



Globe



EFB GEOSTRUKT, INC.

BUILDERS • ENGINEERS • CONSULTANTS • SITE ACQUISITION



Date: February 14, 2023

TO: The Regional Executive Director
DENR MIMAROPA

SUBJECT: APPLICATION FOR SPECIAL LAND USE PERMIT (SLUP) OF GLOBE
TELECOM INC. CELLSITE SITUATED IN SITIO NAGTABON, BRGY.
BACUNGAN, PUERTO PRICESA, PALAWAN

Greetings!

This is in line with our application for the Special Land Use Permit (SLUP), as per the advice of your good office to secure the notice of certification our SAQ officer visited the CENRO Puerto Princesa City to have an update regarding the claimant to the involved said property. We are formally endorsing the copy of the Notice provided by CENRO Region Office to Mr. Cresencio Javarez, Jr.

Also, we would like to follow up the status of our Special Land Use Permit (SLUP) application at Sitio Nagtabon, Brgy. Bacungan Puerto Princesa City.

Thank you very much in anticipation of your favorable response.

Should you have any questions/queries, please contact us at Tel. Nos. 817-0022 or Mobile No. 0916-463-8429/0966-197-5604.

Sincerely yours,

Styba 2/14/23
Jhoanna Mae G. Olivar
Project Coordinator – LUZON
EFB GEOSTRUKT, INC.

DENR MIMAROPA
RECORDS SECTION
RECEIVED

FEB 14 2023

☐ INCOMING ☐ OUTGOING
BY: _____ DATE NO. _____
TIME: _____



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
South National Highway, Bgy. Sta. Monica Puerto Princesa City
Email Address: cenropuertoprincesa@denr.gov.ph
Tel. Fax No.: (048) 717-0702

November 3, 2022

MR. CRESENCIO JAVAREZ, JR.

Brgy. Bacungan
Puerto Princesa City
Contact No. 09055879018

Dear Mr. Javarez,

This has reference to your letter dated June 10, 2021 attached with the letter from your Legal Counsel Atty. Stephen E. Cascolan dated June 4, 2021, requesting the denial of the Special Land Use Permit (SLUP) application of Globe Telecommunication at Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City. According to the letter, the area occupied by Globe Telecommunications is within your occupied area. Your occupation was recognized by the company since they were paying you rent for the area where the tower was put up.

However, the subject area is within Forestland/Timberland per Land Classification Map No. 3620 1-Z-A Block -A, certified on August 31, 2002. You are also not a tenurial instrument holder in the area that will justify the legality of your occupation. You yourself submitted an application for a tenurial instrument.

Presidential Decree No. 705 or the Forestry Code of the Philippines as amended provides that:

"SECTION 20. License Agreement, License, Lease, or Permit. – No person may utilize, exploit, occupy, possess or conduct any activity within any forest and grazing land, or establish, install, add and operate any wood or forest products processing plant, unless he had been authorized to do under a license agreement, license, lease or permit...."

Hence, Globe Telecommunication is required to apply for a tenurial instrument from this Office for occupying a portion of the timberland area. Based on our records, no special permit or tenurial instrument has been issued on the same area occupied by Globe Telecommunication, for this Office to negate their application.

In our letter dated June 16, 2021, you were advised to submit to this Office documents supporting/attesting your ownership over the subject area in Sitio Nagtabon of Brgy. Bacungan, in support to your application for a tenurial instrument. However, this Office did not receive any response from you.

Presidential Decree No. 705 Sec. 78, also provides that:

Section 78. Any person who enters and occupies or possesses, or makes kaingin for his own private use or for others, any forest land or grazing land without authority under a license agreement, lease, license or permit, or in any manner destroys such forest land or grazing land or part thereof, or causes any damage to the timber stand and other products and forest growth found therein, or who assists, aids or abets any other person to do so, or sets a fire, or negligently permits a fire to be set in any forest land or grazing land, or refuses to vacate the area when ordered to do so, pursuant to the provisions of Section 53 hereof shall, upon conviction, be fined in an amount of not less than five hundred pesos (P500.00), nor more than

Received by: Javarez
11-8-22



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica Puerto Princesa City

Email Address: cenropuertoprincesa@denr.gov.ph

Tel. Fax No.: (048) 717-0702

nor more than two (2) years for each such offense, and be liable to the payment to ten (10) times the rental fees and other charges which would have accrued has the occupational and use of the land been authorized under a license agreement, lease, license or permit xxxxx "

The above provisions of laws explicitly prohibit any occupation or building structures within timberland without authority.


In line with this, you are hereby notified that your occupation of the timberland area in Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City is unlawful.

You are hereby requested to present any legal documents issued by competent authority to warrant your lawful occupation of the area within **FIFTEEN (15) DAYS** upon receipt of this letter.

If no permit is presented, this Office is giving you **THIRTY (30) DAYS** to voluntarily vacate the area. Should you fail to comply with this Notice, we will be constrained to take legal action against you.

Very truly yours,


PEDRO A. VELASCO
OIC-CENRO

DENR MIMAROPA REGION
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
NO. 4579
DATE: 11-4-22
BY: 



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

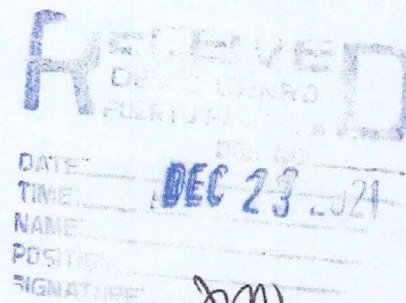
December 15, 2021

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 L&S Bldg.
Roxas Blvd., Manila

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **APPLICATION FOR SPECIAL LAND USE PERMIT (SLUP) OF
GLOBE TELECOM INC. CELLSITE SITUATED IN SITIO
NAGTABON, BRGY. BACUNGAN, PUERTO PRINCESA CITY
PALAWAN**



Forwarded is the Memorandum dated December 01, 2021 from CENRO Puerto Princesa City, Palawan regarding the application for a Special Land Use Permit (SLUP) of Globe Telecom Inc. for proposed telecommunication facility/cell-site tower located at Brgy. Bacungan, Puerto Princesa City, Palawan.

All the requirements pertinent thereto have been complied with by the applicant. Documents under items 1 to 14 with marked check symbol (/) are completely attached and marked Cyrillic Small Letter symbol (o) filed separately/applied online to be accomplished upon issuance of permit hence, recommending for its approval.

For information, evaluation, and consideration.

For the PENRO:

FRANKLIN G. HERNANDEZ
Chief Management Services Division
In-Charge Office of the PENRO

Copy Furnished:
The Community Environment and
Natural Resources Officer
Puerto Princesa City, Palawan

DAIF Ref. 2021-11870
TSD-RPS-Utilization
GBB

DENR DENRO
PALAWAN RECORDS
RELEASED

BY: DEC 22 2021
DATE: 21-3047



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica, Puerto Princesa City

Tel. No.: (048) 433-0660

Email Address: cenropuertoprincesa@denr.gov.ph

December 01, 2021

DENR PENRO
PALAWAN RECORDS
RECEIVED
BY: *[Signature]*
DATE: 12-1-2021

MEMORANDUM

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

THRU : The PENR Officer
DENR-PENRO Puerto Princesa City

FROM : The CENR Officer

SUBJECT : **APPLICATION FOR SPECIAL LAND USE PERMIT (SLUP) OF GLOBE TELECOM INC. (CELLSITE) SITUATED IN SITIO NAGTABON, BRGY. BACUNGAN, PUERTO PRINCESA CITY.**

Respectfully forwarded is the application of Globe Telecommunications Inc. for Special Land Use Permit (SLUP)-Cellsite covering an area of 565.7 square meters located in Sitio Nagtabon, Brgy. Bacungan, this City. To include the road/trail from the Barangay road heading to the cellsite measuring 663.92 meters with 5 to 6 meters wide, the area to be issued with SLUP has a total area of 1,229.62 square meters. Per item No. 8 of DENR Regional Special Order No. 752 dated November 28, 2019 states that *"the total area to be covered by the SLUP shall include the access roads, transmission line and related facilities, hence not only the foot prints of the cell site towers"*.

Pre-evaluation and inspection over the proposed area was conducted by personnel of this Office on September 29, 2020. According to the report, the tower of Globe Communications Inc. cell site is existing already in Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City since year 2019 which is operated through Generator set.

The area is within Forestland per approved Land Classification Map 3620 Block-A, Project 1-Z-A certified on August 31, 2004 with existing claimant in the person of Mr. Cresencio Javarez, Jr. According to the report, the Globe Telecom has a contract lease with Mr. Javarez amounting to PhP12,000.00 per month and in the year 2020 it was raised to PhP20,000.00 per month. This information was corroborated by a letter dated May 26, 2021 from Globe Telecom to Atty. Stephen E. Cascolan, Legal Counsel for Cresencio Javarez, Jr. stating that the company facilitated the payment of the rental in the total amount of PhP420,000.00 (*copy of letter hereto attached and marked as Annex "A"*).

There is no development stated in the report of the inspection team introduced by Mr. Javarez in the subject area aside from existing road heading to the cellsite.

On October 20, 2020 this Office received a letter from Mr. Cresencio Javarez, Jr. of even date intending to apply for a Forest Land Use Agreement (FLAG) in an area located in Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City. Said letter of intent was acknowledged by this office per letter dated October 23, 2020 advising him to coordinate with this Office for the inspection and initial assessment of the area he wishes to apply for FLAG, however up to this

Further, On June 10, 2021 this Office received a letter dated June 10, 2021 from the alleged claimant of the area Mr. Cresencio Javarez, Jr., together with a copy of a letter dated June 4, 2021 of his Legal Counsel Atty. Stephen E. Cascolan to DENR Secretary Roy A. Cimatu requesting to deny the application for Special land Use Permit (SLUP) of Globe Telecom over the subject area (*copy of said letter hereto attached marked as Annex "C & D"*). Relative thereto, this Office sent a letter to Mr. Cresencio Javarez dated June 16, 2021 advising him to submit documents showing his ownership over the area as basis for further action of this office (*copy of letter attached and marked as Annex "E"*). However, up to this writing this Office avail no response from Mr. Javarez nor his legal counsel.


Considering that the Globe Telecom has complied all the requirements pertinent to their application for SLUP over the area which is also claimed by Mr. Cresencio Javarez, Jr. located in Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City, wherein the latter has no authority over the area since same is a Timberland/Forestland (*copy of Lot Verification hereto attached and marked as Annex "F"*), this Office is favorably endorsing the application of Globe Telecom Inc. for SLUP (Cell site) together with its pertinent enclosure, to wit:

1. Duly filled-up application form in prescribed format;
2. Official Receipt No. 1410376 E in the amount of PhP536.00 representing the application fee and oath fee;
3. Inspection report dated October 12, 2020 with maps and geotagged photos;
4. Letter application for SLUP dated September 8, 2020 signed by Mr. Emerson F. Gonzales, MIMAROPA Site Coordinator duly noted Mr. Jerry Esmejarda, Site Acquisition department Head-EFB GEOSTRUKT, INC.;
5. Amended Articles of Incorporation of Globe Telecom, Inc.;
6. Secretary's Certificate;
7. Indicative Management Plan;
8. ECAN Zoning Certification issued by the Palawan Council for Sustainable Development (PCSD);
9. Copy of Zonal Value from the Bureau of Internal Revenue Office;
10. Treasurer's Affidavit;
11. Resolution/Endorsement from LGU of Brgy. Bacungan;
12. Barangay Clearance;
13. Certificate of No Neighbors issued by Barangay of Bacungan;
14. Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission (NTC);
15. Radiofrequency Radiation Evaluation from FDA;
16. Height Clearance Permit from the CAAP;
17. Application for Locational Clearance;
18. Segregation Plan; and
19. Copy of letter indorsement of CENRO PPCity to the Office of National Commission on Indigenous Peoples (NCIP) Palawan dated May 14, 2021.

Issuance of corresponding SLUP in favor of the applicant is hereby recommended.

For information, record and consideration.

REGIONAL MIMAROPA REGION
CENTRO PUERTO PRINCESA
RELEASED
NO. 677
DATE 12/01/21
BY


FELIZARDO B. CAYATOC
J. M.