



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

April 24, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region

THRU : The OIC, Assistant Regional Director for Technical Services

FROM : The OIC, Provincial Environment and Natural Resources Officer

SUBJECT : **COMPLIANCE MONITORING OF TENURE PERMIT
HOLDER ON FLAgT AREA OF GOLD BARREL SOCIAL
CLUB RESORT CAPITAL, INC. LOCATED IN ELEPHANT
ISLAND, BARANGAY TUNGIB, BUENAVISTA,
MARINDUQUE**

Submitted is the compliance monitoring and evaluation report dated April 12, 2023 by the Compliance Monitoring team, regarding the awarded Forest Land Use Agreement for Tourism (FLAgT) to Gold Barrel Social Club Resort Capital Incorporated, holder of FLAgT No. 01-2006, located in Elephant Island, Barangay Tungib, Buenavista, Marinduque. This was issued on May 04, 2006 and will expire in April 30, 2031, covering an area of 10.2 hectares, classified as Timberland Block- C, Project No. 2 of Buenavista, Marinduque.

For information and record.

"For and in the absence of the PENRO"

ENGR. CYNTHIA L. LOZANO
Chief, Technical Services Division
In-Charge, Office of the PENRO



April 12, 2023

MEMORANDUM

FOR : The OIC-PENR Officer

THRU : The Chief, Technical Services Division

FROM : Compliance Monitoring Team

SUBJECT : **COMPLIANCE MONITORING OF TENURE ON FOREST LAND-USE AGREEMENT FOR TOURISM (FLAgT) ISSUED TO GOLD BARREL SOCIAL CLUB RESORT CAPITAL INC., CY 2023 LOCATED IN ELEPHANT ISLAND, BARANGAY TUNGIB, BUENAVISTA, MARINDUQUE**

I. REFERENCE

In compliance with the approved Work and Financial Plan (WFP) for FY 2023 of PENRO Marinduque under Permit Issuance and Monitoring of Forest and Forest Resources Use, Item no. 2. Compliance Monitoring of Tenure or Permit Holders, please be informed that the personnel of this Office conducted compliance monitoring of Gold Barrel Social Club Resort Capital Incorporated, tenured holder of Forest Land-use Agreement for Tourism (FLAgT) located in Barangay Tungib, Buenavista, Marinduque on March 29, 2023.

II. BACKGROUND

The Gold Barrel Social Club Resort Capital, Inc. represented by Mr. Manuel A. Copon was a holder of Forest Land-Use Agreement for Tourism Purposes (FLAgT) for a period of twenty-five (25) years and renewable for the same period depends on the recommendation of the Performance Evaluation Team. Per record, FLAgT No. 01-2006 was issued on May 04, 2006 and will expire on April 30, 2031 covering an area of Ten point two (10.2) hectares of forest land located in Elephant Island, Barangay Tungib, classified as Timberland Block- C, Project No. 2 of Buenavista, Marinduque.

This Office sent a letter to the holder represented by Mr. Manuel A. Copon thru their authorized caretakers. In addition, the team had also coordinated with Mr. Renante Valencia, caretaker of the resort thru text message and phone call regarding the compliance monitoring activity. In addition, the team had also coordinated with the Barangay Local Government Unit of Tungib, Buenavista as usual courtesy call.

III. FINDINGS:

The caretaker of the FLAgT area are Mr. Rommel Rivero and Mr. Reynaldo Labosta, who asked us to log in the record book for record purposes. The rationale of the activity as well as the needed documents to be submitted pursuant to the terms and conditions of agreement as well as the new regulation pertaining to the payment of the Annual rental fee over the tenured area was discussed to the caretakers.

As observed from the previous years, the resort is still not operational, no guest nor any improvement to the establishment therein. The water supply on the island is still available which is coming from the mainland through an underwater cable. On the other hand, the electrical supply which is coming from the electrical towers established by the holder through the expired Special Land-Used Permit (SLUP) for Other Lawful Purposes – Electrical Tower Site No. DENR IV-B MIMAROPA-03212016 is already disconnected. The caretakers only used solar panels to generate electricity on the island.

During our monitoring, the Team found out that majority of the establishments were already dilapidated because of the typhoons that hit the province. In addition, some of the access roads are not

passable because of the overgrown plants. No maintenance of the area was being found at the time monitoring.

Naturally growing and planted trees were maintained and remained intact within the tenured area by the holder and the caretakers.

Even though the resort is not operationalized the FLAgT Holder represented by its caretaker regularly pays their annual fee. For FY 2022, the holder pays their annual rental fee last May 2022 amounting to Php 25,500.00 plus its monthly 8% surcharge.

Attached is the monitoring and evaluation form for reference.

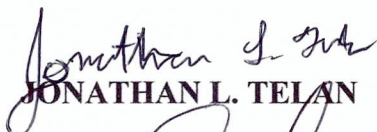
IV. REMARKS AND RECOMMENDATIONS:

1. To require the holder to submit their annual report as stipulated in the agreement. The annual report should contain the current administration of the corporation and the plans for utilizing the area which should be in accordance with the approved CDMP.
2. Advise the caretakers to pay their Annual Rental fee for CY 2023
3. To conduct continuous annual monitoring of their compliance with the agreement.

V. DOCUMENT ATTACHED:

1. Monitoring and Evaluation Form;
2. Geotagged Photos; and
3. Digitized Map

For information, record and further instruction.


JONATHAN L. TELAN


MICHAEL JOSEPH A. MARANAN


JAKE F. VALENCIA


MICHAEL VENCINT M. SUALOG


DON GIBSON D. MERCADO

Noted by:


ENGR. CYNTHIA L. LOZANO
Chief, Technical Services Division

MONITORING AND EVALUATION REPORT FORM

NAME OF AGREEMENT HOLDER: Gold Barrel Social Club Resort Capital, Inc.

KIND OF TENURE INSTRUMENT: Forest Land-use Agreement for Tourism (FlagT)

FOREST LANDUSE AGREEMENT (FLAgT) NO. 01-2006 (Tourism)
Purpose

LOCATION OF THE AREA: Elephant Island, Barangay Tungob-Lipata, Buenavista, Marinduque

AREA IN HECTARE/S: 10.2 Hectares

DATE CONDUCTED: March 29, 2023

CONDUCTED BY:

Don Gibson D. Mercado, RPF
Michael Vencint M. Sualog
Michael Joseph A. Maranan
Florante G. Fandialan, Jr.
Jonathan L. Telan
Jake F. Valencia

PURPOSE/S: To conduct monitoring and evaluation of Forest Land-use Agreement for Tourism (FLAgT) issued to Gold Barrel Social Club Resort Capital, Incorporated.

IMPROVEMENTS INTRODUCED IN THE AREA:

Nature of Improvement	Dimension	Estimated value
• Marina and Docking Area		48,500,000.00
• Pavillion Restaurant		15,000,000.00
• Aqua Sport Center		10,000,000.00
• Boat Crew Station		2,500,000.00
• Security Outpost		15,000,000.00
• Villas (Cuffside & Garden)		55,000,000.00
• Main Spa		15,000,000.00
• Clubhouse		60,000,000.00
• Hotel Rooms		25,000,000.00
• Boutique		4,500,000.00
• Helipad		
• Meditation Sanctuary		3,700,000.00
• Waiting Lounge		900,000.00
• Octagon Buildings		30,000,000.00
• Tea House		4,500,000.00
• Staff house		500,000.00
• Casas		45,000,000.00

**Note: The estimated value of the infrastructures is being based on the costing of the construction of the said infrastructures (Source: CY 2008 Annual Report of Gold Barrel Social Club Resort Capital, Inc.).*

**During the time of compliance monitoring, no new improvements were being introduced by the holder.*

COMPLIANCE TO THE TERMS AND CONDITIONS OF FLAgT/FLAg/SPLULA/SLUP:

	YES	NO	Remarks
1. The FLAgT Holder shall comply the following under item number 1 conditions for FLAgT Area			
1.A. – At least 90% of the plantable area:			
a. Plant forest tree species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A
b. Non-Timber species (Rattan, Bamboo, etc...)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
1.B – Planted with the following conditions:			
a. At least 50% minimum stocking density of five hundred (500) seedlings per hectare within one (1) year from grant of the Agreement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
b. At least 75% cumulative plantation established on the second year.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
c. At least 100% planted on the third year with no case shall the stocking density be lower than five hundred (500) saplings/trees per hectares	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
1.C – Cash Crops:			
a. Planted crops within FLAgT Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
b. Devoted not more than 10% of the area for permanent agricultural purpose.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
2. Introduction of exotic species untested in Philippine conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
3. Cutting of trees within FLAgT area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Reforested area along river	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
5. Converted FLAgT Area to other land use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Provided management and financial services for the development of the FLAgT area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Activities committed to community development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Observe rights of workers/employees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The resort is not operational
9. Prevention and responses to arrest gully erosions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Protection of natural and protected forest within or adjacent to the FLAgT area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Protection from forest fires and other forms of forest destruction and encroachment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. Prevention and protection from pollutive activities within or in the vicinity of the FLAgT area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The resort is not operational
13. Obstruction or in any manner prevent passage through FLAgT area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Protection and conservation of unique, rare, or endangered trees, palms, wildlife found within the FLAgT area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15. Alteration or modification of boundaries or legal status of the FLAgT area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Cooperation on LGU, PENRO and RD in the development and execution of the agreement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Transfer, convey and sell rights of FLAgT Holder to any person, cooperative or association	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. Utilization of FLAgT area or portion/s thereof for other government projects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19. Women participation in the project planning and implementation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
20. Submission of Annual Report	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
21. Utilization of harvested crops and trees except under environmental protection and ecological balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
22. Use of FLAgT as collateral to obtain loans for the area improvement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
23. Upon expiration of the agreement all improvements introduced, including forest crops shall remain within the FLAgT area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
24. Fair compensation for any improvements due to FLAgT holder or Government	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
25. Payment of annual rental due to the government	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
26. Termination of the agreement upon death of the FLAgT Holder	<input type="checkbox"/>	<input type="checkbox"/>	N/A
27. Cancellation of the agreement (through the fault of the FLAgT Holder)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
28. Renewal of the agreement	<input type="checkbox"/>	<input type="checkbox"/>	N/A
29. Amendment of the agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
30. Breach of any provision in the agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
31. Any dispute between FLAgT holder and DENR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

OTHER FINDINGS:

- The resort is still not operational.
- Most of the resort’s facilities/structures were damaged by the previous typhoons that require major repairs. Buildings were dilapidated.
- Water supply from the mainland is continuous.
- Naturally growing trees were maintained and remained intact within the tenured area.
- The team found out that some of passageway is not passable due to the overgrown plants like the bougainvillea.
- During the time of compliance monitoring, no new improvements were being introduced by the holder.

COMMENTS/RECOMMENDATION:

- To advise and require the holder to submit their Annual Report about their activities in the tenured area although it is temporarily closed and not operational.
- To advise the holder to pay their Annual Rental fee for CY 2023.
- To conduct continuous annual monitoring of their compliance with the agreement.

Submitted by:


DON GIBSON D. MERCADO, RPF


MICHAEL VENCINT M. SUALOG


MICHAEL JOSEPH A. MARANAN


JONATHAN L. TELAN


JAKE F. VALENCIA

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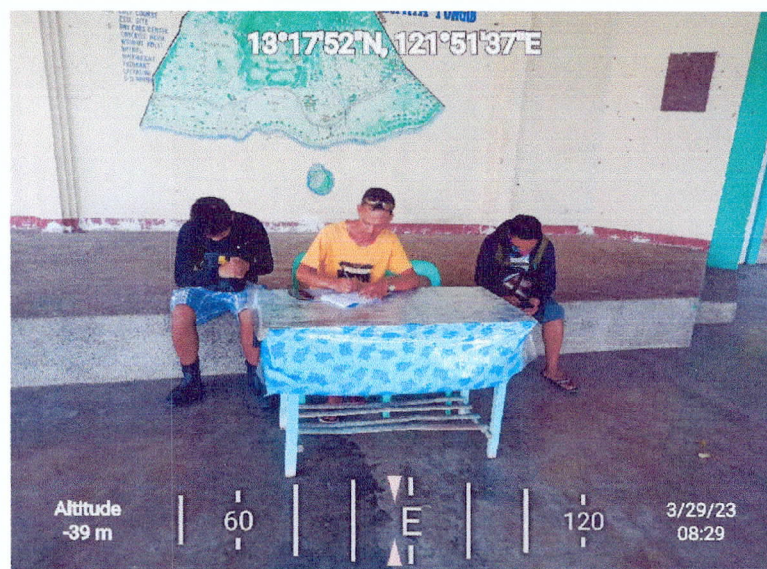
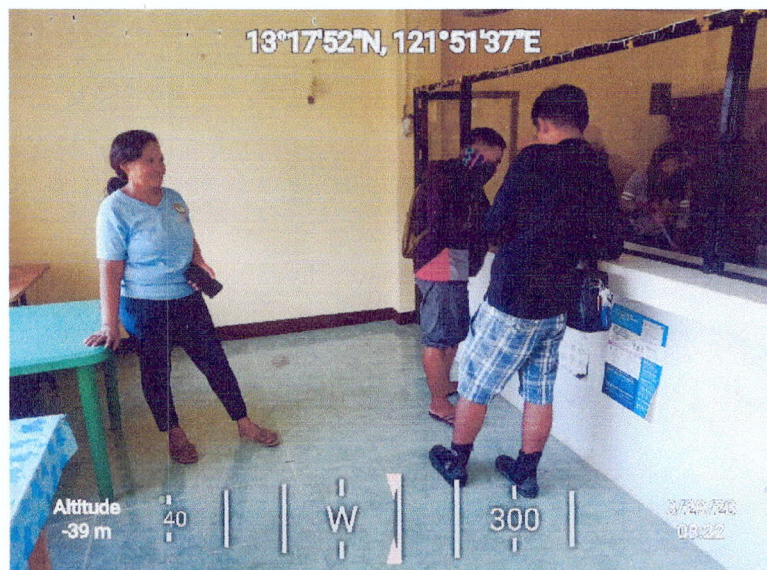
PENRO

RED

FMB

Secretary, DENR

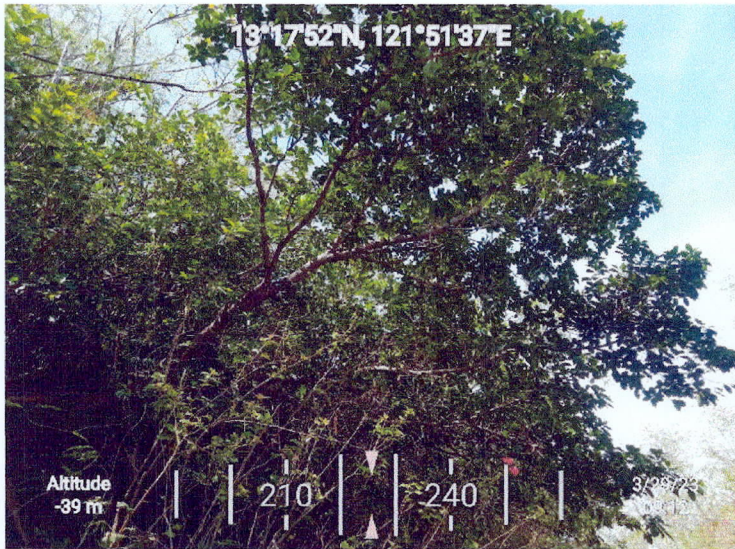
Agreement Holder



Coordination with Barangay Officials of Tungib, Buenavista regarding the compliance monitoring of FLAgT holder located in Elephant Island, Barangay Tungib, Buenavista, Marinduque.

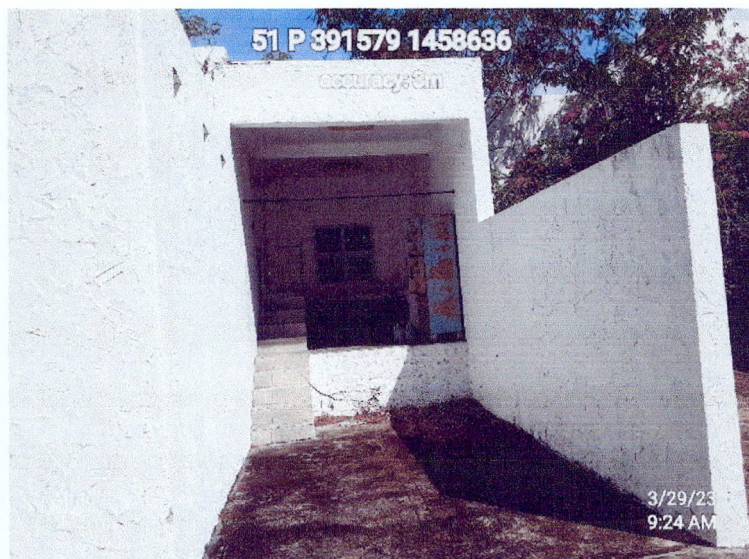


Coordination with Mr. Renante Valencia, caretaker of the resort regarding the compliance monitoring of FLAgT holder located in Elephant Island, Barangay Tungib, Buenavista, Marinduque.



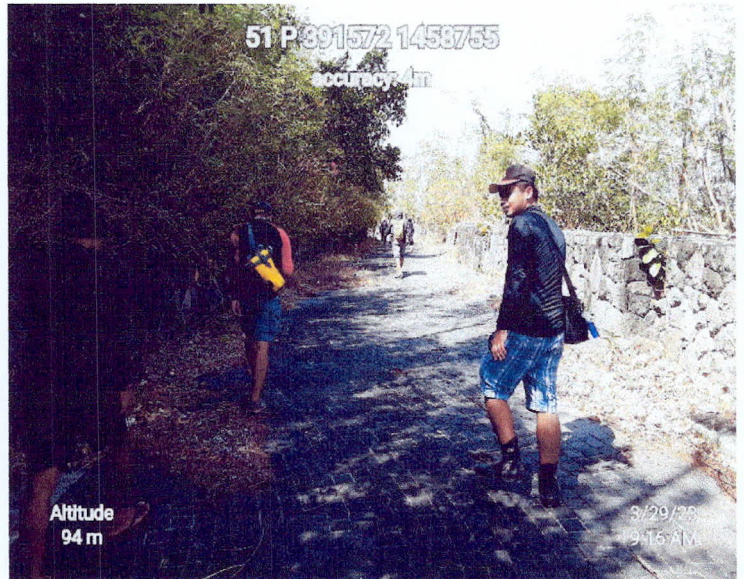
Geotagged photos showing the naturally growing and planted trees inside the FLAgT area.

Handwritten signatures and initials.



Geotagged photos showing the resort's building facilities.

Handwritten signatures and initials.

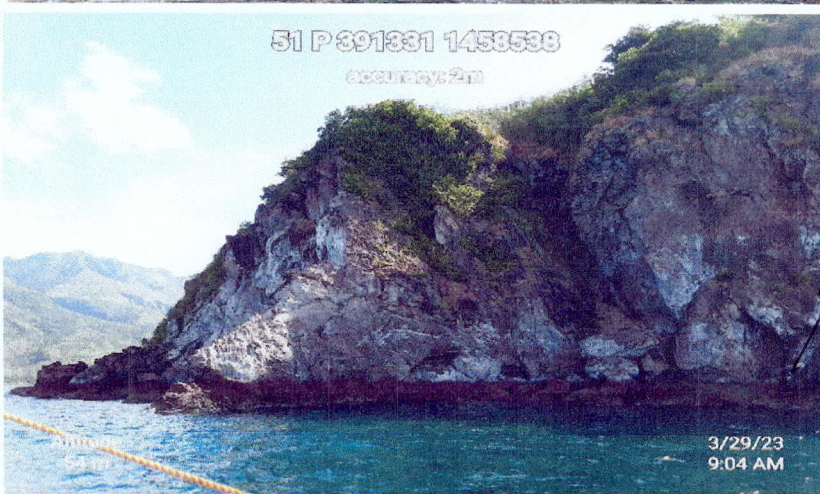
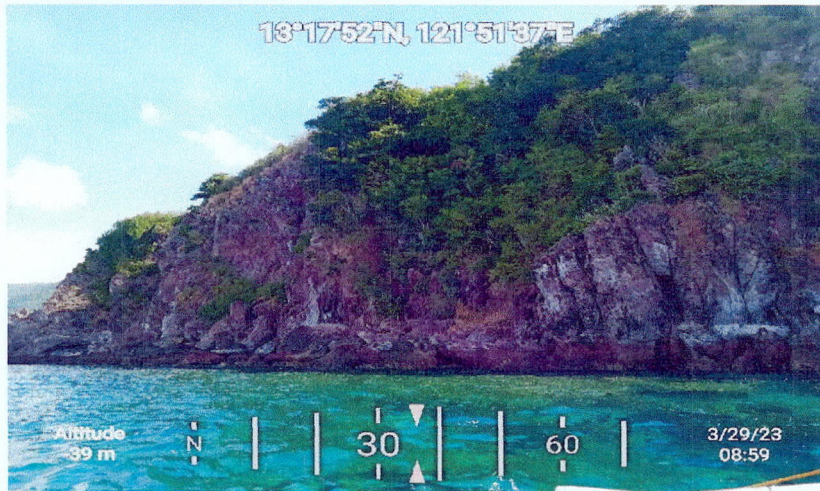


Geotagged photos during the actual compliance monitoring and evaluation of tenure permit holder on FLAgT area of Gold Barrel Social Club Resort Capital, Inc. located in Elephant Island, Barangay Tungib, Buenavista, Marinduque conducted on March 29, 2023.

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Geotagged photos showing the overgrown plants and trees.



Geotagged photos showing the geographical features of the island.

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The Compliance Evaluation/Monitoring Team headed by Forester Don Gibson D. Mercado together with Mr. Rommel Rivero and Mr. Reynaldo Labosta (caretakers of the resort).

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