangay LGU for its sustainability ;

**WHEREAS**, both Parties have agreed on the following commitments and responsibilities for the implementation of the plan:

**The PROPONENT (Mina de Oro Motors Incorporated) shall:**

- a. Provide 1,000 Pipisik propagules for planting within an area of Half (0.5) hectare located at Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro;
- b. Facilitate in the tree planting activities in coordination with the DENR Oriental Mindoro and Brgy. LGU of Mahal na Pangalan, Calapan City;
- c. Provide necessary planting materials of Pipisik for replanting on the second to third year plantation as part of maintenance activities in order to attain higher survival rate of seedlings planted, when mortality occurs;
- d. Assign a person to regularly monitoring and maintain the planting site who shall submit report to Isuzu, Calapan City;
- e. Participate in the project monitoring activities together (with photo documentation) with the DENR and Barangay LGU of Mahal na Pangalan, Calapan City;
- f. Prepare and submit periodic accomplishment report/highlights of activities undertaken (with photo documentation) for submission to the DENR-CENRO Socorro and PENRO, Calapan City; and
- g. Allocate fund for the maintenance and protection of the identified area to ensure sustainability and growth of the species planted for at least 3 years.

**The DENR MIMAROPA Region thru the PENRO and CENRO Socorro of Oriental Mindoro shall:**

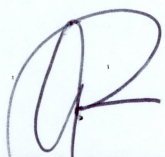
- 
- a. Provide technical assistance to the Proponent in the production and / or procurement of planting materials including the preparation of work and financial plan, when necessary;
  - b. Provide other necessary technical assistance related to tree planting activities including GIS mapping and geo-tagging of their accomplishment;
  - c. Undertake progress monitoring of accomplishments in coordination with the proponent; and
  - d. Submit progress report to the Regional Office covering the entire duration of the AGREEMENT.
- 

**The Parties hereby agree to undertake the review of the terms and conditions of the Agreement as may be necessary.**

**Amendments to this MOA may be effected with the written concurrence of both the DENR and the Proponent;**

**The Agreement shall take effect upon signing by both parties on the date appearing on the first page hereof and shall remain in force within three (3) years.**

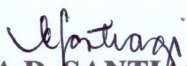
**IN WITNESS WHEREOF**, the parties hereto have signed and executed this Agreement effective as of the day and year first above written.



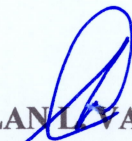
**GENARO RHON D. CLEOFE JR.**  
Operation Manager  
MINA DE ORO MOTORS INCORPORATED

**LORMELYN E. CLAUDIO, CESO IV**  
Regional Executive Director  
MIMAROPA Region

WITNESSES:



**EDNA D. SANTIAGO**  
Bgry. Chairman  
Barangay Mahal na Pangalan, Calapan City



**ALAN VALLE**  
OIC-PENR Officer

REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF \_\_\_\_\_ ) S.S.  
CITY/MUNICIPALITY OF \_\_\_\_\_ )

**ACKNOWLEDGEMENT**

**BEFORE ME**, a Notary Public, for and in the City/municipality of \_\_\_\_\_,  
Philippines, this \_\_\_\_\_ day of \_\_\_\_\_, personally appeared the parties, known to me  
and known to be the person who executed the foregoing instrument, and acknowlwdged that the  
same is his/her free and voluntary act and deed.

**WITNESS MY HAND AND SEAL** this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

**NOTARY PUBLIC**

Doc. No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of \_\_\_\_\_

# MEMORANDUM OF AGREEMENT

for the Enrichment Planting of Half (0.5) Hectares  
within the Mangrove Area located  
at Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro

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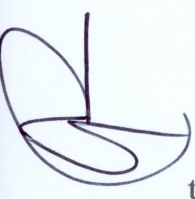
This **MEMORANDUM OF AGREEMENT (MOA)** is made and entered into in \_\_\_\_\_, Oriental Mindoro this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by and between:

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- and -

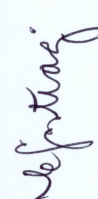
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- WITNESSETH -

 **WHEREAS**, in the introduction of Isuzu Philippines Corporation (IPC) Road to Progress, the Isuzu dealership supports the United Nation's Sustainable Development Goals (SDG)- Life on Land in caring for the environment and combating climate change;

**WHEREAS**, the proponent seeks advise on their proposed environment tree planting/tree growing as its remuneration to the environment thus, requesting for a site to be planted with mangrove species;

**WHEREAS**, the proponent agreed on the proposal of the DENR to provide planting materials and undertake the tree planting activities within the Half (0.5) hectare area located at Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro;

 **WHEREAS**, the proponent shall enter into a Memorandum of Agreement with the DENR-MIMAROPA Region for the enrichment planting of the 0.5 hectare plantation site;

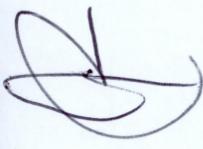
**WHEREAS**, the proponent has formulated and herein attached as "Annex A" its Rehabilitation Plan together with the three-year Work and Financial Plan as guide in the implementation of the said activities;

**WHEREAS**, upon the completion of the 3 years of the project, the proponent shall turn-over the said project to the Barangay LGU for its sustainability ;

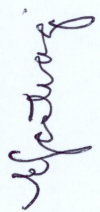
**WHEREAS**, both Parties have agreed on the following commitments and responsibilities for the implementation of the plan:

**The PROPONENT (Mina de Oro Motors Incorporated) shall:**

- a. Provide 1,000 Pipisik propagules for planting within an area of Half (0.5) hectare located at Barangay Mahal na Pangalan, Calapan City, Oriental Mindoro;
- b. Facilitate in the tree planting activities in coordination with the DENR Oriental Mindoro and Brgy. LGU of Mahal na Pangalan, Calapan City;
- c. Provide necessary planting materials of Pipisik for replanting on the second to third year plantation as part of maintenance activities in order to attain higher survival rate of seedlings planted, when mortality occurs;
- d. Assign a person to regularly monitoring and maintain the planting site who shall submit report to Isuzu, Calapan City;
- e. Participate in the project monitoring activities together (with photo documentation) with the DENR and Barangay LGU of Mahal na Pangalan, Calapan City;
- f. Prepare and submit periodic accomplishment report/highlights of activities undertaken (with photo documentation) for submission to the DENR-CENRO Socorro and PENRO, Calapan City; and
- g. Allocate fund for the maintenance and protection of the identified area to ensure sustainability and growth of the species planted for at least 3 years.



**The DENR MIMAROPA Region thru the PENRO and CENRO Socorro of Oriental Mindoro shall:**

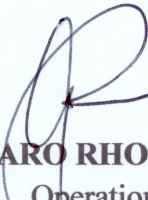
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  - d. Submit progress report to the Regional Office covering the entire duration of the AGREEMENT.
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**The Parties hereby agree to undertake the review of the terms and conditions of the Agreement as may be necessary.**

**Amendments to this MOA may be effected with the written concurrence of both the DENR and the Proponent;**

**The Agreement shall take effect upon signing by both parties on the date appearing on the first page hereof and shall remain in force within three (3) years.**

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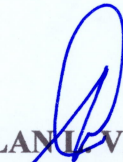
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WITNESSESS:



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**ALAN VALLE**  
OIC-PENR Officer

REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF \_\_\_\_\_) S.S.  
CITY/MUNICIPALITY OF \_\_\_\_\_ )

ACKNOWLEDGEMENT

BEFORE ME, a Notary Public, for and in the City/municipality of \_\_\_\_\_,  
Philippines, this \_\_\_\_\_ day of \_\_\_\_\_, personally appeared the parties, known to me  
and known to be the person who executed the foregoing instrument, and acknowldged that the  
same is his/her free and voluntary act and deed.

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

NOTARY PUBLIC

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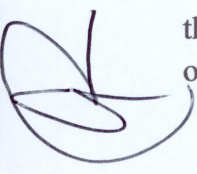
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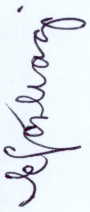
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- WITNESSETH -


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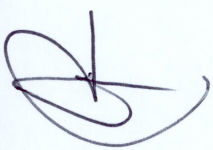
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  - c. Undertake progress monitoring of accomplishments in coordination with the proponent; and
  - d. Submit progress report to the Regional Office covering the entire duration of the AGREEMENT.

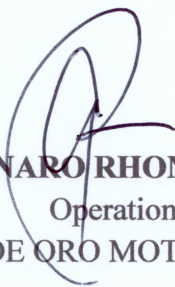
**The Parties hereby agree to undertake the review of the terms and conditions of the Agreement as may be necessary.**

**Amendments to this MOA may be effected with the written concurrence of both the DENR and the Proponent;**

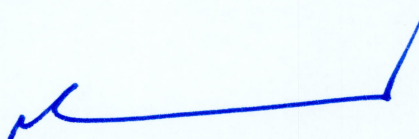
**The Agreement shall take effect upon signing by both parties on the date appearing on the first page hereof and shall remain in force within three (3) years.**



IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement effective as of the day and year first above written.



**GENARO RHON D. CLEOFE JR.**  
Operation Manager  
MINA DE ORO MOTORS INCORPORATED

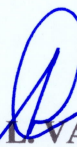


**LORMELYN E. CLAUDIO, CESO IV**  
Regional Executive Director  
MIMAROPA Region

WITNESSESS:



**EDNA D. SANTIAGO**  
Bgry. Chairman  
Barangay Mahal na Pangalan, Calapan City



**ALAN L. VALLE**  
OIC-PENR Officer

REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF \_\_\_\_\_ ) S.S.  
CITY/MUNICIPALITY OF \_\_\_\_\_ )

**ACKNOWLEDGEMENT**

**BEFORE ME**, a Notary Public, for and in the City/municipality of \_\_\_\_\_,  
Philippines, this \_\_\_\_\_ day of \_\_\_\_\_, personally appeared the parties, known to me  
and known to be the person who executed the foregoing instrument, and acknowlwdged that the  
same is his/her free and voluntary act and deed.

**WITNESS MY HAND AND SEAL** this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

**NOTARY PUBLIC**

Doc. No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of \_\_\_\_\_