



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

May 22, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 DENR By the Bay Building, Roxas Boulevard,
Barangay 668, Ermita, Manila

THRU : The OIC, ARD for Technical Services

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : COMPLIANCE MONITORING ON SECRET PARADISE
RETREAT CORPORATION (SPRC) WITH FLAGT NO. 01-2019
LOCATED AT SITIO BARONGBONG, BARANGAY PORT
BARTON, SAN VICENTE, PALAWAN

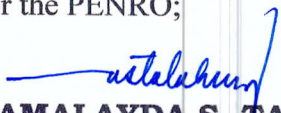
Respectfully forwarded is the memorandum of CENRO Roxas, Palawan dated May 3, 2023 relative the above subject.

Per memorandum, CENRO Roxas conducted the compliance monitoring activity on March 13, 2023 on Forest Land Use Agreement for Tourism Purposes (FLAgT) awarded to Secret Paradise Retreat Corporation (SPRC) with FLAgT No. 01-2019 located at So. Barongbong, Brgy. Port Barton, San Vicente, Palawan.


The proponent has not yet submitted their Annual Report, up to this period, hence, reiterating the previous notice to the tenure holder to immediately comply on the matter.

For information and further instruction.

For the PENRO;


WAMALAYDA S. TALABUCON
Planning Officer III/OIC Chief, MSD
In Charge, Office of the PENRO

Copy Furnished:
CENRO Roxas, Palawan
<cenroroxaspalawan@denr.gov.ph>
KVE/MES Doc. No. 2023-4110

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date: 25 MAY 2023 23-1478



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

May 03, 2023

MEMORANDUM

FOR : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : The Community Environment and
Natural Resources Officer

SUBJECT : **COMPLIANCE MONITORING ON SECRET PARADISE
RETREAT CORPORATION (SPRC) WITH FLAGT NO. 01-2019
LOCATED AT SITIO BARONGBONG, BARANGAY PORT
BARTON, SAN VICENTE, PALAWAN**

Respectfully forwarded is the report relative to the above subject.

Pleased be informed that on March 13, 2023, our Office had conducted Compliance Monitoring on the tenured area of Secret Paradise Retreat Corporation (SPRC) awarded with FLAGT No. 01-2019 located at Sitio Barongbong, Barangay Port Barton, San Vicente, Palawan


Based on the said report, the following are the findings and recommendations:

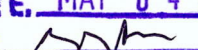
1. The holder have not yet submitted their Annual Report, up to this period, hence, reiterating our previous notice to the tenure holder to immediately comply on the matter;
2. That allegedly, the SPRC has been sold. However, based on observations and verification, there was no signs and/or change of management in the area. This information is subject to further in depth investigation;
3. The holder did not open to the public since its approval in 2019, which is not in conformity with Paragraph c, XXI of the FLAgT agreement. Hence, recommending to send a show cause order to the proponent as to why no sanction shall be instituted against the corporation;
4. They are compliant to other conditions stipulated in the contract except to the above-mentioned violations.

Attached are the following:

- a. Copy of Show Cause Order dated April 18, 2023 addressed to Mr. Mark Lee Worsdell; and
- b. Notice of Violation dated May 02, 2023 addresset to Mr. Erlan T. Gambalan of PLDT, Inc. – SMART, Inc.

For record and further instruction, if there is any.


PABLO Y. CRUZ

DENR-CENRO ROXAS
RELEASED
DATE: MAY 04 2023
BY: 
DOC. NO. 2023 05 - 0705



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

March 21, 2023

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer

FROM : The Compliance Monitoring Team
Roxas, Palawan

SUBJECT : **COMPLIANCE MONITORING ON SECRET PARADISE RETREAT CORPORATION (SPRC) WITH FLAGT NO. 01-2019 LOCATED AT SITIO BARONGBONG, BARANGAY PORT BARTON, SAN VICENTE, PALAWAN**



Please be informed that on March 13, 2023 the undersigned team together with Forest Protection Officer Jerick Ron M. Seño conducted Compliance Monitoring of FLAgT No. 01-2019 awarded to Secret Paradise Retreat Corporation (SPRC) located at Sitio Barongbong, Barangay Port Barton, San Vicente, Palawan.

The following are the findings and recommendations of the team:

1. The Holder have not yet submitted their Annual Report. It is recommended to advise SPRC to submit the said report immediately;
2. Allegedly, the SPRC has been sold, however we have not received any communication from the proponent regarding the change of management/ownership. It is recommended for in depth investigation;
3. There is an established and operational Communication Station Site of PLDT, Inc.-SMART, Inc. adjacent to the demarcated area of the proponent's FLAgT, however it is alleged that the PLDT, Inc.-SMART, Inc. has signed an agreement with Mr. Mark Lee John P. Worsdell regarding the rental/utilization of the area. We recommend issuance of Notice of Violation to the PLDT, Inc.-SMART, Inc. and demand a clarification relative to the information and to apply for appropriate tenure to avoid legal sanction. Further, we also recommends Mr. Worsdell to address the said allegations;
4. Violation of paragraph c, XXI of the FLAgT Agreement which states:

"Abandonment of FLAgT area or failure to utilize the same for the purpose it was granted with the prescribed period of six (6) months without justifiable cause"

Wherein, since its approval the area was not open to the public. We recommend to show cause Mr. Worsdell why their FLAgT should not be cancelled or terminated.



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5. Lastly, they are compliant to other conditions stipulated in the contract except to the above-mentioned violations.

Furthermore, please be informed that the team failed to review their compliance with their CDMP since the proponent has failed to provide us with the said document, up to this date despite of the letter sent to their email and numerous follow-ups thru their Pollution Control Officer Koko Renalyn Castillo. Please also be informed that their official email address was changed without prior notice to this Office resulting to being non-responsive to our emails.

Attached is the Compliance Monitoring Sheet for Forestry Tenure (FLAgT).

For information and record.


RIZZA A. AMOGUES
Forest Technician I/RPS Staff


LEMUEL L. BACALLA
Forest Ranger/ Patrol Sector III


MARIA ANGELICA D. DAGOT
Credit Officer/PSU Staff


ANNJETTE JUDE F. QUEZADA
Forest Technician II/MES Staff

COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (FLAgT)

Monitoring Date: March 13, 2023	Monitoring Time: 10:00 A.M.
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A. BASIC INFORMATION:

Name of Company: Secret Paradise Retreat Corporation (SPRC)	
Location of Area (Sitio, Bgy., Mun.) Sitio Barongbong, Barangay Port Barton, San Vicente, Palawan	Area in Sq. Meter: 141,900
Business Address: (email, messenger acct. & contact number) worsdell@btinternet.com / 0999-880-2480	
Amount of Annual Government Share: ₱ 1,064,250	Date Paid/OR No.: 9/30/2022 (O.R. No. 1409414)
Year of last revaluation (Per Section 16 DAO 2002-28): None	
Nature of Land-use (Per Section 4 of DAO 2004-28): Tourism	
Tenure Instrument Number: FLAgT No. 01-2019	Date of Issuance: October 02, 2019
Kind of Tenure Instrument: FLAgT	Expire Date: October 02, 2044
Contact Person/Designation: Mark Lee John P. Worsdell / Director	
Name of Pollution Control Officer (PCO): Koko Renalyn Castillo	
PCO Accreditation No.: 2018-R4B-01943	Effectivity:
Contact No.: 0929-497-1448	Email:

B. COMPLIANCE TO EXISTING ENR LAWS, RULES AND REGULATION

Conditions	Yes	No	Remarks
1. NCIP/Cert of Pre Condition/Date Issued		√	Not Applicable
2. Free and Prior Informed Consent/Date Issued		√	Not Applicable
1. Compliant to ECC-PD 1586, Philippine Environmental Impact Assessment/DAO 2003-30	√		
2. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/DAO 1992-29	√		
3. Compliant to RA 8749, Clean Air Act of 1999/DAO 2000-81	√		
4. Compliant to RA 9003, Ecological Solid Waste Management Act of 2000/DAO 2001-34	√		
5. Compliant to RA 9275-Clean Water Act of 2004/DAO 2003-10	√		
6. Compliant to PD 705, Forestry Reform Code of the Philippines	√		
7. Compliant to water Code of the Philippine/Article No. 51-PD 1067 (No Permanent Structure within Easement Zone) a.) Within 3 meters in Urban Areas b.) Within 20 meter in Agricultural (A&D) Areas c.) Within 40 meters in Timberland Areas	√		

C. IMPROVEMENTS INTRODUCED

Type of Improvement Introduced	Approximate Value of Improvement	STATUS (Permanent or Temporary)	REMARKS
Current Year 2023			
1. Land	0.00		No improvements made.
2. Buildings	0.00		No improvements made.
3. Infra/Machineries	0.00		No improvements made.
4. Plantation	0.00		No improvements made.
5. Other Improvements	0.00		No improvements made.
Previous Years (2019-2022)			
1. Land	80,000	Permanent	
2. Buildings	952,500	Permanent	
3. Infra/Machineries	75,000	Permanent	
4. Plantation	5,000.00		500 Coffee, 100 Gmelina Trees, 20 Coconut Trees
5. Other Improvements	0.00		

D. COMPLIANCE PURSUANCE PURSUANT TO DENR ADMINISTRATIVE ORDER NO. 2004-28

Term and Conditions	Response	
	Yes or No	Remarks
14.1. The boundaries of the FLAgT area was delineated and marked on the ground within six (6) months from the issuance of the agreement?	Yes	
14.2. The FLAgT holder submitted the Site Management Plan for the protection of the environment and conservation of the area within 3 months from issuance.	Yes	
14.3. The holder secured required Environmental Compliance Certificate (ECC) and other necessary permits prior the conduct of any activity in the area?	Yes	
14.4. The holder utilized the area only for the purpose for which the FLAgT was granted. If the area was utilized for other purposes/s other than what was approved, is prior approval secured from the Secretary of his/her duly authorized representative?	No	No Operation since its approval on October 02, 2019
14.5. In all instance, cutting of trees within the FLAgT area shall be subject to prior clearance by the DENR in accordance with existing rules and regulation. If there are cutting of trees, is prior clearance secured from DENR Secretary of his duly authorized representative?	No	No cutting of trees.

14.6. Is the practice of Ecological Solid Waste Management properly observed and implemented? Is the Clean Water Act observed and followed (STP, Water Discharge Permit, etc.)?	Yes	
14.7. Is biodiversity in the area especially those identified as unique, rare and endangered species of Flora and Fauna strictly protected?	Yes	
14.8. Is there any change in the management, ownership or capital stock of the company or corporation or transfer of a majority of the stock or shares of the company or corporation as provider for in PD 705, as amended? If so, did the proponent immediately informed the RED or his/her duly authorized representative?	No	Based on the information gathered in the area, it is alleged that the SPRC had been sold to a new owner.
14.9. The holder are willing to surrender to RED or his/her duly authorized representative the agreement if not to be renewed on the date of expiration, or if the holder is no longer interested in the area, or in case of cancellation, immediately after the affectivity of its cancellation?	Yes	
14.10. Is the holder fully aware that in case of death of individual FLAgT holder, the heir(s) may apply for the transfer of FLAgT within ninety (90) days upon his/her death?	Yes	
14.11. Is the tenure holder aware that the FLAgT shall not be constructing as permit to obstruct the free navigation of any stream, creek or river or marine coastal area adjoining or flowing through the area or to prohibit or interfere with the passage of people along such streams, creeks or rivers or banks thereof? Or to impeded the flow and ebb of the tide to and from the interior of the swamps?	Yes	
14.12. Did the FLAgT holder submit the Annual Report as to its compliance to the Site Management Plan?	No.	No annual report submitted
14.13. Is the Annual Government Share paid on or before March 31 pursuant to DAO 2021-02 which amended Section 16 of DAO 2004-28 and Section 18 of DAO 2004-59?	No	

E. PAYMENT OF ANNUAL GOVERNMENT SHARE/RENTAL/FOREST FEES: (O.R. copy here to attached)

Particulars	Amount	Official Receipt No.	Date Issued	Remarks (Indicate if updated or not)
Government Share/Rental	Php. 1,064,250.00	1409414	09/30/2022	▪ Updated
Performance Bond	1,054,250.00 10,000.00	4794357 5099535	10/30/2019 5/18/2008	▪ 50% performance bond paid in cash Less: 10,000.00 SLUP performance bond ▪ 50 % Travellers Insurance Bond
Forest Charges	N/A	N/A	N/A	N/A
Surcharges	N/A	N/A	N/A	N/A

F. Other Environmental, Social activities by the holder (e.g tree planting, coastal clean-up, gift giving etc)

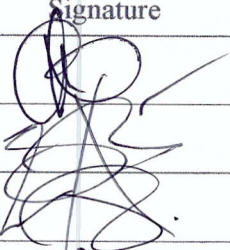



Coastal clean-up twice a day, tree planting

J. FINDINGS AND RECOMMENDATION

1.	The Holder have not submitted their Annual Report. It is recommended to advise SPRC to submit the said report immediately.
2.	Allegedly, the SPRC has been sold, however we have not received any communication from the proponent regarding the change of management/ownership. It is recommended for in depth investigation.
3.	There is an established and operational Communication Station Site of PLDT, Inc.-SMART, Inc. adjacent to the demarcated area of the proponent's FLAgT, however it is alleged that the PLDT, Inc.-SMART, Inc. has signed an agreement with Mr. Mark Lee John P. Worsdell regarding the rental/utilization of the area. We recommend issuance of Notice of Violation to the PLDT, Inc.-SMART, Inc. and demand a clarification relative to the information and to apply for appropriate tenure to avoid legal sanction. Further, we also recommends Mr. Worsdell to address the said allegations.
4.	Violation of paragraph c, XXI of the FLAgT Agreement which states: "Abandonment of FLAgT area or failure to utilize the same for the purpose it was granted with the prescribed period of six (6) months without justifiable cause" Wherein, since its approval the area was not open to the public. We recommend to show cause Mr. Worsdell why their FLAgT should not be cancelled or terminated.

H. DETAILS AND SIGNATURE OF MONITORING TEAM

WE HEREBY CERTIFY to the correctness of the data and information as contained herein to the best of our knowledge and belief

Name	Position/Designation/Office	Signature
LEMUEL L. BACALLA	Forest Ranger/ Patrol Sector IV DENRO CENRO ROXAS, PALAWAN	
RIZZA A. AMOGUES	Forest Technician I/ RPS Staff DENR CENRO ROXAS, PALAWAN	
MARIA ANGELICA D. DAGOT	Credit Officer/ PSU Staff DENR CENRO ROXAS, PALAWAN	
ANNJELETTE JUDE F. QUEZADA	Forest Technician II/ MES Staff DENR CENRO ROXAS, PALAWAN	

I. ATTACHMENT/S

(See attached photo or geo-tagged)

SUBSCRIBED AND SWORN to before me this **March 20, 2023** at **DENR CENRO Roxas, Palawan.**


PABLO CRUZ

CENRO

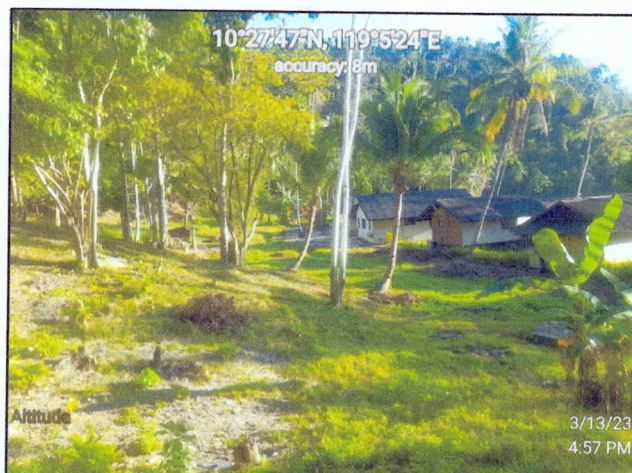
Authorized Person to Administer Oath





Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY AT
SECRET PARADISE RETREAT CORPORATION WITH FLAGT NO. 01-2019**





Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
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**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY AT
SECRET PARADISE RETREAT CORPORATION WITH FLAGT NO. 01-2019**





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Department of Environment and Natural Resources
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**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY AT
SECRET PARADISE RETREAT CORPORATION WITH FLAGT NO. 01-2019**



1187-00-00859-3

118700008593

PRT A 0001103920

350100016

PAY TO THE Bureau of the treasury TAO Ceuro Roxas Palawan P 1,064,250.00

DATE 09-30-2022

PESOS One million sixty four thousand two hundred fifty pesos only.


We allow the electronic clearing of this check and hereby waive the presentation for payment of this original to ChinaBank.

CHINA BANK

PUERTO PRINCESA CITY BRANCH
MALVAR ST. NEAR CORNER VALENCIA ST
PUERTO PRINCESA CITY, PALAWAN

⑈0001103920⑈350100016⑈118700008593⑈000

(ORIGINAL)

Official Receipt of the Republic of the Philippines			
N ^o 1409414		E	
Date 9/30/2022			
Agency DENON- USJND ROAD PM		Fund	
Payor SECRET PARADISE RETREXT CORP.			
Nature of Collection	Account Code	Amount	
Annual Govt. Share		P 1,064,250.-	
FLAQT. 01-2019, Annual Rental Fee			
Oct. 2022 - Oct. 2023			
TOTAL		P 1,064,250.-	
Amount in Words One million sixty four thousand two hundred fifty pesos only.			
<input type="checkbox"/> Cash	Drawee Bank	Number	Date
<input checked="" type="checkbox"/> Check	CHINA BANK	1103920	9/30/2022
<input type="checkbox"/> Money Order			
Received the amount stated above.			
 Collecting Officer			
NOTE: Write the number and date of this receipt on the back of check or money order received.			

Sept 30



R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>

NOTICE OF VIOLATION

1 message

R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>
To: "GAMBALAN, Erlan T." <ETGambalan@smart.com.ph>

Wed, May 3, 2023 at 2:07 PM

Good day,

Please see attached file.

Thank you

PABLO L. CRUZ
CENRO

DENR-CENRO Roxas, Palawan
Sandoval Street, Bgy. III,
Roxas, Palawan 5308
PHILIPPINES

Email: cenroroxaspalawan@denr.gov.ph

Contact Number:
Telephone: 048-717-0892

ERLAN T. GAMBALAN.pdf
738K



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

May 02, 2023

MR. ERLAN T. GAMBALAN
Head of GMM PPM Network Build
PLDT, Inc.-SMART, Inc.
ETGambalan@smart.com.ph

NOTICE OF VIOLATION

Dear Sir:

You are notified that the constructed and now operational Communication Station Site of PLDT, Inc.-SMART, Inc. located at Sitio Barongbong, Barangay Port Barton, San Vicente, Palawan is within forestland/timberland. Be informed that erection/installation of any structures within Timberland/Forest lands without any tenure is violative to the provisions of Section 20 and 78 of Presidential Decree No. 705 provided hereunder:

Section 20. License agreement, license, lease or permit. – No person may utilize, exploit, occupy, possess or conduct any activity within forest land, xxx unless he has been authorized to do so under a license agreement, lease, license, or permit.

Section 78. Unlawful Occupation xxx of Forest Lands. – Any person who enters and occupies or possesses, xxx for his own private use or for others, any forest land xxx without authority under a license agreement, lease, license or permit xxx or refuses to vacate the area when ordered to do so pursuant to the provisions of Section 53 hereof;

In view hereof, this Office is giving you **THIRTY (30) DAYS** upon receipt of this **NOTICE** within which to explain in writing as to why no legal sanction shall be instituted against you for such offense.

We are hoping that you will give this matter your preferential attention.

Sincerely,


PABLO CRUZ
CENRO

DENR-CENRO ROXAS

RELEASED

DATE: MAY 03 2023

BY: 

DOC. NO. 2023 05-0674



R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>

SHOW CAUSE ORDER

1 message

R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>
To: worsdell@btinternet.com, Mark Worsdell <ceo.sprc@gmail.com>

Wed, Apr 19, 2023 at 4:15 PM

Good day!

Please see attached file.

Thank you!

PABLO L. CRUZ
CENRO

DENR-CENRO Roxas, Palawan
Sandoval Street, Bgy. III,
Roxas, Palawan 5308
PHILIPPINES

Email: cenroroxaspalawan@denr.gov.ph

Contact Number:
Telephone: 048-717-0892

SHOW CAUSE ORDER_SPRC 04182023.pdf
180K



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

April 18, 2023

MR. MARK LEE JOHN WORSDELL
Director
Secret Paradise Retreat Corporation
Sitio Barongbong, Barangay Port Barton
San Vicente, Palawan
Worsdell@btinternet.com

SHOW CAUSE ORDER

Dear Sir:

In reference to the Compliance monitoring report submitted to this Office by the monitoring team, you are hereby ordered to SHOW CAUSE in writing within 15 days from receipt hereof as to why no sanctions shall be instituted against you for the following grounds:

1. ***Violation of Paragraph XVIII of the FLAgT Agreement*** – The second party shall submit an annual report to the Regional Executive Director (RED) thru the CENRO concerned copy furnished the FMB Director showing developmental activities undertaken within the FLAgT area in accordance with the approved CDMP;
2. ***Violation of Paragraph c, XXI of the FLAgT Agreement*** – xxx failure to utilize the same for the purpose it was granted within the prescribed period of six (6) months without justifiable cause.

Failure on your part to comply with this Show Cause Order within the desired period will be considered as a waiver on your part to be heard and this case shall be decided on the basis of the records of this Office.

Please fail not to respond on this matter.

Sincerely,


PABLO CRUZ
CENRO 1

CENR-CENRO ROXAS

RELEASED

DATE: APR 19 2023

BY: 

REC NO. 2023 04 - 0601