



**ReGreen management and consultancy services, inc.**

May 12, 2023

Ms. Lormelyn Claudio  
Regional Executive Director  
DENR 4B MIMAROPA  
Roxas Blvd., Manila

DENR MIMAROPA RECORDS SECTION <b>RECEIVED</b>	
MAY 19 2023	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: <u>[Signature]</u>	DATE NO. _____
TIME: <u>4:05</u>	

Dear RED Claudio:

Attached is our position paper for the issues raised against our Forest Land Agreement for Tourism (FLAgT) application by the City's Development Control and Environmental Protection Committee or DCEPC, for your information.

We are submitting this position paper so we can find common understandings and clarifications for the concerns and issues raised by the above mentions committee.

Considering that the rainy season is fast approaching, we would like to request for the issuance of Provisional FLAgT Agreement prior to acquiring the other needs for PCSD and other offices concerned. This is consistent with DENR Administrative Order (DAO) No. 2021-27

*"Prescribing the guidelines on the issuance of provisional agreement for all tenure instruments issued under the forestry sector"*

The Provisional FLAgT Agreement would give us the privilege to introduce some protective measures citing the following reasons:

1. Protect the site from eroding due to heavy rains and possible flooding's
2. Provide safety measure in preventing accidental slips by visitors
3. Provide safety railings and
4. Build a public restroom for visitors use as an initial compliance with the DOT Public Rest Area

Rest assure that this view deck project under the platform of Music Art and Nature once approved as a new FLaGt site will spearhead a lot of programs, events and activities aimed for Nature Conservancy advocacy. The development of this view deck will also add a new destination in support of the city's tourism industry.

Again, in behalf of reGreen Management & Consultancy Services, Inc. we are hoping for your immediate approval of this request.

Sincerely,

A handwritten signature in dark ink, appearing to read 'P. AL', with a stylized flourish at the end.

R. Paulo F. Abesamis  
Program Director





April 11, 2023

Mr. Niño Rey C. Estoya, MNSA, CESE  
Acting Executive Director  
Palawan Council for Sustainable Development  
Santa Monica Heights, Puerto Princesa Ciy, Palawan

Dear Mr. Estoya,

Relative to our pending FLAGT application for the Nagtabon Sunset View Deck, we are ready to apply for the SEP Clearance as a requirement for FLAGT approval. One of the lacking endorsement that we are trying to secure is from the Sanguniang Bayan.

During the pandemic in 2020, a resolution no. 73-2020 from the city's Development Control and Environmental Protection Committee dated 17<sup>th</sup> of November 2020 was released denying our application for an endorsement. The issues raised for the denial were:

- 1. The existing improvement of Mr. Abesamis have encroached the Road-Right-of-Way;***
- 2. The subject area has an elevation of 155 – 158 meters above sea level;***
- 3. Part of the applied area is within the visual corridor that must be kept once must be open & accessible to the public for free;***
- 4. The applied area is ultramafic. The flora of the forest over ultramafic has long been of particular interest to botanist. Forest over ultramafic areas in the Philippines is unique with respect to soil conditions, species, structure, morphological adaptation and physiognomy. Hence, must be protected.***

During those days of the pandemic, we tried to communicate and seek assistance from the CENRO PPC via email. Here are some of the communications we sent:

- April 27, 2022 – email sent to CENRO Velasco requesting certification that we are in the process of applying for FLAGT and that we intend to rehabilitate the damages caused by typhoon Ondet;
- May 20, 2022 – letter to CENRO Pedro Velasco seeking audience to explain/defend our side on the issues raised by DCEPC;
- May 28, 2022 - email to CENRO Velasco requesting a Motion for Reconsideration;
- June 10, 2022 – email to CENRO Velasco requesting for an immediate investigation of all those structures near our applied FLAGT for the legalities or any tenureal instruments;

- July 11, 2022 – letter to DENR RED Lormely Claudio, seeking Motion for Reconsideration and launching MUSIC, ART and NATURE as the concept for the Nagtabon View Deck;
- July 18, 2022 – letter to Mayor Lucilo R. Bayron, attention, DCEPC requesting an audience with the Mayor and/or the members of the committee to address the issues raised against our FLaGT application (as of to date, this request hasn't been replied to or acted upon);
- August 1, 2022 – received letter from Engr. Edwin Rona, Zoning Officer IV of Puerto Princesa City Hall, explaining the reasons for the denial of our FLaGT application;
- October 19, 2022 – Letter to PCSD officially applying for ECAN Clearance;
- December 9, 2022 – received ECAN Zoning Certification

For the record, the proposed FLaGT site has been in our possession since 2013. In June of 2015 we got our full endorsement from the Barangay Council after almost a year of presenting our vision and mission for this site. Attached are some of the supporting documents leading to the application for FLaGT.

#### ***Forest Land Agreement for Tourism Purposes (FLaGT)***

***“A contract between the DENR and a natural or juridical person, authorizing the latter to occupy, manage and develop, subject to government share, any forestland of the public domain for tourism purposes.”***

The definition of FLaGT should be enough to directly answer some of the issues raised by the DCEPC over the site. Just to strengthen our defense on the above issues, the following are our stands over the same:

1. On the issue of building on the road-right-of-way, we did put up a temporary bamboo fence 2.5 meters from the edge of the paved road for the purpose of securing the site against vandals and to act as an accident barrier in protecting the visitors inside. The nipa huts that were built inside the deck were built using bamboos and cogon materials. It was built behind the adjacent mountain wall that protrudes along the mountain where there exist a new development. That hut was destroyed by typhoon Ondet.
2. On the issue of elevation where it was questioned why the site is located more than 150 meters above sea level. Please be informed that the objective of the project is a VIEW DECK. By definition, it can also be called an observation deck, a platform built so that people can see or watch something. The higher the elevation, the better view or vantage point. In the proposed site, Nagtabon, people go there to have the best views of the ocean, the clear sky, the sunset, the cove from below, etc.



3. When we set up fence around the site, as mentioned above, it was meant for security and protection of the visitors. We assigned a care-taker for the site and even invested in a small coffee shop so our care-taker will have some income to sustain his stay and maintenance of the place. He gets some donations from the visitors as a token for keeping the place safe and clean. Thus there shouldn't be any issue on accessibility;
4. This issue is where the full definition of FLAgT comes in. We believe that sustainability is the key to this issue. The government launched this program to allow for the sustainable development of our forestland for tourism purposes. With careful and sustainable development concepts, we can add more destinations to showcase the natural beauty of our forestland.

Furthermore, the following should also be considered:

- ✓ Since we started clearing the site of trash and placing security barriers, the site has been a regular destination by visitors. They go there to see the fantastic view of the ocean, the beautiful white sand cove below, the green mountains around and the colorful sunset views that changes each day;
- ✓ It has been a site for a lot of wedding pictorials
- ✓ A site for family gatherings
- ✓ Over a million photos and selfies has been posted on line showcasing scenes taken from the site;
- ✓ Even the tourist from the international cruises visits the site as part of their city tours;
- ✓ Local tour agencies bring their guest to this site as part of their tour packages;
- ✓ Even the Bacungan Tourism Association is clamoring for the immediate development and operation of the view deck so there will be an added destination to bring their guests;
- ✓ A place for prayers and communion with God;
- ✓ A perfect place for yogist.

Late last year, 2022, Congressman Edward S. Hagedorn did the groundbreaking of this site under the program called Music, Art and Nature or M.A.N. Yes, this sunset view deck will be a staging site for musicians and artist of different discipline with the main focus on Nature Conservancy. This idea is aimed for conservation tourism. A company called reGreen Management and Consultancy Services, Inc. was registered with the SEC for the purpose of managing this kind of projects and undertakings.

Under this company, M.A.N. launched its first photography project called, KALIKASAN SA MATA NG KABATAAN. Using cellphones with cameras, kids captured the images of nature as they saw it. This project was supported by both DENR Central Office, PENRO, CENRO and the unit from PCSD.

We are submitting this position paper in the aim of reversing the Resolution 73-2020 from DCEPC and subsequently gain everyone's support for this small piece of forestland to be officially added as a destination that we all can be proud of.

Should this proposed view deck come to reality, more projects of the same nature will emerge on this site. Something different, something new for our visitors and even kababayans should be excited to experience, support and maybe participate in.

Submitting before the concerned offices.



Rafael Paulo F. Abesamis  
Project Director  
Music, Art and Nature

Cc: Cong. Edward S. Hagedorn  
Office Mayor Lucilo Bayron  
Development Control & Environmental Protection Committee  
DENR Region 4B – RED Lormelyn Claudio  
PENRO Palawan  
CENRO Puerto Princesa City  
ARTA  
DOT Central Office





Non-GCash User

Susan maghanoy

0917 392 9703

Sent via GCash

Claim on or before Apr 08, 2023

Recipient must present a valid ID and the reference number below at any of our partner outlets.


Reference no. 2303243707667

Amount sent 5,000.00

Service Fee 75.00

Total Amount Paid ₱ 5,075.00

Mar 24, 2023 12:27PM



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for a chance to win  
P100,000 in prizes!**

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reGreen management and consultancy services &lt;regreenmanagement@gmail.com&gt;

## ECAN Zoning Application

PCSD May Ann Rapio &lt;pcsda2019@gmail.com&gt;

Thu, Jan 5, 2023 at 5:29 PM

To: reGreen management and consultancy services &lt;regreenmanagement@gmail.com&gt;

Sir:

Greetings!

Please be informed that your ECAN Zoning map certification has been approved. Kindly download your approved ECAN certification as a supplemental document for your SEP Clearance application. In addition, please download the attached file indicating a checklist of documents necessary for your next application. You may secure Barangay Endorsement from Barangay Council of Bacungan, City Endorsement from City Council and endorsement from Development Control and Environmental Protection (DCEPC) or Zoning map from City Planning.

Once completed securing the necessary documents with your proposed project, you may personally submit all requirements in our main office and our staff will gladly facilitate your transaction.

Have a nice day.

Kind regards,

May Ann

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 **20230106\_NOTE\_.pdf**  
284K



✓ Successfully Sent

**SU\*\*N M.**

0995 152 1819

Amount PHP 200.00

**Total PHP 200.00**

Ref. No. 3006 894 999329

Nov 25 2022, 12:04 PM

**GCash** Send Money

ECAN ZONING  
APPLICATION  
PAYMENT



## ECAN ZONING CERTIFICATION

Transaction ID: 1670614052347

December 9, 2022

Name of Proposed Project: Forest Land Use Agreement for Tourism Purposes  
Name of Proponent: Rafael Paulo Francisco Abesamis  
Location of Proposed: Sitio Nagtabon, Brgy., Bacungan, Puerto Princesa City, Palawan  
Description of Proposed Project: The intended project in the applied area of 1.7977 hectares is a concrete view deck with toilet and handwashing facilities. (see Annex "B")

### CERTIFICATION

This is to certify that based on the evaluation of the submitted requirements for ECAN Zoning Certification, the following are found:

1. The Location Map, as overlaid in the approved ECAN Map of Puerto Princesa City, Palawan, shows that a portion of proposed project/activity is within the Terrestrial Multiple Use Zone (0.4996 hectares) and Terrestrial Core Zone (1.2981 hectares, non-allowable area);
2. The Certification from DENR-CENRO Puerto Princesa City, certifying that the applied area falls within forestland, shows that the project proponent may apply for the use thereof, subject however to ECAN zoning restrictions; and
3. The Proposal/Description shows that the project is under Category "A" as listed in PCSD Resolution No. 17-579, s. 2017, amending PCSD Administrative Order No. 06.

This is to certify further that, based on the above findings, the proposed project/activity is a Category A project, which requires the proponent to secure the corresponding SEP Clearance.

This Certification is not conclusive as to the absolute right/claim of the proponent over the area applied for but is merely issued as to the categorization of the project and determination of allowable activities in the ECAN zones for purposes of applying the provisions of R.A. 7611 (SEP Law) and PCSD Administrative Order No. 06, as amended

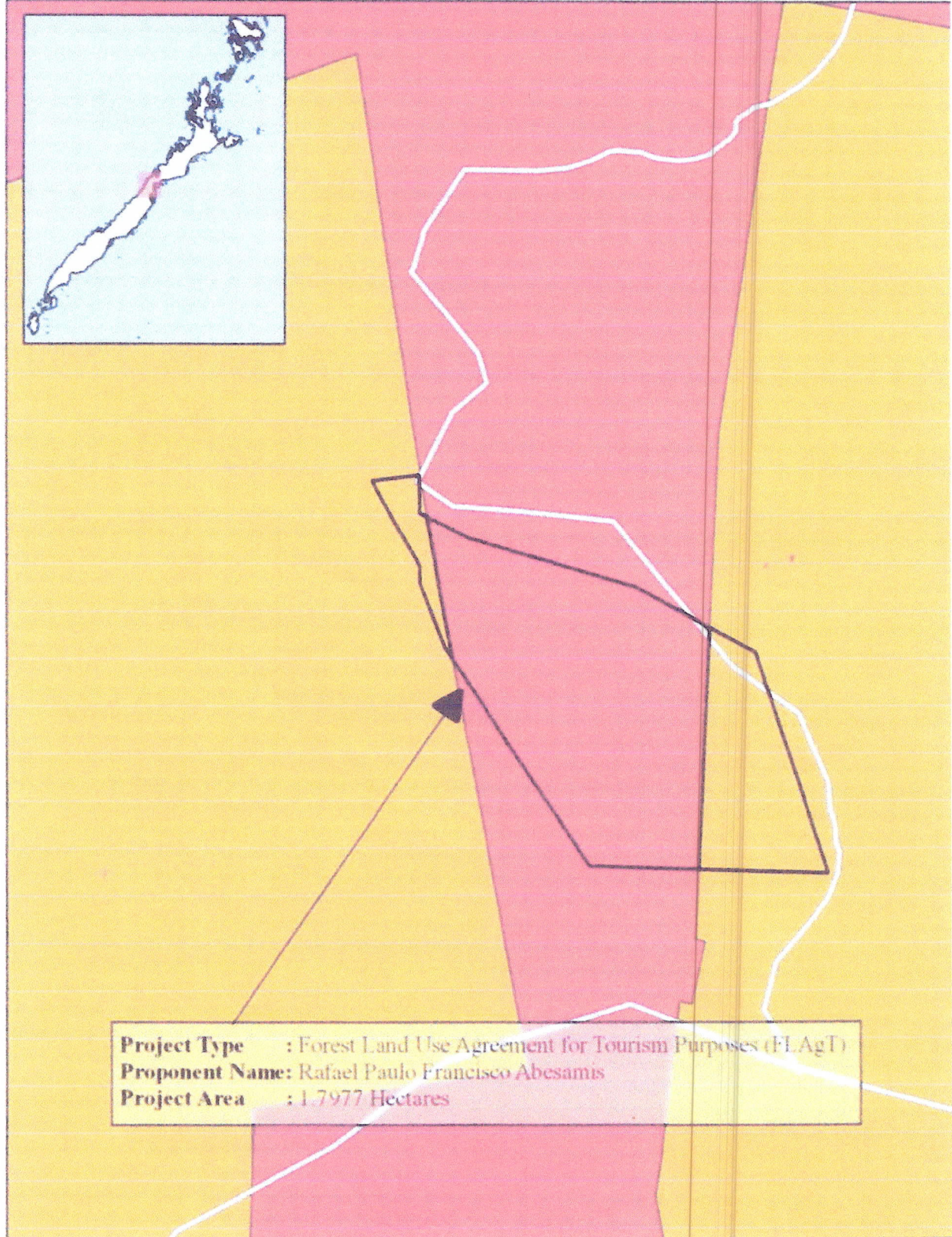
DATE ISSUED: January 5, 2023  
PAID UNDER O.R. NO: 0579782  
AMOUNT PAID: 200  
DATE OF PAYMENT: December 9, 2022

Approved by: LEVITA A. Director II, Office of the Executive Director, PCSDS



Print No.: 1678865873276 , Document Number: [1670614052347](#)







## LEGEND

Project area

Rivers

Roads

Terrestrial ECAN Zones

-  Core Zone
-  Restricted use zone
-  Controlled use zone
-  Traditional use zone
-  Multiple use zone

## ENVIRONMENTALLY CRITICAL AREAS NETWORK (ECAN) MAP

(PCSD Resolution No. 07-321)



**Municipality of Puerto Princesa  
Province of Palawan**

0 25 50 m

**SCALE: 1:3,000**

*Transverse Mercator Projection  
Clarke 1866 Spheroid  
Luzon Datum  
Zone 50 N*

Source of

By: (N/A)  
Laboratory

Notes:  
Boundaries  
updated: 1  
map/mile

There were  
expected  
discrepancies

Reproduction  
commercial  
approval

Map Prep

Manager,  
Date Print



## "ANNEX B"

### PROJECT BRIEF DESCRIPTION

Type of Project: Forest Land Use Agreement for Tourism Purposes  
Project Location: Sitio Nagtabon, Brgy., Bacungan, Puerto Princesa City, Palawan  
Project Owner/Proponent: Rafael Paulo Francisco Abesamis  
Project Brief Description: The intended project in the applied area of 1.7977 hectares is a concrete view deck with toilet and handwashing facilities.

#### Breakdown of Project Cost:

Item	Quantity	Cost(Php)
Tourism Development Facilities	1	2,280,000
	<b>Total:</b>	2,280,000.00

#### Breakdown of Development/Facility:

Facility/Development/Activity	Quantity	Area	Total Area
Reinforced Concrete Safety Barrier By The Road Side	1	30 Square Meters	30 Square Meters
Reinforced Concrete Deck With Safety Railing	1	280 Square Meters	280 Square Meters
Toilet Facilities	1	10 Square Meters	10 Square Meters
Sewage Treatment Facility	1	10 Square Meters	10 Square Meters
Hand Washing Facility	1	4 Square Meters	4 Square Meters
		<b>Total:</b>	334.00

DATE ISSUED: **January 5, 2023** PAID UNDER O.R. NO: **0579782** Approved by: **LEVITA A. LAGRADA**  
AMOUNT PAID: **200** Director II, Office of the Executive Director, PCSDS  
DATE OF PAYMENT: **December 9, 2022**



Print No.: [1678865870548](#) , Document Number: [1670614052347](#)



# Republic of the Philippines

Republic Act 7611

PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT



## ECAN ZONING APPLICATION

Transaction ID: 1670614052347

December 8, 2022

**Atty. Teodoro Jose S. Matta**

Executive Director

Palawan Council for Sustainable Development Staff

### Important Details

**Type of Application:**

INDIVIDUAL

**Type of Project:**

Forest Land Use Agreement for Tourism Purposes

**Project Location:**

Sitio Nagtabon, Brgy., Bacungan, Puerto Princesa City, Palawan

**Project Area:**

1.7977 Hectares

**Project Brief Description:**

Eco tourism site, sunset view deck, environmental project management, consultancy services, resort and property development.

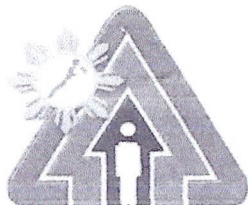
### Breakdown of Project Cost:

Item	Quantity	Cost(Php)
Reinforced concrete safety barrier by the road side.	1	150,000
Reinforced concrete deck with safety railing.	1	1,500,000
Toilet facilities	1	300,000
Sewage treatment facility	1	250,000
Hand washing facility	1	80,000
	<b>Total:</b>	2,280,000.00

### Breakdown of Development/Facility:

Facility/Development/Activity	Quantity	Area	Total Area
Reinforced concrete safety barrier by the road side.	1	30	30
Reinforced concrete deck with safety railing.	1	280	280
Toilet facilities	1	10	10





Republic of the Philippines  
(Republic Act 7611)

## **PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT STAFF**

In following – up, please cite  
PCSDS DTS Control # 2630

November 16, 2022

**MR. RAFAEL PAULO F. ABESAMIS**  
Music, Art and Nature

Dear Mr. Abesamis,

The Palawan Council for Sustainable Development Staff hereby acknowledges receipt of your letter/request dated October 19, 2022 which has been uploaded to the PCSDS Document Tracking System and routed for action of the appropriate division with the following information:

Sender : Mr. Rafael Paulo F. Abesamis.

Document Title: Application for ECAN Zoning Certification for FLAgT  
project located at Barangay Bacungan, PPCity

DTS Control No: 2630

Date and Time Uploaded: November 11, 2022, 9:24 am

Routed To: Glenda M. Cadigal

Total no. of pages received: 3

The determination of the completeness of the documentary requirements submitted, if any, is subject to the evaluation of the technical person in charge.

You may call our official landline number at (048) 434-4235 for updates.

Thank you.

Very truly yours,

  
**NIÑO REY C. ESTOYA, MNSA, CESE**  
Acting Executive Director

*Vision:* Palawan, an innovative and dynamic global center of sustainable development

*Mission:* PCSDS as the driver of environmental conservation and inclusive development in Palawan,  
a biosphere reserve and science-for-sustainability site, guided by the Strategic Environmental Plan

### **HEAD OFFICE:**

PCSD Building, Sports Complex Road  
Santa Monica Heights, Puerto Princesa City, Palawan, Philippines  
Tel No: (+6348) 434-4235 Trunkline\*(+6348) 434-4234 Telefax  
Email: [ced@pcsd.gov.ph](mailto:ced@pcsd.gov.ph) \*Website: [pcsd.gov.ph](http://pcsd.gov.ph) | [www.pkp.gov.ph](http://www.pkp.gov.ph)





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) 717-0702

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

## CERTIFICATION

### TO WHOM IT MAY CONCERN:

This is to CERTIFY that the below geotagged pictures were taken at the applied area for Forest and Use Agreement for Tourism (FLAgT) purposes of Mr. Paulo Abesamis located in Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City during the conduct of inspection and initial assessment of the area

Issued this 5<sup>th</sup> day of December, 2022 at DENR-CENRO, Brgy. Sta. Monica, Puerto Princesa City.



  
**PEDRO A. VELASCO**  
Development Management Officer IV  
OIC-CENRO

# *Music Art & Nature*

Nagtabon Sunset View Deck, SitioNagtabon, Brgy. Bacungan, Puerto Princesa City, Palawan, Philippines

**October 19, 2022**

**Mr. Nino Estoya**

OIC Executive Director

Palawan Council for Sustainable Development

Sta. Monica, Puerto Princesa City, Palawan

Dear Dir. Estoya:

This is to request for an ECAN clearance pertaining to a FLAgT application that is pending with the DENR Regional office. The particular site is a 1.8 hectare timberland located in Sitio Nagtabon, Barangay Bacungan, PPC. As a requirement, we will be securing the necessary permits and clearances for the purpose.

Attached is a copy of the surveyed site map provided by DENR CENRO of Puerto Pricesa under my name which will be the basis for the requested clearances. For this purpose I have requested Mr.Nelson Devenadera, a friend to assist me in securing the needed permits. Mr. Devenadera will represent me in coordinating with your office while I am here in Makati.

Hoping for your utmost and timely assistance to this request.

Sincerely,



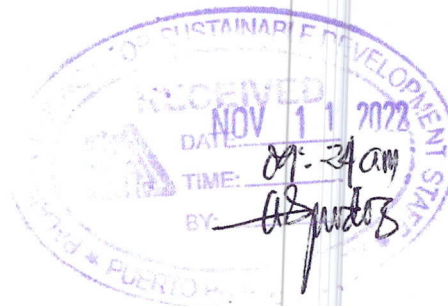
R. Paulo F. Abesamis

FLAgT Applicant

Music, Art and Nature

0926-696-2539

Email [paulo1222@yahoo.com](mailto:paulo1222@yahoo.com)





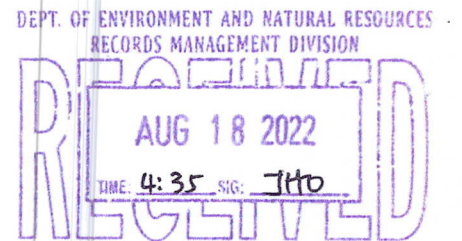
August 18, 2022

**Hon. Maria Antonia Yulo Loyzaga**

Secretary

Department of Environment and Natural Resources

Visayas Avenue, Diliman, Quezon City



Attention : **Hiro V. Masuda, CESO IV**  
Assistant Secretary  
Human Resources and Strategic Communication  
and Information Services

Dear Madam Secretary:

Greetings!

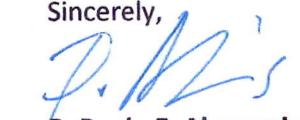
We are writing to you in behalf of Music, Art and Nature, a nature conservancy advocacy group whose main objective is to promote environmental awareness thru arts and music. We wish to seek your agency's assistance in some of our environmental projects in Palawan.

As part of our activities with regards to environmental awareness, we will be having a photography activity with the young generations. The project is called Kids and Environment. The objective is to train kids ages 7 to 17 where our volunteer photographers will assist young children to capture images of nature using their cellphones. Plus, talks on environmental behaviours the youth must observe whenever in nature. Hence, we request for Resource Persons on the matter from Strategic Communications and Initiatives Service.

Selected images captured by the kids will then be printed in different mediums and will be exhibited in our gallery where the best images will be awarded. Our supporters and friends will provide the needed materials and even snacks for this event. This project will also be integrated with Palawan Council for Sustainable Development (PCSD), the Local Government Unit and the Department of Education. With the support from your agency, we believed these projects can move forward and be possibly replicated in other areas.

We are hoping that this project will be given the support needed from your agency.

Sincerely,

  
**R. Paulo F. Abesamis**  
Managing Director  
09266962539





01 August 2022

**MR. PAULO ABESAMIS**

Proponent

Sitio Nagtabon

Barangay Bacungan

Puerto Princesa City

Dear Mr. Abesamis,

This is with regard to your letter received by this Office on 29 July 2022, requesting for an explanation of the reason for the denial of your Locational Clearance relative to your application for FLAgT over a portion of land, situated in Barangay Bacungan, this City.

We believed that the reasons stated in **DCEPC Resolution No. 73-2020** were self-explanatory. However, to further enlighten you regarding your concern, please be informed of the following:

1. The established Road-Right-of-Way in Nagtabon, Barangay Bacungan is 20 meters (City Ordinance 953). Hence a road setback for a commercial structure is 16 meters from the centerline line (Section 52 of Zoning Ordinance). It is a fact that you have encroached the ROW or front-yard requirement.
2. The elevation of the applied area poses danger to the public, the elevation of the subject area is based on the GPS reading but using the NAMRIA -IFSAR Digital Elevation Model, the elevation of the area is between 150-160 ASL. Even the DENR-CENRO Report mentioned that some corners of the applied area were just estimated due to inaccessibility and steepness.
3. The City Zoning Ordinance also provided that attractive areas, including the legal easement....and scenic roads conserved & preserved. This is embodied in the City's Comprehensive Land Use Plan (CLUP).
4. With regard to the land cover, the DENR-CENRO Foresters made the same findings of the presence of a unique and special type of forest that must be protected. This is consistent with what was stated in the above-mentioned resolution.

We hope to have addressed and clarified the matter accordingly.

Respectfully yours,

**ENGR. EDWIN A. ROÑA**

Zoning Officer IV

Acting Asst. City Building Official

Noted by:

**REX G. BUNDAC, CE, EnP**

City Building Official

July 18, 2022

Hon. Lucilo R. Bayron  
Mayor – Puerto Princesa City  
Palawan



OFFICE OF THE CITY MAYOR  
**RECEIVED**

By: [Signature] C/N: [Signature]  
Time: 13:27 Date: July 18, 2022

707-8001

**Attention: Development Control and Environmental  
Protection Committee**

Dear Mayor Bayron:

This is to formally request for an audience with you and your committee to present our project profile and to seek endorsement regarding the proposed development plans for the Nagtabon Sunset View Deck. Last 2020 a DCEPC Resolution No. 73-2020 was passed denying our application for locational clearance for the FLAgT that we are aiming for.

After the devastation brought by typhoon Odette last year in Palawan, we continued to rehabilitate the site of what was damaged and started conceptualizing a sustainable and green development methods/ideas for the view deck.

The appointment that we are seeking for is aimed at:

1. Addressing the issues raised by the committee which we were not given the chance to be properly represented during their deliberation
2. To present the development plans for the timberland site that we have been in possession for more than 8 years now
3. And to seek the locational clearances and permits for us to continue our developments

That view deck was opened to the public when we started to clean and clear it up of trash and other garbage that some drinking guys left. It became popular because of what we and the Barangay officials did. We built a small bamboo hut and tables with umbrella type shades made from cogon grasses so tourist can enjoy their time while taking photos and drinking coconuts that our care-takers sell just to make it sustainable for them and their family. It has become a part of the city tour by the travel



**groups who up to now still brings their guest to the view deck just to get a glimpse of the wonderful sunset.**

**For more than 8 years now, we kept the site as a place for visitors to experience. We've spent so much effort and funds without generating income for us except for our care-takers who gets some donations from visitors. Now, we believe that it is high time to infused investments and develop the site in a green building concept and development ideas that this city will be very proud of to showcase as another destination for our guest.**

**It is our humble request that we be allowed to address the issues raised against us and to present a new scheme of Conservancy Tourism that will again put the city in the global map of ecotourism.**

**Me and my team are planning to fly back this month and we will appreciate it much if a date can be calendared for us to meet you and your committee. Please have somebody directly contact us at 0926-696-2539 or thru email at [paulo1222@yahoo.com](mailto:paulo1222@yahoo.com)**

**Sincerely,**



**R. Paulo F. Abesamis  
Managing Director**



Music Art & Nature

Nagtabon Sunset View Deck, SitioNagtabon, Brgy. Bacungan, Puerto Princesa City, Palawan, Philippines

July 11, 2022

Ms. Lormelyn Claudio, CESO III  
Regional Executive Director  
DENR Region 4B  
Roxas Blvd., Manila

DENR REGIONAL OFFICE	
OFFICE OF THE REGIONAL EXECUTIVE DIRECTOR	
DOC. NO.	RECEIVED
BY: <i>[Signature]</i>	TO: <i>[Signature]</i>
DATE: <i>7/11/22</i>	DATE: <i>7/11/22</i>

Dear Dir. Claudio:

This is a follow up letter pertaining to our FLAgT application for a sunset view deck located in Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City, Palawan. In our previous letter we filed a Motion for Reconsideration on the denial of our application by the City Planning Division.

Our application has been pending since 2015 and we believe it is just reasonable that we be granted a provisional FLAgT for the area with the condition that we sign a Memorandum of Undertaking so we can suffice the other lacking requirements for the said instrument while we are doing further site preparation and studies as guided by the provisions under FLAgT.

During the pandemic years and when typhoon Ondet damaged the bamboo hut in that site, we begun planning for the development of the site where safety was given utmost consideration. Attach is a copy of our proposed development plan for your review. We will be more comfortable discussing the plans with you and your technical staff should a scheduled presentation date be given. This will provide you a better understanding of our Nature Conservancy ideas.

Just to give you a briefer of our concept for this view deck, it will be known as a venue for Music, Art and Nature or M.A.N. A place where artist, musicians and nature lovers will converge and show their passion using nature conservancy as their flat form to attract and educate more tourist. We believe that this is truly parallel with the main objective of your agency, DENR.

Music Art & Nature

Nagtabon Sunset View Deck, Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City, Palawan, Philippines

We hope that you will give us the time to meet with you so we can discuss further how this project can fruitfully evolve as a public-private partnership in

reaching a common goal of advocating Nature Conservancy thru Music, Art and Nature.

Sincerely,



R. Paulo F. Abesamis  
Managing Director



----- Forwarded Message -----

From: "paulo abesamis" <paulo1222@yahoo.com>

To: "Arielle Ramirez" <arielle.ecolink@gmail.com>

Sent: Fri, Jun 10, 2022 at 2:04 PM

Subject: Re: Application for FLAgT

Sir/Madam,

Acknowledge receipt of these memos from the offices of the RED, PENRO and CENRO..

If i may ask, is this an outright denial of me application for FLAgT? The other day i just emailed you requesting that we be given an audience to present our proposal for the small area of less than 500 square meters of timberland.

If This is an outright denial of our application, we feel that we are being singled out considering that there are hundreds of illegal occupants in that areas that have constructed concrete buildings without any legal documents to be there.

We are following the guidelines for our project for tourism purpose and we are being subjected to lots of issues which we can easily address given a chance to defend our noble project for the very objective of promoting Nature Conservancy and giving the province a new tourism destination site.

If this is the case, we are demanding an immediate investigation of the legalities of all those buildings around the area. We want to know what legal rights those occupants have, that they were allowed to build and even stay in that area.

Paulo Abesamis



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  
Telephone No.: (048) 433-0660

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

June 09, 2022

**Mr. Rafael Paulo Abesamis**  
Paulo1222@yahoo.com  
Contact No. 09266962539

Dear Mr. Abesamis,

This pertains to your application for Forest Land Use Agreement for Tourism (FLAgT) purposes in a portion of land situated in Sitio Nagtabon, Barangay Bacungan, Puerto Princesa City.

Relative thereto, we are furnishing you a copy of Memorandum dated May 12, 2022 signed RED Lormelyn E. Claudio, *CESO IV*, DENR-MIMAROPA Region which was endorsed to this Office thru PENRO Memorandum dated 23 May 2022, for your information.

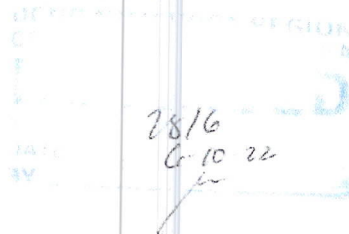
We are hoping that you are properly informed. Thank you.

Truly yours,

  
**PEDRO A. VELASCO**  
Development Management Officer IV  
OIC-CENR Officer

*Copy furnished*

1. The RED  
DENR-MIMAROPA Region  
Roxas Bvd., Ermita, Manila
2. The PENR Officer  
DENR-PENRO Sta. Monica, PPrCity
3. Office of the City Building Official  
New City Hall Building, Sta. Monica Heights  
Puerto Princesa City







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](mailto:penropalawan@denr.gov.ph)

May 23, 2022

**MEMORANDUM**

**TO :** The Community Environment and  
Natural Resources Officer  
Puerto Princesa City

**FROM :** The Provincial Environment and  
Natural Resources Officer

**SUBJECT :** APPLICATION FOR FOREST LANDUSE AGREEMENT FOR  
TOURISM (FLAgT), PURPOSES OF PAULO F. ABESAMIS IN  
BARANGAY BACUNGAN, PUERTO PRINCESA CITY (DENR-  
OSEC-2021-000790) [P-2022-79771]

**ATTACHED:  
DOCUMENTS**

Memorandum dated May 12, 2022 from Regional Executive Director Lormelyn E. Claudio,  
CESO II; copy of Memorandum dated February 14, 2022 from Johnny P. Lilang, In-charge  
Office of the PENRO with pertinent documents attachment

**ACTIONS DESIRED:**

- ☒ For information and record
- ☐ For comments and recommendations
- ☐ For immediate/compliance
- ☒ Lacking requirements / Special instructions

Inform the applicant that application for locational clearance was denied per Puerto Princesa City Development Control and Environmental Protection Committee Resolution No. 73-2020. Hence, our Office cannot give due course on the FLAgT application of the proponent. Advance copy has been forwarded through email dated May 19, 2022.

For the PENRO:

*[Signature]*  
**JOHNNY P. LILANG**  
Chief Technical Services Division  
In-Charge Office of the PENRO

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

DAHF Ref. No. 2022-4134  
TSD-RPS-Utilization  
rac

**DENR-PALAWAN  
PENRO-RECORDS  
RELEASED**

By  
Date

*[Signature]*  
88-4134



DENR PENRO  
PALAWAN RECORDS  
RECEIVED

MEMORANDUM

TO : THE PENR OFFICER  
Palawan

FROM : THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT : APPLICATION FOR FOREST LANDUSE AGREEMENT FOR  
TOURISM (FLAGT) PURPOSES OF PAULO F. ABESAMIS IN BRGY.  
BACUNGAN, PUERTO PRINCESA CITY (DENR-SEC-2021-  
000790) [P-2022-79771]

DATE : MAY 12 2022

BY: [Signature]  
DATE: 05-12-2022 12:41:31

This pertains to your Memorandum dated February 14, 2022 regarding the application for Forest Landuse Agreement for Tourism (FLAGT) purposes of Mr. Paulo F. Abesamis located in Brgy. Bacungan, Puerto Princesa City.

Based on the submitted documents, the applicant was already denied of Locational Clearance per Puerto Princesa City Development Control and Environmental Protection Committee Resolution No. 73-2020 dated 17 November 2020. Hence, this Office cannot give due course on the FLAGT application of Mr. Abesamis.

  
LORMELYN E. CLAUDIO, CESO IV

ATTY. JUAN MIGUEL T. CUNA, CESO I  
Undersecretary for Field Operations  
Regional Office - Palawan



1515 L&S Bldg. Rizal College Road, Marikina 1000  
DENR VORP (632) 7551350-7551370 (Fax) 2700-2701  
DENR LRP (632) 4058157 (Fax) 4058046  
Email: ravenlope.ogon@denr.gov.ph



**Re: Application for FLAGT**

From: paulo abesamis (paulo1222@yahoo.com)

To: cenropuertoprincesa@denr.gov.ph; penropalawan@denr.gov.ph; rabinquilala@gmail.com

Date: Saturday, May 28, 2022, 07:15 AM GMT+8

Dear OIC CENRO VELASCO,

having read your email denying us for our application for FLAGT in the Nagtabon Sunset view deck, i am sending this reply to seek Motion for Reconsideration.

With this we would like to fly back to Palawan to meet with all the concerned officers to present our project profile and to personally address all the issues that were raised.

We will appreciate it very much if we could setup the meeting on the second week of June this year. We will be presenting the entire project scope together with our local partners under the theme, MUSIC, ART AND NATURE or M. A. N.

we do hope that we will be given the chance to be heard as well as to open up the channels of coordination to further ensure the protection and conservation of Nagtabon.

Sincerely

R. Paulo Abesamis  
Project Director M. A. N.  
09266962539

Sent from Yahoo Mail on Android

On Thu, May 26, 2022 at 9:20, paulo abesamis  
<paulo1222@yahoo.com> wrote:

Sent from Yahoo Mail on Android

----- Forwarded Message -----

**From:** "R4B CENRO Puerto Princesa" <cenropuertoprincesa@denr.gov.ph>

**To:** "paulo1222@yahoo.com" <paulo1222@yahoo.com>

**Sent:** Mon, May 23, 2022 at 16:52

**Subject:** Application for FLAGT

--

**DENR - CENRO PUERTO PRINCESA** 

PENRO Road, Bgy. Sta. Monica

Puerto Princesa City, 5300 Palawan

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

Tel.No: (048) 717-0702

May 20, 2022

**PEDRO A. VELASCO**

Development Management Officer IV

OIC – CENR Officer

**RECEIVED**  
DCEPC  
PUERTO RICO

DATE: MAY 23 2022  
TIME:  
NAME:  
POSITION:  
SIGNATURE: *[Signature]*

Dear CENRO Velasco,

With regards to your letter May 05, 2022 addressing my request for a certification of my pending FLAgT application which I sent thru email last April of this year, I would like to seek an audience with you or your designate to clarify some misconception/issues by the DCEPC when they denied the issuance of Locational Clearance for the said view deck.

There were 4 items mentioned for the denial of such locational clearance, these were:

1. The existing improvement of Mr. Abesamis have encroached the Road-Right-of Way
2. The subject area has an elevation of 155 – 18 above sea level
3. Part of the applied area is within the visual corridor that must be kept open & accessible to the public for free
4. The applied area is Ultramafic. The flora of the forest over ultramafic has long been of particular interest to botanist. Forest over ultramafic areas in the Philippines is unique with respect to soil conditions, species, structure, morphological adaptation and physiognomy. Hence, must be protected.

To address the above concerns raised by the DCEPC, let me provide some history of the site being applied for. Sometimes in 2013 when I discovered the site, the road towards the beaches of Talaudyong was still being constructed. The flattened area where this view deck is, was actually part of the mountain along the road that is being paved. The road contractor removed that small piece of mountain and utilized the earth material for its cut-n-fill activities for the road construction. When I first visited the site, their heavy machineries and trucks were parked in that small piece of flattened land.

I then regularly visited the site because of the wonderful sunset that amazed me. During those times, garbage litters the site. These trash were left by the construction workers and the riders who passed by. Being an environmentalist, I invited my friends and even some foreigners to visit the site and we started a regular clean ups of the area all the way down to the ravine where lots of trash and broken bottles were thrown.

I then approached the Barangay Council to seek approval for me to set up a small hut there where I can put up a small bamboo hut to stay in while ensuring that the site is always kept clean and safe. After almost a year of convincing the Barangay Council, we got a unanimous

Received by:

*[Signature]*  
A. M. 17722 0523



vote from the council members and a Memorandum of Agreement was signed. Please see attached MOA.

Since then I spent time, funds and efforts to ensure that the place be kept clean and safe. A rest room was constructed for visitors to use. A ten peso donation was being given voluntarily by the visitors. These funds were utilized to pay the guys who maintain the site and gather water from the lower sitio of Maranat 3 for watering the plants and for toilet use.

The site became well known by the locals and even by the foreign tourist when photos of the majestic sunset views were posted on line by the visitors. It was even printed in one of the international magazines from Europe as another fantastic place to visit in Puerto Princesa. Soon, tourist from the cruise ships that docks in Puerto Princesa City started to visit the site after their beach activities in Nagtabon and Talaudong beaches.

In 2015, a businessman and a nature photographer, Mr. Marcelo Boom Boncan, Jr. from Makati started to shoot in that site. He captured some of the most vivid and majestic sunset from that view deck. I was introduced to him by then Mayor and now newly elected Congressman, Edward Hagedorn. We became very close friends together with Dir. Rabin Quilala of ARTA, Peter Marasigan and MENRO Noel Pasco of San Juan, Batangas who frequents the site.

Then in 2018, Mr. Boncan who was diagnosed with cancer, continued to visit Puerto Princesa just to be in this site. He even camped there overnight just to experience the scenery of the thousand stars at night and the sunrise from the east of Bacungan. Mr. Boncan then told me that he intends to develop the site as a view deck for everyone to enjoy nature at its best. In March of 2019, Mr. Boom Boncan called us up to visit him at his house in Forbes Park, Makati City for a get together in his bedroom where was resting. He then told us that he has a few weeks to live and he wanted to discuss something with us. We gathered there as his closest friends, me, [REDACTED], Dir. Rabin Quilala, Peter Marasigan, Noel Pasco and Dennis Alfonso. We prayed for him and seek God's healing power but he was getting weaker as the minute goes by.

It was during that last gathering when Boom Boncan uttered to us his dying wish, to protect and sustainably develop Nagtabon Sunset View Deck into an artist and environmentalist haven. His last words to us: "**PARDS SIGURADUHING NINYO NA MAGAWANG MAAYOS ANG NAGTABON SUNSET VIEW DECK**". Less than a week after that gathering, we got a call from his family telling us that Boom is gone.

Since his death, I kept visiting the place to ensure that it is kept clean. I took photos of the people and saw their excitement of witnessing that wonderful colours of sunset. It was during those visits that I came up with an acronym for the site, M.A.N. for Music, Art and Nature. A place where nature lovers, artist and musicians can gather and do their things. Yes, this is what Boom Boncan wanted to set up. A place where visitors can really feel the wonders and excitement that sunset and nature can offer. Attached is a draft project profile for M.A.N. which I, together with friends have formulated for the purpose.

FYI, we are only applying a 200 to 300 square meters of flat land area for this purpose. The request was to acquire that clearance for us to rehabilitate the simple structures damaged by typhoon Ondete and to rebuild that restroom for our guest to use as well as to put some safety barriers to ensure that our visitors will be secure and safe.

The issues raised above can be addressed soon as we can present our ideas and plans for the view deck. We are trying to follow the protocols needed for this project unlike the others who have set up their homes and structures in that same area without any permits. We are hoping that this new tourism destination that we are trying to improve can be given the support it deserves from all the government units/offices concerned. It is an added destination for our tourism industry and we want to ensure a pleasant and wonderful experience to all. Thank you.



RAFAEL PAULO F. ABESAMIS

Project Director - Music Art and Nature – Nagtabon

Barangay Bacungan, Puerto Princesa City

0926-696-2530 email : [Paulo1222@yahoo.com](mailto:Paulo1222@yahoo.com)

cc : PENRO Zaldy Cayatoc  
Barangay Bacungan Captain





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

Telephone No.: (048) 433-0660

Email Address: [cenropuertoprincesa@denr.go.ph](mailto:cenropuertoprincesa@denr.go.ph)

May 5, 2022

**Mr. Rafael Paulo Abesamis**

Paulo1222@yahoo.com

Contact No. 09266962539

Dear Mr. Abesamis,

This is to acknowledge receipt of your letter sent thru email dated April 27, 2022 requesting for a certification that you have a pending application for Forest Land Use Agreement for Tourism (FLAgT) purposes in an area situated in Sitio Nagtabon, Barangay Bacungan, Puerto Princesa City.

It can be recalled that your application for FLAgT in the said area was indorsed by this Office to the Puerto Princesa City Planning and Development Coordinator (CPDC) Office for issuance of Locational Clearance per letter dated November 4, 2020. However on November 27, 2020 this Office received a letter dated November 25, 2020 from Engr. Jovenee C. Sagun, *EnP*, CPDC together with a copy of Development Control and Environmental Protection Committee (DCEPC) Resolution No. 73-2020 denying the issuance of Locational Clearance to your application for FLAgT in the said area located in Sitio Nagtabon, Brgy. Bacungan, Puerto Princesa City wherein you have already informed per this Office letter dated December 3, 2020 (copies of Resolution and letters hereto attached).

In this regard, you hereby advised to course your request directly to the Office of the Building Officials (OBO) of the City Government, the office currently handling/issuing Locational Clearances

We are hoping that you are properly informed. Thank you.

Truly yours,



**PEDRO A. VELASCO**

*Development Management Officer IV*  
*OIC-CENR Officer*

Copy furnished

----- Forwarded Message -----

From: "paulo abesamis" <paulo1222@yahoo.com>

To: "cenropuertoprincesa@denr.gov.ph" <cenropuertoprincesa@denr.gov.ph>

Cc: "R4B PENRO Palawan" <penropalawan@denr.gov.ph>

Sent: Wed, Apr 27, 2022 at 9:09 PM

Subject: Request for flgt application certification

Mr. Pedro A. Velasco

OIC CENRO

DENR

Puerto Princesa City

Attention Ms. Zeny Calalin

Dear CENRO Velasco,

The recent typhoon Ondet has terribly destroyed a lot of infrastructures, agriculture and even damaged big portion of our forest covers in Palawan.

One of the most devastated area in Puerto Princesa city is Barangay Bacungan.

One of the most visited sites in Bacungan is the Nagtabon Sunset viewdeck was not spared by the wrath of nature.

Currently we are in the process of rehabilitating the site and with this rehab we will have to comply and submit a request with the City Engineering unit for a permit to rehabilitate whatever was damaged.

Thus we are requesting for a Certification from your office that the site has a pending tenurial application for FLAGT and such rehabilitation of damaged facilities must be done soonest.

This certification will provide us the permit to rebuild the view deck so as to continuously serve the visiting public. Our main concern is the safety and comfort of the public.

Our designated Architect, Rowel Quipquip will be providing the plans necessary to rebuild the site. His representative will coordinate with your staff re this request.

We would very much appreciate it if this request be acted upon immediately.

Sincerely,

Paulo Abesamis  
09266962539

cc. PENRO Zaldy Cayatoc

[Sent from Yahoo Mail on Android](#)





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

Bgy. Sta. Monica, Puerto Princesa City, Palawan  
E-mail: penropalawan@denr.gov.ph  
Telfax No. (048) 433-5638/ (048) 434-8791

September 2, 2021

**MR. RAFAEL PAULO ABESAMIS**  
Poblacion 3, Penaranda, Nueva Ecija  
0926-6962539

Dear Mr. Abesamis:

Greetings!!!


This is to acknowledge your letter dated September 01, 2021 requesting to discuss and present your environmental project concerning Nagtabon View Deck that will enhance its protection, conservation and sustainable management.

In this regard, this office together with the concerned CENRO are willing to assist you particularly on appropriate tenurial instrument to secure, pursuant to existing DENR laws and regulations.

You may come to our office anytime for clarification/discussion on the matter.

Thank you.

Very truly yours,

  
**ERIBERTO B. SAÑOS, CESE**  
PENRO



R4B CENRO Puerto Princesa <cenropuertoprincesa@denr.gov.ph>

## LETTER REPLY RE: APPLICATION FOR FLAgT

1 message

R4B CENRO Puerto Princesa <cenropuertoprincesa@denr.gov.ph>  
To: paulo1222@yahoo.com

Mon, Dec 14, 2020 at 2:48 PM

Good day!

Please see attached files and confirm receipt of this email. For your information and reference.

Thank you.

**DENR - CENRO PUERTO PRINCESA**

PENRO Road, Bgy. Sta. Monica

Puerto Princesa City, 5300 Palawan

Email: cenropuertoprincesa@denr.gov.ph

Tel.No: (043) 433-0650

4 attachments

A\_000736.jpg  
266K

A\_000733.jpg  
507K

A\_000735.jpg  
686K





Republic of the Philippines  
**OFFICE OF THE CITY PLANNING  
AND DEVELOPMENT COORDINATOR**  
City of Puerto Princesa

25 November 2020

**FOR. FELIZARDO B. CAYATOC**  
OIC-CENR Officer  
Purto Princesa City

Sir,

This pertains to your endorsement of the application <sup>for</sup> Mr. Rafael Paulo F. Abesamis for Forest Land Use Agreement for Tourism (FLAgT), located in Sitio Nagtabon, Barangay Bacungan.

The application was subsequently endorsed on November 16, 2020, to the Development Control and Environmental Protection Committee (DCEPC), the Body tasked to deliberate on the merits of all applications falling under the Consent on Merit Use.

The undersigned was furnished a copy of DCEPC Resolution No. 73-2020, denying the issuance of Locational Clearance to the application of Mr. Abesamis for FLAgT, which I am now giving you a copy.

For your reference.

  
**ENGR. JOVENE C. SAGUN, EnP**  
City Planning and Devt Coordinator



Republic of the Philippines  
DEVELOPMENT CONTROL AND ENVIRONMENTAL  
PROTECTION COMMITTEE  
City of Puerto Princesa

DCEPC RESOLUTION NO. 73-2020

**A RESOLUTION DENYING THE ISSUANCE OF LOCATIONAL CLEARANCE TO THE APPLICATION OF MR. RAFAEL PAULO F. ABESAMIS RELATIVE TO HIS APPLICATION FOR FOREST LAND USE AGREEMENT FOR TOURISM (FLAgT) OVER AN AREA WITH GEOGRAPHICAL COORDINATES OF LATITUDE 9° 56' 16" N & LONGITUDE 118° 39'06" E, HAVING A TOTAL AREA OF SEVENTEEN THOUSAND NINE HUNDRED SQUARE METERS (17,900 SQ.M), LOCATED IN SITIO NAGTABON, BARANGAY BACUNGAN, CITY OF PUERTO PRINCESA.**

WHEREAS, endorsed by the City Planning and Development Coordinator Office to the Development Control and Environmental Protection Committee is the application of Mr. Rafael Paulo F. Abesamis for locational clearance in relation to his application for Forest Land Use Agreement for Tourism (FLAgT) over an area with Geographical Coordinates of Latitude 9° 56' 16" N and Longitude 118° 39'06" E having a total area of seventeen thousand nine hundred square meters (17,900 sq.m), located in Sitio Nagtabon, Barangay Bacungan, this City;

WHEREAS, in the meeting held on November 17, 2020, the Committee deliberated on the merit of the application;

WHEREAS, after due deliberation, the Committee decided that the application of Mr. Rafael Paulo F. Abesamis could not be given due consideration and granted Locational Clearance due to the following reason, to wit:

1. The existing improvement of Mr. Abesamis have encroached the Road-Right-of-Way.
2. The subject area has an elevation of 155-168 above sea level.
3. Part of the applied area is within the visual corridor that must be kept open & accessible to the public for free.
4. The applied area is Ultramafic. The flora of forest over ultramafic has long been of particular interest to botanists. Forest over ultramafic areas in the Philippines is unique with respect to soil conditions, species, structure, morphological adaptation and physiognomy. Hence, must be protected. (Castillo, M.L. Philippines University, Los Baños, College, Laguna Coll. of Forestry and Natural Resources)

NOW THEREFORE, on unanimous decision of all the members present;

**BE IT RESOLVED**, as it is hereby resolved, to DENY the issuance of Locational Clearance to the application of Mr. Rafael Paulo F. Abesamis for Forest Land Use Agreement for Tourism over an area with Geographical Coordinates of Latitude 9° 56' 16" N and Longitude 118° 39'06" E having a total project area of seventeen thousand nine hundred sq.m (17,900 sq.m), located in Sitio Nagtabon, Barangay Bacungan, City of Puerto Princesa.

**RESOLVED FURTHER**, that copies of this resolution be furnished the Office of the City Mayor, the Office of the Sangguniang Panlungsod, Office of the City ENRO, Office of the City Building Official, Office of the City Planning and Devt. Coordinator, and Mr. Rafael Paulo F. Abesamis Proponent, for their information and/ or appropriate action.

**UNANIMOUSLY APPROVED.**

RESOLUTION APPROVED ON 17 November 2020 at the City of Puerto Princesa.





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 Fax No.: (048) 433-0660  
Email Address: [cenr.ppr@denr.gov.ph](mailto:cenr.ppr@denr.gov.ph)

November 4, 2020

**ENGR. JOVENE C. SAGUN**

City Planning and Development Coordinator  
New City Hall Building  
Sta. Monica, Puerto Princesa City



Dear Engr. Sagun,

Respectfully indorse to that Office is the application for Forest Landuse Agreement for Tourism (FLAGT) purposes (view deck) of Mr. Rafael Paulo F. Abesamis for a 1.79 hectares of timberland area located at Sitio Nagtabon, Barangay Bacungan, this City for issuance of Locational Clearance.

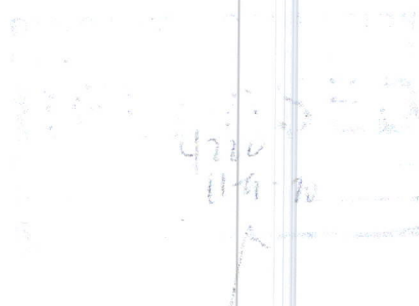
Attached are the following documents for your information and reference, to wit:

1. Inspection/pre-assessment report conducted by personnel of this Office;
2. Map of the proposed area; and
3. Resolution No. 60 series of 2015 from the Sangguniang Barangay of Bacungan;

Thank you.

Truly yours,

**FELIZARDO B. CAYATOC**  
CENR Officer





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/Fax No.: (048) 433-0860

Email Address: [cenroppchuc@yahoo.com](mailto:cenroppchuc@yahoo.com)

December 03, 2020

OFFICE OF THE CITY PLANNING  
AND DEVELOPMENT COORDINATOR  
**RECEIVED**  
DATE: 12-14-20  
BY: *[Signature]*

**MR. RAFAEL PAULO F. ABESAMIS**

Clarkville Eco-Camp

Barangay San Pedro

Puerto Princesa City

Cellphone No. 09266962539/09497331936

Dear Mr. Abesamis,

Environmental greetings!!

This pertains to your application for Forest Landuse Agreement for Tourism (FLAgT) purposes (view deck) over an area located at Sitio Nagtabon, Barangay Bacungan, Puerto Princesa City which was endorsed by this Office to the Puerto Princesa City Planning and Development Coordinator for issuance of Locational Clearance as one of the requirements for the processing of your application.

Relative thereto, we are furnishing you a copy of the letter from Engr. Jovenec C. Sagun, EnP together with a machine copy of Development Control and Environmental Protection Committee (DCEPC) Resolution No. 73-2020 denying the issuance of Locational Clearance to your application for FLAgT situated in Sitio Nagtabon, Barangay Bacungan, this City.

Moreover, any appeal or motion in any form maybe filed at the LGU-DCEPC Puerto Princesa City for further action on the matter.

We are hoping that you are properly informed. Thank you.

Truly yours,

*[Signature]*  
**FELIZARDO B. CAYATOC**  
CENR Officer

OFFICE OF THE CITY PLANNING  
AND DEVELOPMENT COORDINATOR  
*4885*  
DATE: 12-14-20  
BY: *[Signature]*

Copy furnished:

- Office of the City Planning & Devt. Coordinator
- file





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 Fax No.: (048) 433-0660  
Email Address: [cenroppchuc@yahoo.com](mailto:cenroppchuc@yahoo.com)

October 30, 2020

MR. RAFAEL PAULO F. ABESAMIS

Clarkville Eco-Camp  
Brgy. San Pedro, Puerto Princesa City  
Cellphone No. 09266962539/09497331936

Dear Mr. Abesamis,

This pertains to the inspection and pre-assessment conducted by personnel of this Office together with your caretaker in the person of Mr. Dioquino Esmeralda within the area you have applied for Forest Landuse Agreement for Tourism (FLAgT) purposes situated in Sitio Nagtabon, Barangay Bacungan, Puerto Princesa City. We would like to inform you the following findings, to wit:

1. There were 12 corners established on the generated map wherein corners 1-6 are along the Barangay road and corners 9-12 are proximate and passable as well were actually identified and taken with geotagged photos. While corners 7 and 8 are located on the southwest portion were just estimated on the map, since these portion are too steep, inaccessible and too risky for the team to get into due to the loose terrain (*map hereto attached*);
2. Per actual verification on the ground, the proposed area is more or less 1.79 hectares that falls within Forest Land per Land Classification Map No. 3620 Block-A Project 1-Z-A certified on August 31, 2004. Same also within Multiple Use Zone based on the ECAN Zoning Map of the City of Puerto Princesa.


In view of the above, we would like to recommend the following:

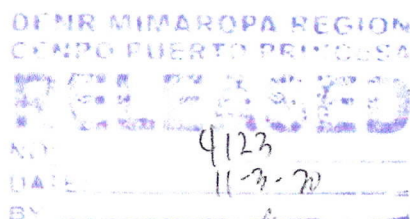
- a.) Please submit a Tourism Development Plan (TDP). This is in pursuant to DENR Memo Circular No. 2011-02 series of 2011 ***"Requiring submission of Tourism Development Plan (TDP) duly approved by the Department of Tourism (DOT) and Comprehensive Development and Management Plan for FLAgT applicants"***. Item No. 1 stated that ***All CENROs, PENROs and REDs are instructed to refrain from accepting and processing applications for FLAgT, unless such applications are accompanied by a Tourism Development Plan (TDP) prepared by the LGU and duly approved by the Department of Tourism (DOT);***
- b.) Secure a Locational Clearance from the Office of the Puerto Princesa City Zoning; and
- c.) Refrain from introducing further development/activities in the subject area meantime that the said application is still on process.

Your immediate compliance on the above stated recommendations will fast track the endorsement of your application to the DENR approving authority.

We are hoping that you are properly informed. Thank you.

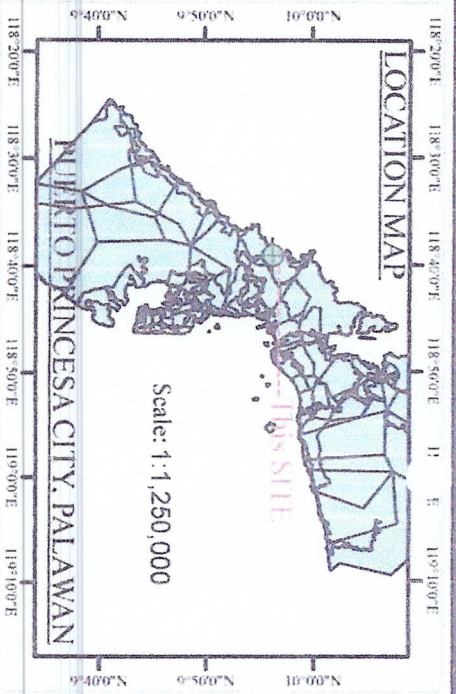
Truly yours,

  
FELIZARDO B. CAYATOC  
CENR Officer

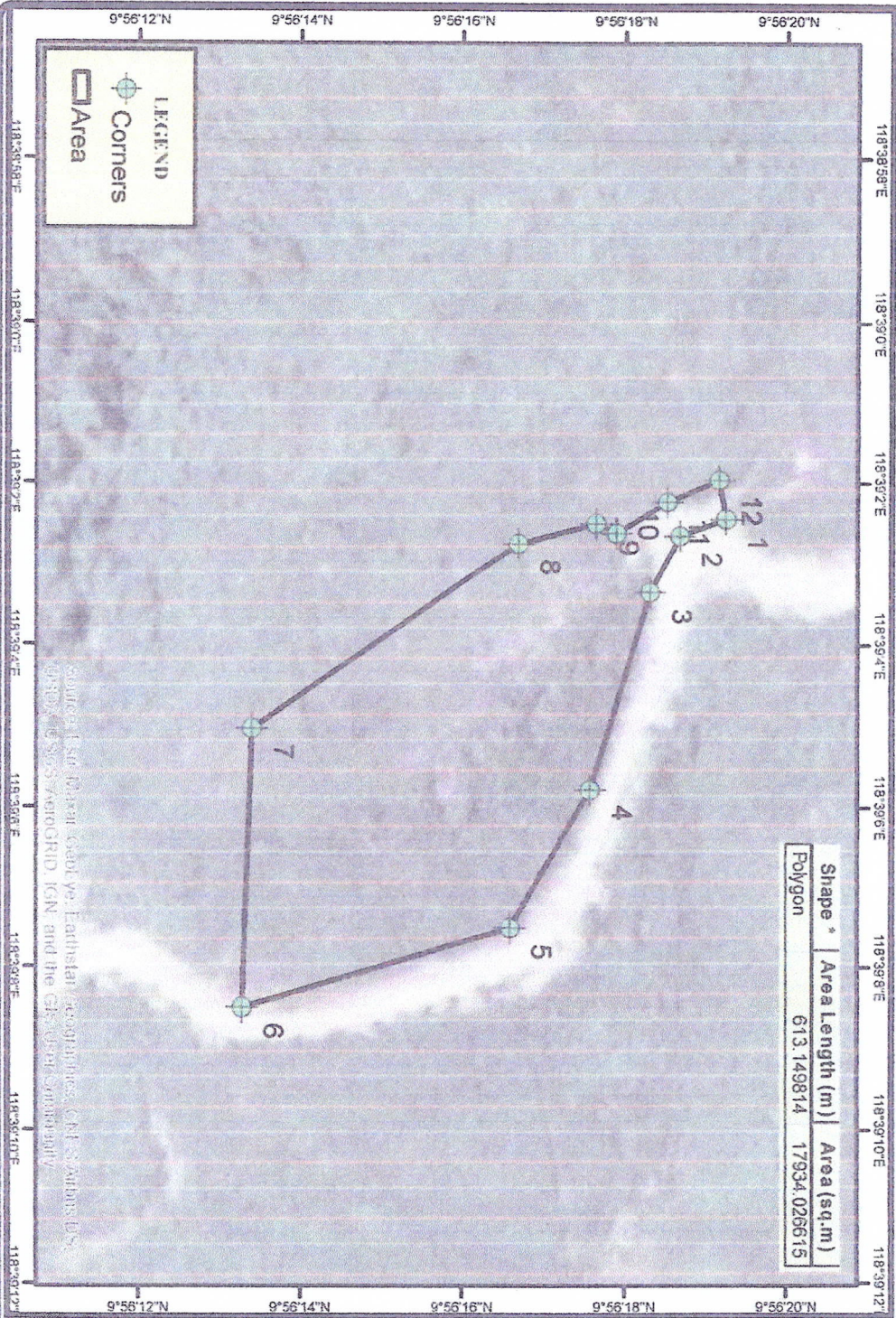




# TECNICAL DESCRIPTION



Corners	Longitude	Latitude
1	118.6507	9.938682
2	118.6507	9.938525
3	118.6509	9.938422
4	118.6516	9.938217
5	118.6521	9.937943
6	118.6524	9.937023
7	118.6514	9.937057
8	118.6508	9.937971
9	118.6507	9.938239
10	118.6507	9.938307
11	118.6506	9.938481
12	118.6505	9.93866



MAP

SHOWING THE AREA  
APPLIED FOR FLAG OF  
MR. PAULO ABESAMIS

LOCATED AT  
BARANGAY BACUNGAN,  
PUERTO PRINCESA CITY,  
PALAWAN

Scale: 1:2,500

Projected Coordinate System:  
WGS\_1984\_UTM\_Zone\_50N  
WKID: 32650 Authority: EPSG  
Projection: Transverse\_Mercator

Digitized by:  
MARIE KRISO CUTAY  
Forester I

Verified by:  
JASON D. MONTIMOR  
Forester I/ Chief, GIS/LC Unit

Attested by:  
FELIZARDO B. CAVATOC  
OIC-CENRO

NOTE:  
Subject to Precise Survey.  
This map is not susceptible for private acquisition.





Republic of the Philippines  
City of Puerto Princesa  
Barangay Bacungan  
**OFFICE OF THE PUNONG BARANGAY**



Date: January 08, 2020

## **BARANGAY CLEARANCE**

### **TO WHOM IT MAY CONCERN:**

This is to certify that the business or trade activity described below:

#### **VIEWDECK STORE**

(Business Name or Trade Name)

**Purok Nagtabon, Barangay Bacungan, Puerto Princesa City**

(Location)

#### **PAOLO ABESAMIS**

(Owner)

**Purok Nagtabon, Barangay Bacungan, Puerto Princesa City**

(Address)

Proposed to be established in this barangay and is being applied for a Barangay Clearance to be used in securing for Application New/**Renewal** of Mayor's Permit has been found to be:

\_\_\_\_\_/ in conformity with the provisions of existing Ordinance, Rules and Regulations being enforced in this barangay.

\_\_\_\_\_/ not among those business or trade activities banned to be established in this barangay.

In view of the foregoing, this barangay, thru the undersigned.

\_\_\_\_\_/ Interposes no objection for the issuance of the corresponding Mayor's Permit being applied for.

  
**HON GINA G. VALDESTAMON**  
Punong Barangay



# OFFICIAL RECEIPT

Republic of the Philippines

CITY OF PUERTO PRINCESA

Office for the City Treasurer



Accountable Form No. 51  
Revised January 1992

**ORIGINAL**

DATE

01-02-20

PC N<sup>o</sup> 1688730

PAYOR PAOLO ABESAMES

FUND

ADDRESS BGY BACUNGAN

NATURE OF COLLECTION

ACCOUNT  
CODE

AMOUNT

BUSINESS Clearance

₱ 100

**TOTAL**

₱ 100

AMOUNT IN WORDS

ONE HUNDRED PESOS ONLY

- ☐ Cash  
☐ Check  
☐ Money Order

DRAWEE  
BANK

NUMBER

DATE

Received the amount stated above

LEA MAY N. MARDIAN  
BGY. TREASURER

Collecting Officer

NOTE: Write the number and date of this receipt on the back of check or money order received.





Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. 929-6626 to 29; 929-6633 to 35  
926-7041 to 43; 929-6252; 929-1669  
Website: <http://www.denr.gov.ph> / E-mail: [web@denrgov.ph](mailto:web@denrgov.ph)

April 29, 2019

**Eng'r. Roberto Bernardo**  
Department of Public Works and Highways  
Undersecretary for Regional Operations  
Visayas, NCR and Region IV-B

Attention: **Rommel P. Aguirre**  
District Engineer  
DPWH Palawan 3<sup>rd</sup> District Engineering Office

**Dear Usec. Bernardo:**

Greetings! This letter is a request for some road safety signs for the tourism destination sites in Palawan. I have been assisting the people of Barangay Bacungan in Puerto Princesa in the management and other environmental concerns of the area for almost a decade now. A few years ago, DPWH developed the Bacungan tourism roadway which was funded by DOT. The road provided access to thousands of local and foreign tourist who visited and bathed in the Nagtabon and Talaudyong beaches.

Because of the influx of more tourists from all over, the road has suffered some minor damages. Cracks along the roads are now visible and the flooding has caused the unpaved shoulder to erode. Sad to say, a lot of accidents have been recorded along that 13 kilometer stretch.

In this regards, we are seeking your assistance to provide solutions on the above concerns. The officers of Barangay Bacungan headed by their Barangay Chair, Gina Valdestamon can directly coordinate with your field offices to discuss further their needs so as to avoid future accidents in the areas of concerns. Her contact numbers are, 0912 542 0060 and 0915 602 2122. Should there be a need to contact me, please call me directly.

Hoping for your immediate assistance on these concerns.

Sincerely,

**R. Paulo F. Abesamis**  
Project Management Consultant  
DENR – Visayas Ave., Q.C.  
0926-696-2539  
[Paulo1222@yahoo.com](mailto:Paulo1222@yahoo.com)



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

Mr. Rafael Paulo Abesamis  
Clarkville, Bgy. San Pedro  
Puerto Princesa City

August 25, 2016

Dear Mr. Abesamis ,

This pertains to your application for Special Land Use Permit (SLUP) over an area located at Bgy. Bacungan, Puerto Princesa City. It is respectfully informed that we are no longer processing such kind of tenurial instrument. We recommend that you may convert your application into Forest Land Use Agreement for Tourism Purposes (FLAgT) which has a duration of twenty five (25) years .

Attached are Application Form and checklist for your ready reference. Please accomplish the attached form and submit to this office to facilitate processing of FLAgT application .

We trust that you are properly informed.

Very truly yours,

  
**EMER D. GARRAEZ**



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

Email Address: [cenro@denr.gov.ph](mailto:cenro@denr.gov.ph)  
Tel/Fax No.: (048) 433-0660





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

July 26, 2016

MEMORANDUM

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

THRU : The PENRO

FROM : The CENRO

SUBJECT : INSPECTION/EVALUATION REPORT ON THE AREA APPLIED FOR FOREST LAND USE AGREEMENT (VIEW DECK) OF MR. RAFAEL PAULO F. ABESAMIS LOCATED AT SO. NAGTABON. BARANGAY, BACUNGAN, PUERTO PRINCESA CITY.

Respectfully forwarded is the inspection/evaluation report of the applied Forest Land Use Agreement of Mr. Abesamis.

Based on the ocular inspection conducted by personnel of this office disclosed that the area is ideal for sight seeing as it displays a very good over looking view of nagtabon beach and the richness of the forest, however we recommend that the applicant shall secure first a clearance from Department of Public Works and Highways and Puerto Princesa City Zoning considering the area applied is within the thirty (30) meters road right of way.

For his information, further evaluation and approval.

  
EMER D. GARRAEZ

Copy furnished:  
Mr. Abesamis  
Clarkville, Bgy. San Pedro  
Puerto Princesa City



South National Highway, Bgy. Sta. Monica  
Puerto Princesa City  
Email Address: [cenroppchuc@yahoo.com](mailto:cenroppchuc@yahoo.com)  
Tel Fax No.: (048) 433-0660

February 15, 2016

Atty. Carlo B. Gomez  
City Environment Natural Resources Officer  
Puerto Princesa City, Palawanon

Feb. 18, 2016  
10:25 AM

Dear Atty. Gomez:

In line with our application for a Special Land Use Permit (SLUP) with the Department of Environment Natural Resources (CENRO Puerto Princesa) on a small piece of land (less than 10 hectares) in Sito Nagtabon, Barangay Bacungan of this city, we would like to request for a certification/endorsement from your office that the site of our interest is suitable for the project of our concern.

The proposed project is a visitors sunset view deck in the same area which we intend to use as a venue to promote environmental awareness in the concept/field of nature conservancy and protection.

Attached are the supporting documents for this purpose. Hoping for your appropriate endorsement for this undertaking.

Sincerely,

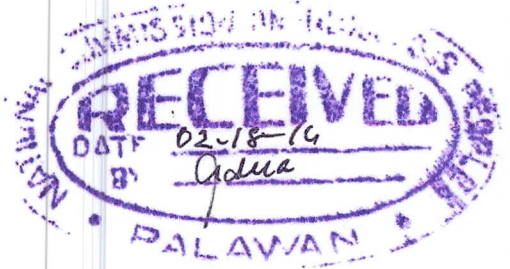


Rafael Paulo F. Abesamis  
Nagtabon Sunset View  
0928-8683096



February 15, 2016

The Provincial Director  
National Commission on Indigenous People  
Puerto Princesa City, Palawanon



Dear Sir/Madam:

In line with our application for a Special Land Use Permit (SLUP) with the Department of Environment Natural Resources (CENRO Puerto PRincesa) on a small piece of land (less than 10 hectares) in Sito Nagtabon, Barangay Bacungan of this city, we would like to request for a certification from your office that the site of our interest does not fall within your areas of concern.

Attached are the supporting documents for this purpose. Hoping for your appropriate certification on this matter.

Sincerely,

Rafael Paulo F. Abesamis  
Nagtabon Sunset View  
0928-8683096

June 18, 2015

**MS. EMÉR D. GARRAEZ**  
CENRO, Puerto Princesa City  
Palawan


Dear Ms. Garraez,

Attached herewith is a copy of Resolution No. 60, Series of 2015 from Barangay Bacungan of this City, favorably endorsing to your office my application for Forest Land Use Agreement or FLAg located in the same Barangay. This Resolution is being submitted as a requirement for such program.

With the submission of this requirement I will move forward to complete the rest from the list you provided me.

I will continuously coordinate with your officers to hasten the process so we can start the project soon.

Sincerely,

  
**RAFAEL PAULO F. ABESAMIS**  
Clarkville Eco-Camp



Republic of the Philippines  
Province of Palawan  
City of Puerto Princesa  
Office of the Sanguniang Barangay  
**BARANGAY BACUNGAN**

JUN 15 2015  
13 20

Present:

GUALBERTO J. MANAEG

Punong Barangay  
Presiding Officer

HON. GINA S. VALDESTAMON  
HON. LITECIA <sup>N.</sup> MARCIANO  
HON. DANIEL ANJAN  
HON. ALFREDO M. FABRO  
HON. BOBBY MELANIO SORNITO  
HON. WILFREDO S. MARQUEZ  
HON. HAYZEL M. VILLANUEVA

BARANGAY KAGAWAD  
BARANGAY KAGAWAD  
BARANGAY KAGAWAD  
BARANGAY KAGAWAD  
BARANGAY KAGAWAD  
BARANGAY KAGAWAD  
BARANGAY KAGAWAD

RESOLUTION NO. \_\_\_\_\_

Series of 2015

A RESOLUTION FAVORABLY ENDORSING TO THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (DENR-CENRO- PUERTO PRINCESA CITY) THE APPLICATION OF MR. PAULO F. ABESAMIS FOR THE PROPOSED ECO-TOURISM VIEW DECK ON TOP OF THE NAGTABON BEACH COVE UNDER THE DENR PROGRAM OF FOREST LAND USED AGREEMENT (FLAG).

WHEREAS, RA 9593 The Tourism Act of 2009 is a national policy for tourism as an engine of investment, employment, growth and national development. Section 2 of the law states that the country will promote an industry that is "*ecologically sustainable, responsible, participative, culturally sensitive, economically viable, and ethically and socially equitable for the local communities.*"

WHEREAS, Palawan, The Last Frontier, as described by a famous scientist, Jacques Cousteau, is also home to two of UNESCO's World Heritage list, namely the Tubataha Reef and the Saint Paul Subterranean River (Underground River).

WHEREAS, Barangay Bacungan is just one of those barangays that is blessed with such beautiful sites and among these is the Nagtabon beach cove. This majestic beach cove faces the west side of the island which showcases the best of sunset views/colors.

WHEREAS, Mr. Paulo Abesamis of Clarkville Eco-camp has initiated the planning and conceptualization of an Eco-tourism View Deck that will run parallel with RA 9593 and will provide livelihood to nearby communities from the proposed view deck.

WHEREAS, in full support of the eco-tourism economy of the Province, it is requested that a Barangay Resolution be given/decided by the council for the allocation of a piece of lot within the timberland of Barangay

Bacungan for the purpose of setting up a Eco-tourism View Deck with plans and development to be spearheaded by Mr. Paulo Abesamis et al.

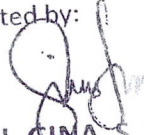
NOW, THEREFORE, on the unanimous decision of all members present.

RESOLVED AS IT IS RESOLVED, A resolution favorably endorsing the application of Mr. Paulo F. Abesamis for FOREST LAND USE Agreement (FLAg) over a parcel of land along the newly paved road sitting on top of the Nagtabon beach cover. This endorsement will be submitted as a requirement of the DENR-CENRO of Puerto Princesa City for the purpose of allocating a piece of land within the timberland of this Barangay that will be utilized for the proposed Eco-tourism View Deck.

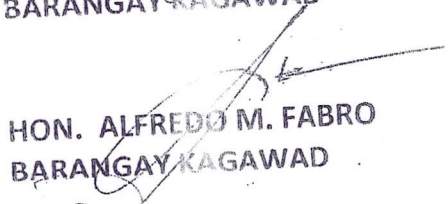
RESOLVED FURTHER, that copies of this resolution be furnished to the DENR-CENRO and other concerned agencies/offices of Puerto Princesa City.

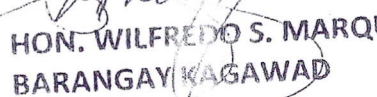
CARRIED UNANIMOUSLY, I hereby certify to the effectiveness and authenticity of the above-resolution from the Sanguniang Barangay of Bacungan, Puerto Princesa City, Province of Palawan.


Attested by:


  
HON. GINA S. VALDESTAMON  
BARANGAY KAGAWAD

  
HON. DANIEL ANJAN  
BARANGAY KAGAWAD

  
HON. ALFREDO M. FABRO  
BARANGAY KAGAWAD

  
HON. WILFREDO S. MARQUEZ  
BARANGAY KAGAWAD

  
NORMA P. MANTANA  
Barangay Secretary

  
HON. LETECIA M. MARCIANO  
BARANGAY KAGAWAD

HON. LETECIA M. MARCIANO  
BARANGAY KAGAWAD

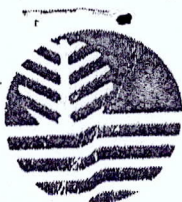
  
HON. BOBBY MELANIO SORNITO  
BARANGAY KAGAWAD

HON. HAYZEL M. VILLANUEVA  
BARANGAY KAGAWAD

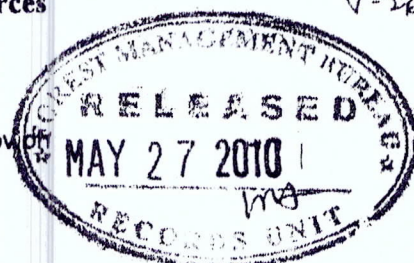
Approved by:

  
HON. GUALBERTO J. MANAG  
Punong Barangay





Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. 929-6626 to 29; 929-6633 to 35  
926-7041 to 43; 929-6252; 929-1669  
Website: <http://www.denr.gov.ph> / E-mail: [web@denrgov.ph](mailto:web@denrgov.ph)



**FOREST LAND USE AGREEMENT  
FOR TOURISM PURPOSES  
(FLAgT) No. 09-2010**

Of

**DIWARAN RESORTS PHILIPPINES, INC.**  
(Second Party)

**DIWARAN ISLAND, BRGY. MARCILLA, CORON, PALAWAN**  
(Location of Area)

This **AGREEMENT** made and entered into by and between:

The **REPUBLIC OF THE PHILIPPINES**, through its **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ("DENR")**, with postal address at Visayas Avenue, Diliman, Quezon City, herein represented by its Secretary, **HORACIO C. RAMOS**, hereinafter collectively referred to as the **FIRST PARTY**,

-and-

**DIWARAN RESORTS PHILIPPINES, INC.** represented by **ALEXANDER R. REYES** with postal address at 19 Loja St. Vista Verde Executive Village, Imelda Ave., Cainta, Rizal herein referred to as the **SECOND PARTY**,

WITNESSETH

WHEREAS, under Executive Order No. 192, promulgated on June 10, 1987, the DENR is empowered to exercise supervision and control over the forestlands of the Philippines;

WHEREAS, Section 57 of Presidential Decree No. 705, also known as the "Revised Forestry Code of the Philippines", authorizes the special use of forestlands for beneficial purposes which do not impair the forest resources therein;

WHEREAS, the **SECOND PARTY** has applied for Forest Landuse Agreement for Tourism Purposes (FLAgT) covering **Fifty Five and 05/100 (55.05) hectares** of unclassified public forest in Diwaran Island, Brgy. Marcilla, Coron, Palawan.

**DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**  
(FIRST PARTY)

By:

**HORACIO C. RAMOS**  
Secretary

**DIWARAN RESORTS PHILIPPINES  
INC.**

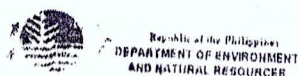
(SECOND PARTY)

By:

**ALEXANDER R. REYES**  
Attorney-In-Fact

WITNESSES:

**JOSE PARDON E. DEVANADERA**



SEN027834

Let's Go Green

CERTIFIED XEROX COPY.  
  
**VIRGINIA M. ANGELES**  
Records Officer III  
Chief, Records Unit  
5/27/2010



NOW, THEREFORE, for and in consideration of the foregoing premises and the terms and conditions set forth below, the parties agree as follows:

### Area, Purpose and Duration

I. The **FIRST PARTY** hereby grants the **SECOND PARTY** the exclusive right to occupy, manage and develop approximately **Fifty Five and 05/100 (55.05) hectares** of public forestland (the "FLAgT Area") for Tourism Purposes for a period of twenty five (25) years to expire on MAY 27, 2035, renewable for another twenty-five (25) years, located at Diwaran Island, Brgy. Marcilla, Coron, Palawan the boundaries of which are shown in the attached map and forms an integral part of this **AGREEMENT**.

II. The FLAgT Area shall be confined within the perimeter of the parcel of land described in the attached map. No other parcel of public forestland shall be utilized by the **SECOND PARTY** without first securing the prior approval of the **FIRST PARTY**.

III. The FLAgT Area is a public forestland to the best knowledge and belief of the parties, and the **FIRST PARTY** confirms that based on applicable land classification maps, control maps, and available records of the DENR, there are no prior existing rights therein granted in favor of third parties. The **FIRST PARTY** shall not be responsible for any loss that the **SECOND PARTY** may suffer in case the FLAgT Area or portion thereof is declared with finality by a competent court or authority as the private property of another, or is found to be covered by a prior existing right.

IV. The **SECOND PARTY** shall utilize the FLAgT Area only for the purpose for which this **AGREEMENT** is granted. In the event the said area will be used for a different purpose, said use shall be subject to prior approval of the Secretary or his duly authorized representative.

V. The **SECOND PARTY** shall, within six (6) months from the issuance of this **AGREEMENT**, delineate and mark on the ground the boundaries of the FLAgT Area under the supervision of the DENR. It shall preserve the monuments and other landmarks indicating corners and outlines along the boundaries and within the confines of the FLAgT Area.

### Comprehensive Development and Management Plan (CDMP)

VI. The **SECOND PARTY** shall submit within six (6) months from the issuance of this **AGREEMENT** a Comprehensive Development and Management Plan ("CDMP") for the FLAgT Area. The CDMP shall provide, among others, for appropriate schemes, arrangements, or activities that will maximize the use of the FLAgT Area, which are compatible with the Tourism Project and consistent with the Environmental Compliance Certificate (ECC) as prescribe under Item XIV of the terms and conditions for the protection of the environment and conservation of natural resources in the area and shall benefit the host community. The CDMP shall be submitted to, and approved by, the Regional Executive Director.

**DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**  
(FIRST PARTY)


By:

  
**HORACIO C. RAMOS**  
Secretary

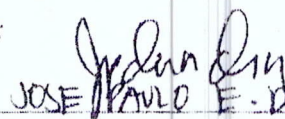
**DIWARAN RESORTS PHILIPPINES,  
INC.**

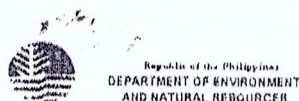
(SECOND PARTY)

By:

  
**ALEXANDER R. REYES**  
Attorney-In-Fact

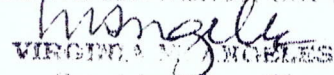
WITNESSES:

  
**JOSE PAULO E. DE JANADENA**



SENRO27834

CERTIFIED XEROX COPY

  
**VIRGINIA ANGELES**  
Branch Manager III  
Credit Records Unit



VII. The **SECOND PARTY** shall implement strictly the approved CDMP and its commitment that only 10.0035 hectares out of the total area of 55.05 hectares shall be utilized/developed for built-up area to be located in barren areas within the island with proper spacing between infrastructures which are suitable for ecotourism development rather than large scale extensive infrastructure development beyond the small island carrying capacity.

VIII. The **SECOND PARTY** may construct permanent and/or temporary improvements or infrastructure in the FLAgT Area necessary and appropriate for its development for tourism purposes pursuant to the approved CDMP. "Permanent Improvements" refer to access roads, and buildings or structures which adhere to the ground in a fixed and permanent manner. On the other hand, "Temporary Improvements" include those which are detachable from the foundation or the ground introduced by the **SECOND PARTY** in the FLAgT Area and which the **SECOND PARTY** may remove or dismantle upon expiration or cancellation of this **AGREEMENT**. Any substantial deviations or modifications from, and/or additional improvements in, the approved CDMP shall be subject to prior approval of the Regional Executive Director, or his duly authorized representative. Such deviations, modifications or additional improvements shall at all times be consistent with the purpose for which the FLAgT Area is granted under paragraph I hereof.

#### Government Share and Performance Bond

IX. The **SECOND PARTY** shall pay annual Government Share of **Two Million Sixty Four Thousand Three Hundred Seventy Five Pesos (Php.2,064,375.00)**, Philippine Currency, within thirty (30) days upon approval of this **AGREEMENT**, and annually thereafter, within the same month that this **AGREEMENT** is issued, together with the posting of the required performance bond pursuant to DENR Administrative Order No. 2004-28, dated August 25, 2004 and DAO No. 2004-16 dated 15 June 2004, respectively.

X. The annual Government Share shall be paid by the **SECOND PARTY**, without need of demand within the same month that this agreement issued. In case of failure to pay the annual Government Share on the date due, the **SECOND PARTY** shall pay additional charges of 8.33% per month of delay.

XI. The Government Share is non-refundable.

XII. Payment of Government Share after the expiration of this **AGREEMENT** shall not be construed as an assurance for the renewal thereof.

XIII. As guarantee for the faithful performance of the terms and conditions of this **AGREEMENT**, and compliance with applicable Forest Laws and Regulations, the **SECOND PARTY** shall post a Performance Bond of **Four Million One Hundred Twenty Eight Thousand Seven Hundred Fifty Pesos (Php4,128,750.00)** either in cash equivalent to twice the annual government share or 50% of the performance bond shall be posted in cash and the 50% balance in form of surety bond with a duration of five (5) years renewable every five (5) years. Provided, that the face value of the surety bond shall be increased by 25%.

**DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**  
(FIRST PARTY)

By:

  
**HORACIO C. RAMOS**  
Secretary

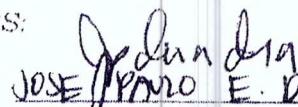
**DIWARAN RESORTS PHILIPPINES,  
INC.**

(SECOND PARTY)

By:

  
**ALEXANDER R. REYES**  
Attorney-In-Fact

WITNESSES:

  
**JOSE PRADO E. DEJANADERA**

CERTIFIED XEROX COPY  
VIRGINIA M. ANGELES  
Records Officer III



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES



SENRO27834



## Obligations of the Second Party

XIV. The **SECOND PARTY** shall immediately secure ECC consistent with development suitable within the small island carrying capacity and other necessary permits prior to the conduct of any activity in the area and shall at all times be under the direct supervision of the CENRO concerned or his representative authorized in writing.

XV. No trees, regardless of species, shall be cut in the FLAgT Area if found within twenty (20) meters from banks of rivers, creeks or streams and of public roads. In case the said 20-meter strip is bereft of trees, the same shall be rehabilitated by the **SECOND PARTY**.

XVI. The **SECOND PARTY** shall strictly observe sanitary measures within the FLAg Area to ensure protection of watershed values;

XVII. The **SECOND PARTY** shall protect the FLAgT Area from forest fires and other forms of forest destruction.

XVIII. The **SECOND PARTY** shall protect and conserve unique, rare and endangered flora and fauna, if any, within the FLAgT Area pursuant to existing laws, rules and regulations.

XIX. The **SECOND PARTY** shall not impede, obstruct or prevent the entry and exit through the FLAgT Area of legitimate stakeholders and/or forest users authorized by the DENR.

XX. The **SECOND PARTY** shall submit an Annual Report to the Secretary thru the CENRO concerned showing developmental activities undertaken within the FLAgT Area in accordance with the approved CDMP.

XXI. All authorized DENR officials and/or employees shall be allowed to enter and inspect the FLAgT Area for the purpose of monitoring compliance with the terms and conditions of this **AGREEMENT** and the activities authorized under the approved SMP.

## Termination

XXII. This **AGREEMENT** may be terminated or cancelled by the **FIRST PARTY**, after giving the **SECOND PARTY** due notice and opportunity to be heard, on any of the following grounds:

- a) Violation of any of its terms and conditions, or failure to comply with the obligations under this **AGREEMENT**;
- b) In case this **AGREEMENT** was determined, after appropriate proceedings, to have been obtained through fraud, misrepresentation or omission of material facts existing at the time of filing of the application;
- c) Abandonment of the FLAgT Area or failure to utilize the same for the purpose it was granted within the prescribed period of four (4) months without justifiable cause;

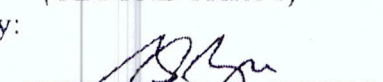
**DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**  
(FIRST PARTY)

By:


  
**HORACIO C. RAMOS**  
Secretary

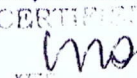
**DIWARAN RESORTS PHILIPPINES,  
INC.**  
(SECOND PARTY)

By:

  
**ALEXANDER R. REYES**  
Attorney-in-Fact

WITNESSES:

  
**JOSE PAULO E. DEJANADENA**  
CERTIFIED

  
VII



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES



SENRO27834



- d) Failure to introduce improvements or develop the FLAgT Area as indicated in the CDMP; and
- e) Failure to pay the Government Share and the surcharges without justifiable cause within one (1) year after the same had become due and after three (3) consecutive notices;

XXIII. In the event the **FIRST PARTY** determines that any of the above grounds exist, a notice of breach shall be sent to the **SECOND PARTY** giving the latter at least fifteen (15) calendar days to submit a written explanation. Before any termination is resorted to, the parties shall meet and exert best efforts to resolve the dispute, except when the grounds refer to items (b) and (c) above. The **SECOND PARTY** shall be given reasonable time within which to remedy the breach or to implement the agreed remedial measures.

XXIV. In case of termination or cancellation of this **AGREEMENT** due to the fault of the **SECOND PARTY**, the Performance Bond shall be forfeited in favor of the **FIRST PARTY**, and the **SECOND PARTY** shall have no right to claim for reimbursement or compensation of whatever kind for the permanent improvements introduced within the FLAgT Area as defined in paragraph VII hereof. Such improvements, which shall not include the Temporary Improvements referred to in paragraph VII above, shall be forfeited in favor, and become the property, of the **FIRST PARTY**.

XXV. Upon termination of this **AGREEMENT**, the **SECOND PARTY** shall be allowed to continue to occupy the FLAgT Area for a period not exceeding ninety (90) days to enable it to remove the Temporary Improvements referred to in paragraph VII above, and to revert the land to its original condition to the extent possible.

#### Ownership and Transfer


XXVI. The **SECOND PARTY** shall, with respect to its ownership or capital stock, and in relation to the right granted herein to use the public forestland described in the attached map, ensure compliance with the nationality requirement under Article XII, Section 2 of the 1987 Constitution of the Republic of the Philippines, at all times throughout the duration of this **AGREEMENT**. In this regard, the **SECOND PARTY** shall secure the approval of the **FIRST PARTY** or his duly authorized representative in case of transfer of majority of its shares or capital stock after execution of this **AGREEMENT**.

XXVII. The **SECOND PARTY** may transfer this **AGREEMENT** or any rights therein or any assets used therewith, if authorized by the DENR Secretary, subject to the following conditions:

- a) The FLAgT has been in existence for at least three (3) years;
- b) The **SECOND PARTY** has been faithfully complying with the terms and conditions of the FLAgT including implementation of CDMP;
- c) The transferee has all the qualifications and none of the disqualifications to hold a FLAgT; and
- d) The transferee shall assume all the obligations and responsibilities of the transferor specified in the FLAgT, CDMP and ECC.

DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES  
(FIRST PARTY)

By:

  
HORACIO C. RAMOS  
Secretary


DIWARAN RESORTS PHILIPPINES,  
INC.

(SECOND PARTY)

By:

  
ALEXANDER R. REYES  
Attorney-in-Fact

WITNESSES:

  
JOSE MARIO E. DELA CRUZ  
VIRGINIA M. ARCELES  
Records Officer III  
Chief, Records Unit



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES



SENRO27834

## Amendment and Renewal

XXVIII. This **AGREEMENT** may be modified, altered or amended upon agreement in writing by both parties.

XXIX. This **AGREEMENT** may be renewed upon filing by the **SECOND PARTY** of an application six (6) months prior to the expiration hereof.

## Miscellaneous Provisions

XXX. This **AGREEMENT** is subject to pertinent DENR Laws, Rules and Regulations, provided the same shall not impair the contractual obligations of both parties herein.

IN WITNESS WHEREOF, the parties have affixed their signatures below at Quezon City, Philippines, this \_\_\_\_\_ day of MAY 26 2010.

**DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**  
(FIRST PARTY)

By:

  
**DRACIO C. RAMOS**  
Secretary

**DIWARAN RESORTS PHILIPPINES,  
INC.**

(SECOND PARTY)

By:

  
**ALEXANDER R. REYES**  
Attorney-In-Fact

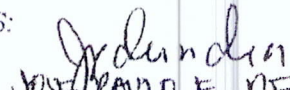


Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES

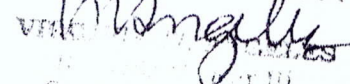


SENRO27834

WITNESSES:

  
**JOSE PAULO E. DE VENERA**

CERTIFIED XEROX COPY

  
Notary Public  
Commission No. \_\_\_\_\_  
Exp. Date \_\_\_\_\_



**ACKNOWLEDGEMENT**

REPUBLIC OF THE PHILIPPINES)  
QUEZON CITY, PHILIPPINES )

BEFORE ME, a Notary Public for and in **QUEZON CITY**, Philippines, this  
day of **MAY**, 20**11**, personally appeared the following:

<u>Name</u>	<u>Evidence of Competent Identity</u>
Horacio C. Ramos	18 221963- 1-06-2010, Q.C.
Alexander R. Reyes	2965 4436 / 2-22-2010 / CANTA, RIZAL

known to me to be the same persons who executed the foregoing instrument, and who  
acknowledge to me that the same is their free and voluntary act and deed.

This instrument, which is Forest Landuse Agreement for Tourism Purposes  
(FLAgT) No. **09-2010**, consists of seven (7) pages including this page where this  
Acknowledgement is written and has been signed by the parties and their witnesses on  
each and every page hereof.

WITNESS MY HAND AND SEAL, at the place and on the date written.

Doc No. 090  
Page No. 18  
Book No. XXXI  
Series of 2010

NOTARY PUBLIC  
**Atty. DONATO C. MANGUIAT**  
Notary Public  
Commission No. NP-012 (Expires Dec. 31, 2011)  
IBP No. 774014/Nov. 16, 2009/QC  
PTR No. 3175625/Jan. 4, 2010/QC  
Roll No. 34845  
MCLE No. III-0004744

**DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**  
(FIRST PARTY)

By:  
**HORACIO C. RAMOS**  
Secretary

**DIWARAN RESORTS PHILIPPINES,  
INC.**

(SECOND PARTY)  
By:

**ALEXANDER R. REYES**  
Attorney-In-Fact



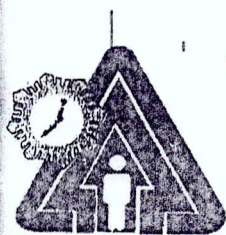
Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES



SENRO27834

WITNESSES:

**JOSE PABLO E. DE VERA**



Republic of the Philippines  
OFFICE OF THE PRESIDENT  
PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT



## SEP CLEARANCE

No. FLAgT-022908-017

Pursuant to the mandate of the Palawan Council for Sustainable Development (PCSD) under Republic Act 7611 and concurred by the Department of Environment and Natural Resources (DENR) as provided in its Memorandum of Agreement with PCSD dated 29 December 1994, this PCSD Clearance is issued to:

FOREST LAND USE AGREEMENT FOR TOURISM PURPOSES (FLAgT)

Name of Project

Dinaran (Diwaran) Island, Barangay Marcilla, Coron, Palawan

Project Location (Street, Sitio, Barangay, Municipality)

MR. SALVADOR B. ZAMORA II

Name of Proponent

Dinaran (Diwaran) Island, Barangay Marcilla, Coron, Palawan

Address of Proponent

This Clearance is approved this 29<sup>th</sup> day of February 2008 at Puerto Princesa City.

APPROVED:

MARIO JOEL T. REYES  
Chairman, PCSD

Not Valid Without PCSD Official Seal

(PLEASE SEE OVERLEAF FOR THE TERMS AND CONDITIONS OF THIS CLEARANCE)

"PCSDS: Working together towards sustaining the future."





AUG 03 2021

**DENR Administrative Order**  
**No. 2021- 27**

**SUBJECT :     PRESCRIBING THE GUIDELINES ON THE ISSUANCE OF  
PROVISIONAL AGREEMENT FOR ALL TENURE  
INSTRUMENTS ISSUED UNDER THE FORESTRY SECTOR**

In line with the on-going rationalization and streamlining of processes, promotion of more private investment in forestry development projects, and pursuant to Presidential Decree (PD) No. 705, as amended, Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, and the Philippine Master Plan for Climate Resilient Forestry Development, which envisions, among others, to *"place all forest lands under sustainable forest management in order to meet demands for forest goods and ecosystems services"*, this guidelines on the issuance of Provisional Agreement (PA) for all tenure instrument applied for and/or issued by the DENR under the forestry sector is hereby issued and promulgated.

**SECTION 1. Basic Policy.** It is the policy of the State to sustainably manage the country's forest resources and to protect and advance the rights of the Filipino people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

**SECTION 2. Scope and Coverage.** This guidelines shall cover all applications for new, renewal and/or conversion of tenure instruments being issued by the DENR under the forestry sector, which have been endorsed to and received by the National Commission on Indigenous Peoples (NCIP) for the issuance of the corresponding Certification Precondition (CP) and/or Certificate of Non-Overlap (CNO), as follows:

1. Integrated Forest Management Agreement (IFMA)
2. Socialized Industrial Forest Management Agreement (SIFMA)
3. Forestland Grazing Management Agreement (FLGMA)
4. Forestland Grazing Lease Agreement (FLGLA) for conversion to FLGMA
5. Forest Land Use Agreement (FLAg)
6. Forest Land Use Agreement for Tourism Purposes (FLAgT)
7. Community-Based Forest Management Agreement (CBFMA)
8. Other Lawful Purposes Lease Agreement (OLPLA) for conversion to FLAg or FLAgT, as the case may be
9. Special Land Use Permits (SLUPs) for conversion to FLAg/FLAgT
10. Tree Farm Lease Agreement (TFLA) and/or Agroforestry Farm Lease Agreement (AFFLA) for conversion into SIFMA

**SECTION 3. Definition of Terms.** For the purpose of this Order, the following terms are to be understood and interpreted as follows:

- a) **Certificate of Non-Overlap (CNO)** – refers to the Certificate issued by the NCIP attesting to the fact that the area where the plan, program, project or activity to be done does not overlap with, or affect, any ancestral domain.

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- b) **Certification Precondition (CP)** - refers to the Certificate issued by the NCIP, signed by the Chairperson or authorized representative, attesting to the grant of Free, Prior and Informed Consent (FPIC) by the concerned Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)
- c) **Government Share** - an amount to be paid by a user as a share to the government in the form of user's fee for the use of a certain parcel of the forest land.
- d) **Permanent improvement** - refers to improvement introduced to the land under contract/agreement which cannot be removed without causing any damage therefrom.
- e) **Provisional Agreement (PA)** - refers to a two-year agreement granted by the State to a natural or juridical person who applied for new, renewal and/or conversion of tenure instruments under the forestry sector, and such application has been endorsed to and received by the National Commission on Indigenous Peoples (NCIP) for the issuance of the corresponding Certification Precondition and/or Certificate of Non-Overlap (CNO).
- f) **Temporary improvement** - refers to improvement introduced to the land under contract/agreement which can be removed without causing any damage therefrom.

#### **SECTION 4. Provisional Agreement and Approving Authority.**

- 4.1 In order to provide the applicant ample time to secure the corresponding CP/CNO from the NCIP, a Provisional Agreement (PA) with a validity of two (2) years shall be issued by the Regional Executive Director after 15 days from the date the NCIP has received the endorsement, following the attached Format marked as Annex "A" for new application, Annex "B" for renewal and Annex "C" for conversion to other instruments, subject to the following conditions:

##### **4.1.1 For new application**

- The holder may proceed with the ground survey, delineation and demarcation of the boundaries of the would-be tenured area;
- The holder shall manage, maintain and protect the area against any form of unlawful activities; and
- The holder may be allowed to introduce temporary improvements in the area.

##### **4.1.2 For renewal**

- The holder shall not introduce additional permanent improvements in the area;
- The holder shall continue managing and protecting the area against any form of unlawful activities;
- The holder shall follow the terms and conditions of the previous agreement/permit; and
- The holder shall be authorized to harvest and utilize the products from existing agroforestry and established tree plantations, in accordance with the approved plan or permit.

##### **4.1.3 For conversion to other tenure instrument**

- The holder shall not introduce additional permanent improvements thereon;
- The holder shall continue managing and protecting the area against any form of unlawful activities;
- The holder shall follow the terms and conditions of the previous agreement/permit; and
- The government share (GS) shall be computed following the existing guidelines under which the tenure instrument shall be converted.

- 4.2 The PA shall automatically be terminated upon the issuance of the corresponding tenure instrument by the concerned DENR Office. Likewise, it may be extended if no CP or CNO is issued within the period; or until the application therefor shall have



been finally approved by the NCIP; and provided that no violation of existing laws, rules, and regulations was incurred within the duration of the PA.

Should a resolution of Non-Consent be issued by the Indigenous Cultural Communities (ICCs), and the application is finally denied and returned by the concerned NCIP Regional Director, a notice shall be issued by the concerned DENR Regional Office to the applicant to vacate the area and dismantle introduced temporary improvements within seven (7) days. All permanent improvements shall be subjected to take-over by the Government pursuant to existing laws, rules, and regulations. Moreover, the PA shall be deemed terminated and the area shall be placed by the DENR under an appropriate management arrangement and/or may be open for investment.


- 4.3 The validity period of the PA shall form part of the 25-year period of the tenurial instrument in conformity with the 50-year limitation on the utilization, development, and conservation of natural resources as provided under the 1987 Philippine Constitution.

#### **SECTION 5. Responsibilities of the PA Holder and the DENR**

- 5.1. The holder shall ensure compliance with the terms and conditions of the PA and shall exert due diligence in securing the corresponding NCIP Certificate within the 2-year period;
- 5.2. The concerned DENR Regional Office shall assist the holder in securing the corresponding NCIP Certificate by endorsing the application requirements to the concerned NCIP Regional Office consistent with existing laws, rules, and regulations.

**SECTION 6. Repealing Clause.** All Department Orders, Circulars and other issuances inconsistent herewith are hereby repealed and amended accordingly.

**SECTION 7. Effectivity.** This Order shall take effect immediately after its publication in a newspaper of general circulation and upon acknowledgement of receipt of a copy thereof by the Office of the National Administrative Register (ONAR) of the UP Law Center.

  
**ROY A. CIMATU**  
Secretary



Publication: Manila Standard  
August 23, 2021

Acknowledgement: U.P. Law Center  
August 24, 2021



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, 1100 Quezon City  
Tel. Nos. (632) 8929-6626 to 96, (632) 8755-3300/8755-3330  
Website: www.denr.gov.ph

Annex "A"  
Template for  
New  
Applications

PROVISIONAL (Tenure Instrument) AGREEMENT  
NO. \_\_\_\_\_

\_\_\_\_\_  
(Name of Holder)

\_\_\_\_\_  
(Address of Holder)

In consonance with Department Administrative Order No. \_\_\_\_\_ dated \_\_\_\_\_ signed by the DENR Secretary and other existing laws and regulations, a Provisional Agreement is hereby granted to \_\_\_\_\_ / represented by \_\_\_\_\_ (if the applicant is a juridical person), of legal age, and a resident of \_\_\_\_\_ to temporarily occupy and manage \_\_\_\_\_ hectares of forestland located in Sitio(s) of \_\_\_\_\_ Barangay(s) of \_\_\_\_\_ Municipality(ies) of \_\_\_\_\_ Province(s) of \_\_\_\_\_, under the (Tenure Instrument), the boundary and description of which are shown in the attached map which form part of this Provisional Agreement.

This Agreement is subject to all existing laws, rules and regulations as well as those which may hereafter be promulgated, and the following terms and conditions:

1. The holder may proceed with the ground survey, delineation and demarcation of the boundaries of the would-be tenured area;
2. The holder shall manage, maintain and protect the area against any form of unlawful activities;
3. The boundary of the land covered by this Agreement is not yet final and subject to change as may be deemed necessary in the course of the issuance of the regular (Tenure Instrument) ;
4. The holder may be allowed to introduce temporary improvements in the area; and
5. The holder shall ensure compliance with the herein terms and conditions of the Agreement and shall exert due diligence in securing the corresponding NCIP Certificate within the 2-year period.

This Agreement shall expire on ( end of two-year period ). It shall automatically be terminated upon the issuance of the appropriate Clearance Certificate from the NCIP and the (Tenure Instrument) shall have been issued. Likewise, it may be extended if no CP or CNO is issued within the period; or until the application therefor shall have been finally approved by the NCIP; and provided that no violation of existing laws, rules and regulations was incurred within the duration of the PA. Should a Resolution of Non-Consent shall have issued by the Indigenous Cultural Communities (ICCs), and the application is finally denied and returned by the concerned NCIP Regional Director, the PA shall be deemed terminated and the area shall be placed by the DENR under appropriate management arrangement and/or may be open for investment.

Issued on \_\_\_\_\_ at \_\_\_\_\_.

REGIONAL EXECUTIVE DIRECTOR

Copy furnished:

1. PENRO, \_\_\_\_\_
2. CENRO, \_\_\_\_\_
3. Director, FMB, Diliman, Quezon City
4. File

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PROVISIONAL (Tenure Instrument) AGREEMENT  
NO. \_\_\_\_\_

\_\_\_\_\_  
(Name of Holder)

\_\_\_\_\_  
(Address of Holder)

In consonance with Department Administrative Order No. \_\_\_\_\_ dated \_\_\_\_\_ signed by the DENR Secretary, and other existing laws and regulations, a Provisional Agreement is hereby granted to \_\_\_\_\_/represented by \_\_\_\_\_ (if the applicant is a juridical person), of legal age, and a resident of \_\_\_\_\_ to continuously occupy and manage the area covered by expired IFMA/SIFMA/FLGMA/FLAg/FLAgT/CBFMA No. \_\_\_\_\_ being renewed located in Sitio(s) of \_\_\_\_\_ Barangay(s) of \_\_\_\_\_ Municipality(ies) of \_\_\_\_\_ Province(s) of \_\_\_\_\_, the boundary and description of which are shown in the attached map which form part of this Provisional Agreement.

This Agreement is subject to all existing laws, rules and regulations as well as those which may hereafter be promulgated, and the following terms and conditions:

1. The holder shall not introduce additional permanent improvements in the area;
2. The holder shall continue managing and protecting the area against any form of unlawful activities;
3. The holder shall follow the terms and conditions of the previous agreement;
4. The holder shall be authorized to harvest and utilized the products from existing agroforestry and established tree plantations, in accordance with the approved plan or permit;and
5. The holder shall ensure compliance with the herein terms and conditions of the Agreement; and shall exert due diligence in securing the corresponding NCIP Certificate within the 2-year period.

This Agreement shall expire on ( end of two-year period ). It shall automatically be terminated upon the issuance of the appropriate Clearance Certificate from the NCIP and the (Tenure Instrument) shall have been issued. Likewise, it may be extended if no CP of CNO is issued within the period; or until the application therefor shall have been finally approved by the NCIP; and provided that no violation of existing laws, rules and regulations was incurred within the duration of the PA. Should a Resolution of Non-Consent shall have issued by the Indigenous Cultural Communities (ICCs), and the application is finally denied and returned by the concerned NCIP Regional Director, the PA shall be deemed terminated and the area shall be placed by the DENR under appropriate management arrangement and/or may be open for investment.

Issued on \_\_\_\_\_ at \_\_\_\_\_.

REGIONAL EXECUTIVE DIRECTOR

Copy furnished:

1. PENRO, \_\_\_\_\_
2. CENRO, \_\_\_\_\_
3. Director, FMB, Diliman, Quezon City
4. File

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Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, 1100 Quezon City  
Tel. Nos. (632) 8929-6626 to 96, (632) 8755-3300/8755-3330  
Website: www.denr.gov.ph

Annex "C"  
Template for  
conversion to  
other Tenure  
Instrument

PROVISIONAL \_\_\_\_\_ (Tenure Instrument) \_\_\_\_\_ AGREEMENT  
NO. \_\_\_\_\_

\_\_\_\_\_  
(Name of Holder)

\_\_\_\_\_  
(Address of Holder)

In consonance with Department Administrative Order No. \_\_\_\_\_ dated \_\_\_\_\_ signed by the DENR Secretary, and other existing laws and regulations, this Provisional Agreement is hereby granted to \_\_\_\_\_ /represented by \_\_\_\_\_ (if the applicant is a juridical person), of legal age, and a resident of \_\_\_\_\_ to continuously occupy and manage the area covered by expired FLGLA/SLUP/OLPLA/AFFLA/TFLA No. \_\_\_\_\_ being converted to \_\_\_\_\_ FLGMA/FLAg/FLAgT/SIFMA located in Sitio(s) of \_\_\_\_\_ Barangay(s) of \_\_\_\_\_ Municipality(ies) of \_\_\_\_\_ Province(s) of \_\_\_\_\_, the boundary and description of which are shown in the attached map which form part of this Provisional Agreement.

This Agreement is subject to all existing laws, rules and regulations as well as those which may hereafter be promulgated, and the following terms and conditions:

1. The holder shall not introduce additional permanent improvements in the area;
2. The holder shall continue managing and protecting the area against any form of unlawful activities;
3. The holder shall follow the terms and conditions of the previous agreement/permit;
4. The government share (GS) shall be computed following the existing guidelines under which the tenure instrument shall be converted; and
5. The holder shall ensure compliance with the herein terms and conditions of the Agreement; and shall exert due diligence in securing the corresponding NCIP Certificate within the 2-year period.

This Agreement shall expire on ( end of two-year period ). It shall automatically be terminated upon the issuance of the appropriate Clearance Certificate from the NCIP and the (Tenure Instrument) shall have been issued. Likewise, it may be extended if no CP or CNO is issued within the period; or until the application therefor shall have been finally approved by the NCIP; and provided that no violation of existing laws, rules and regulations was incurred within the duration of the PA. Should a Resolution of Non-Consent shall have issued by the Indigenous Cultural Communities (ICCs), and the application is finally denied and returned by the concerned NCIP Regional Director, the PA shall be deemed terminated and the area shall be placed by the DENR under appropriate management arrangement and/or may be open for investment.

Issued on \_\_\_\_\_ at \_\_\_\_\_.

REGIONAL EXECUTIVE DIRECTOR

Copy furnished:

1. PENRO, \_\_\_\_\_
2. CENRO, \_\_\_\_\_
3. Director, FMB, Diliman, Quezon City
4. File

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# **EXECUTIVE ORDER NO. 525**

Category: Laws & Mandates

Published: 12 January 2013

**MALACAÑANG**

Manila

## **EXECUTIVE ORDER NO. 525**

### **DESIGNATING THE PUBLIC ESTATES AUTHORITY AS THE AGENCY PRIMARILY RESPONSIBLE FOR ALL RECLAMATION PROJECTS**

WHEREAS, there are several reclamation projects which are on going or being proposed to be undertaken in various parts of the country which need to be evaluated for consistency with national programs;

WHEREAS, there is a need to give further institutional support to the Government's declared policy to provide for a coordinated, economical and efficient reclamation of lands;

WHEREAS, Presidential Decree No. 3-A requires that all reclamation of areas shall be limited to the National Government of any person authorized by it under a proper contract;

WHEREAS, a central authority is needed to act on behalf of the National Government which shall ensure a coordinated and integrated approach in the reclamation of lands;

WHEREAS, the Presidential Decree 1084 creates the Public Estates Authority as a government corporation to undertake reclamation of lands and ensure their maximum utilization in promoting public welfare and interest; and

WHEREAS, Presidential Decree No. 1416 provides the President with continuing authority to reorganize the National Government including the transfer, abolition, or merger of functions and offices.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution and pursuant to the Presidential Decree No. 1416, do hereby order direct the following:

**SECTION 1 - The Public Estates Authority (PEA) shall be primarily responsible for integrating, directing, and coordinating all reclamation projects for and on behalf of the National Government. All reclamation projects shall be approved by the President upon recommendation of the PEA, and shall be undertaken by the PEA or through a proper**

contract executed by it with any person or entity; provided, that, reclamation projects of any National Government agency or entity authorized under its Charter shall be undertaken in consultation with the PEA upon approval of the President.

**SECTION 2** - The PEA, in addition to the provisions of Presidential Decree No. 1084, shall exercise the following powers and functions:

1. Provide advise and assistance to the President in the formulation, implementation, and evaluation of plans or policies relative to all reclamation projects as would maximize their contribution to national development;
2. Issue such rules and regulations including the identification of such requirements as may be necessary for the evaluation and sound administration of all reclamation projects;
3. Establish and implement a system of coordination with all concerned government agencies including monitoring of the progress of all reclamation projects; and
4. Perform such other functions as may be directed by the President.

**SECTION 3** - All lands reclaimed by PEA shall belong to or be owned by the PEA which shall be responsible for its administration, development, utilization or disposition in accordance with the provisions of Presidential Decree No. 1084. Any and all income that the PEA may derive from the sale, lease or use of reclaimed lands shall be used in accordance with the provisions of Presidential Decree No. 1084.

DONE in the City of Manila, this 14th day of February, in the year of Our Lord, nineteen hundred and seventy-nine.

(SGD.) **FERDINAND E. MARCOS**  
President of the Philippines

By the President:

(SGD.) **JACOBO C. CLAVE**  
Presidential Executive Assistant