



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)

**MEMORANDUM**

**DEC 16 2020**

**TO :** All Regional Executive Directors  
Regions I to XIII, IV-A, IV-B, CAR and NCR

**ATTN. :** All Protected Area Superintendents

**FROM :** The Undersecretary for Field Operations and Environment

**SUBJECT :** **PROCESSING OF SAPA APPLICATIONS INVOLVING COMMUNICATION TOWERS AND FACILITIES**

This refers to the attached letter of Atty. Jeremiah Belgica, Director General of Anti-Red Tape Authority referring the attached letter of PLDT and Smart Communications for action on the SAPA applications pending in your respective protected areas. The concerned protected areas are the following:

- 1) Batanes Protected Landscape - R2;
- 2) Talavera Watershed Forest Reserve - R3;
- 3) Minalungao National Park - R3;
- 4) Central Cebu Protected Landscape - R7;
- 5) Alejawan-Cansujay-Anibongan River Watershed FR - R7; and
- 6) Mt. Malindang Natural Park - R10.

In this regard please provide an update on the status of the concerned SAPA applications in the above-mentioned protected areas. Further, in support to the government thrust of enhancing nationwide connectivity through the construction of communication towers which are badly needed especially in this time of pandemic where stable internet connection is a must, and pursuant to the provisions of Republic Act 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, please be guided by the following directives on the processing of SAPA applications involving communication towers and facilities:

- 1) Please expedite the processing of SAPA applications in all protected areas involving the construction of communication towers and facilities;
- 2) With this urgency and in light of the regular PAMB meeting which is held quarterly, the RED may call a Special PAMB Meeting to tackle and decide on SAPA applications, should the regular meeting be not timely for the discussion/deliberation on the applications.
- 3) The concerned PAMO, CENRO or PENRO should plot the proposed site on the map of the PA management zone, topographic map and in open source satellite image (Google Earth or Bing Map) as basis of initial assessment and in endorsing the project for the issuance of PAMB Clearance. This may be validated through actual ground survey;

MEMO NO.2020-676

Let's Go Green

- 4) Public consultation is not required under the Rules and Regulations Governing Special Uses in Protected Areas or DAO 2007-17. This is especially true when the proposed site is not within areas covered by tenurial instruments and private rights;
- 5) Please be guided by the following simplified checklist of requirements based on DAO 2007-17.

<b>General requirements</b>	
1	Accomplished Application Form (Annex A)
2	For individual applicants, photocopy of birth certificate
	For groups/corporations/associations/cooperatives and LGUs:
	a) Copy of SEC/CDA/DOLE registration, Articles of Incorporation and by-laws.
	b) A board resolution designating the groups' authorized representative to apply for SAPA in behalf of the group.
	c) Resolution of the Sanggunian (SB/SP) for LGUs.
3	Project Description composed of site location map, preliminary site development plan with map, timetable, and list with brief description of project components
4	Income Tax Return ( <i>individual</i> ) or Financial Statement ( <i>groups</i> )
5	PAMB Clearance
6	Comprehensive Development and Management Plan
7	*Environmental Compliance Certificate
8	*Rehabilitation Plan
<b>Conditional requirements</b>	
(9)	*Certification Precondition to be issued by NCIP, if the proposed site is within an approved ancestral domain title (CADT)
(10)	*Clearance from the PCSD, if the project is in Palawan

*\* May be included in the Terms and Conditions of the SAPA for later submission in case of legislated protected areas.*

Posting of Rehabilitation/Performance bond in a form of surety bond or cash equivalent to 25% of the rehabilitation cost as reflected in the rehabilitation plan

shall be done within thirty (30) working days from the commencement of the project;

Further, construction of any permanent structures within the designated easements in the banks of rivers, streams or lakes and the shores of the seas throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, pursuant to the Article 51 of Presidential Decree No. 1067, is not allowed.

Finally, SAPA shall not be allowed in strict protection zones, strict nature reserves, and in easement zones, including titled properties in recognition of private rights.

Please be guided accordingly.



ATTY. JUAN MIGUEL T. CUNA, *CESO I*



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**DEC 16 2020**

**ATTY. JEREMIAH B. BELGICA, REB, EnP**  
Director General  
Anti-Red Tape Authority  
GF, HPGV Building, 395 Senator Gil Puyat Ave.,  
Makati City 1200

**Dear Atty. Belgica,**

This has reference to the consultation meeting dated 07 December 2020 between ARTA and BMB and your letter of even date regarding the Special Use Agreement in Protected Areas (SAPA) in relation to the pending applications of mobile network operators and telecommunications companies.

DENR Adm. Or. 2007-17 or the "Rules and Regulations Governing Special Uses Within Protected Areas" is currently being updated in view of the passage of the RA 7586, as amended by RA 11038. However, may we provide you the simplified checklist of the requirements for SAPA applications which we will provide to Protected Area Superintendents, as follows:

<b>General requirements</b>	
1	Accomplished Application Form (Annex A)
2	For an individual applicant, photocopy of birth certificate
	For groups/corporations/associations/cooperatives and LGUs:
	a) Copy of SEC/CDA/DOLE registration, Articles of Incorporation and by-laws. b) A board resolution designating the groups' authorized representative to apply for SAPA in behalf of the group. c) Resolution of the Sanggunian (SB/SP) for LGUs.
3	Project Description composed of site location map, preliminary site development plan with map, timetable, and list with brief description of project components.
4	Income Tax Return ( <i>individual</i> ) or Financial Statement ( <i>groups</i> )
5	PAMB Clearance
6	Comprehensive Development and Management Plan
7	*Environmental Compliance Certificate
8	*Rehabilitation Plan
<b>Conditional requirements</b>	
(9)	*Certification Precondition to be issued by NCIP, if the proposed site is within an approved ancestral domain (CADT)
(10)	*Clearance from the PCSD, if the project is in Palawan

*\* May be included in the Terms and Conditions of the SAPA for later submission in case of legislated protected areas.*

Posting of Rehabilitation/Performance bond in the form of surety bond or cash equivalent to 25% of the rehabilitation cost as reflected in the rehabilitation plan shall be done within thirty (30) working days from the commencement of the project.

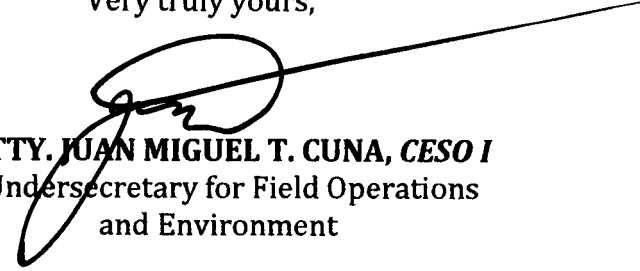
Further, construction of any permanent structures within the designated easements in the banks of rivers, streams or lakes and the shores of the seas throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, pursuant to the Article 51 of Presidential Decree No. 1067, is not allowed.

With regard to the seven (7) SAPA applications mentioned by PLDT and Smart Communications, we shall provide you with a status report as soon as the concerned DENR Regional Offices and PASus have provided the needed information.

We hope the above checklist and information will serve your purpose.

Thank you and best regards.

Very truly yours,



**ATTY. JUAN MIGUEL T. CUNA, CESO I**  
Undersecretary for Field Operations  
and Environment

**ENDORSEMENT**

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**FOR :** SECRETARY ROY A. CIMATU  
DEPARTMENT OF ENVIRONMENT AND NATURAL  
RESOURCES

**THRU :** ATTY. JUAN MIGUEL T. CUNA, CESO I  
UNDERSECRETARY FOR FIELD OPERATIONS AND  
ENVIRONMENT

MR. RICARDO L. CALDERON  
OIC ASSISTANT SECRETARY FOR CLIMATE CHANGE  
AND DIRECTOR, BIODIVERSITY MANAGEMENT  
BUREAU

OIC DIRECTOR LOURDES C. WAGAN, CESO IV  
FOREST MANAGEMENT BUREAU

**SUBJECT :** PENDING APPLICATIONS OF PLDT INC./ SMART  
COMMUNICATIONS INC. FOR SPECIAL USE  
AGREEMENT IN PROTECTED AREAS (SAPA) AND  
SPECIAL LAND USE PERMIT (SLUP)

**DATE :** 7 DECEMBER 2020

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Respectfully endorsing to your good office, the attached letter of PLDT, INC. and SMART COMMUNICATIONS, INC. regarding their pending applications for Special Use Agreement in Protected Areas (SAPA) and Special Land Use Permit (SLUP). The list of pending applications covers sixty-six (66) pending applications for sixty-six (66) towers, across different regions of the country.

See attached copy of the letter with attached list of pending applications.

Pursuant to the Authority's mandate under Section 17 (d) of Republic Act No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018", and considering that the above concern may be best addressed by your agency, we are referring the same to your office for your appropriate action. May we request for a status update of the foregoing pending applications within **three (3) days** from receipt of this endorsement letter.

Thank you very much.

Sincerely,

  
**ATTY. JEREMIAH B. BELGICA, REB, EnP**  
*Director General*





6 August 2020

**THE HONORABLE  
DIRECTOR GENERAL  
JEREMIAH "MY" B. BELGICA, REB, ENP**  
Anti-Red Tape Authority  
Ground Floor HPGV Bldg  
395 Sen. Gil Puyat Avenue  
Makati City

Dear Director General Belgica:

This respectfully refers to your directive to submit the following lists:

1. **PARTIAL LIST OF PENDING PERMIT APPLICATIONS WITH LOCAL GOVERNMENT UNITS** attached herein as Annex "A". Some OBOs are refusing to process the permits for lack of approvals from city/municipal councils. The list includes those sites which the HOAs are strongly opposing due to health hazard issues. As a result of the HOAs refusal to give consent, the barangays are withholding the issuance of clearance/resolution. It also includes subdivision projects where the developers are preventing PLDT and SMART from constructing cell sites and cable laying.

2. **LIST OF PENDING SLUP/SAPA APPLICATIONS WITH** the regional offices of the **DENR** attached herein as Annex "B", causing delays in the issuance of building permits for new cell sites. The local government units should not require the SLUP/SAPA or NCIP's FPIC as pre-requisites to securing building permits.

3. **LIST OF PENDING APPLICATIONS WITH** the regional offices of the **ENVIRONMENTAL MANAGEMENT BUREAU (EMB)** on various concerns attached herein as Annex "C". The EMB regional offices have different requirements for Permit to Operate for stand by generators (PTO) and Hazardous waste generators ID (HWGID) for each site. These permits are necessary to ensure continuous power back up. We also need to apply for Permit to Transport (PTT) for mere pull out of used oil and busted fluorescent lamp that requires payment of excessive trucking fees.

**4. LIST OF PENDING APPLICATIONS WITH ELECTRIC COOPERATIVES** attached herein as Annex "D". Electric cooperatives and local government units are implementing one pole policy but favoring a particular telecommunications company when in fact, PLDT has existing poles. This results to undue deprivation of property, by forcing PLDT to remove its existing poles.

**5. LIST OF PENDING APPLICATIONS WITH DPWH** for excavation/pole erection of several fiber optic projects attached herein as Annex "E". which are being restricted by the DPWH DO Nos. 73 (s. 2014) and 26 (s. 20110) resulting to non-delivery of much needed transport backhaul that are intended to increase broadband speed and bandwidth. These projects are critical to the government's program on distance learning, tele-medicine among many others.

Likewise, we are also submitting the **LIST OF ON-HOLD ACCESS DUE TO LOCKDOWN** attached herein as Annexes "F" AND "G" during this pandemic. As mentioned during the last inter-agency meeting, several barangays and homeowners' associations are preventing access to PLDT and Smart personnel and contractors, resulting to failure to execute urgent maintenance and repair on cell sites and other passive telecommunications facilities, mostly found inside the subscribers' premises. We also included in the list the cell sites that were shut down by the Department of Foreign Affairs, Philippine Sports Commission and Veterans Memorial Medical Center.

Please be informed that we will submit a supplemental list of pending permit applications on or before August 10, 2020.

Should you have clarifications, please feel free to call our Atty. Pamela B. Felizarta at 09209153442 or pbfelizarta@smart.com.ph.

Very truly yours,

**PLDT, INC.**

**SMART COMMUNICATIONS, INC.**

By:

By:



**ATTY. AILEEN D. REGIO**  
First Vice President  
Head - Regulatory and Strategic Affairs



**ATTY. ROY D. IBAY**  
Department Head/Vice President  
Legal and Regulatory Group



**ANNEX B - List of pending SLUP/SAPA applications with DENR**

ITEM #	REGION	DATE OF APPLICATION	TYPE OF LICENSE, CLEARANCE, PERMIT, CERTIFICATION, AUTHORIZATION	LOU/AREA WHERE THE APPLICATION OR REQUEST WAS FILED	DATE OF SUBMISSION OF COMPLETE REQUIREMENTS	DATE OF PAYMENT OF FEES, IF ANY
1	2	May-19	Special Use Agreement in Protected Areas (SAPA)	DENR PENRO Basco - Protected Area Superintendent (6 Towers)	May-19	-Delay in the issuance of order of payment
2	10	Aug-19	Special Use Agreement in Protected Areas (SAPA)	DENR PENRO Oroquieta City - Protected Area Superintendent (2 towers)	Aug-19	Aug-19
3	MCR	6 Aug 19	Special Use Agreement in Protected Areas (SAPA)	PAMB PASU Ninoy Aquino Parks and Wildlife Center	6 Aug 19	Delay in the issuance of order of payment
4	7	Oct-17	Special Use Agreement in Protected Areas (SAPA)	PAMB PASU Cebu Central Protected Landscape (3 towers)	Oct-17	Delay in the issuance of order of payment
5	7	Oct-17	Special Use Agreement in Protected Areas (SAPA)	PAMB PASU ALEJAWAN-CANSUHAY-ANIBONGAN RIVER WATERSHED FOREST RESERVE	Oct-17	Delay in the issuance of order of payment
6	7	May 18	Special Use Agreement in Protected Areas (SAPA)	PAMB PASU Talavera Watershed Forest Preserve	May 18	Delay in the issuance of order of payment
7	3	Oct-19	Special Use Agreement in Protected Areas (SAPA)	PAMB PASU Miralunga National Park	Feb-18	Oct-19
8	CAR	12/19/2018	Special Land Use Permit (SLUP)	DENR CENRO Iligan City (two (2) applications)	12/19/2018	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
9	1	1/4/2019	Special Land Use Permit (SLUP)	DENR CENRO Bantay Ilocos Norte (two (2) applications)	1/4/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
10	1	11/28/2018	Special Land Use Permit (SLUP)	DENR CENRO-Laang City Ilocos Norte	11/28/2018	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
11	1	11/28/2018	Special Land Use Permit (SLUP)	DENR CENRO-Bangui Ilocos Norte (two (2) applications)	11/28/2018	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
12	3	12/20/2018	Special Land Use Permit (SLUP)	DENR CENRO Muna: Nueva Ecija	12/20/2018	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
13	4-A	3/7/2019	Special Land Use Permit (SLUP)	DENR CENRO RIZAL Palawan	3/7/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
14	4-B	23-Nov-18	Special Land Use Permit (SLUP)	DENR CENRO-CORON (four (4) applications)	23-Nov-18	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
15	4-B	8/20/2019	Special Land Use Permit (SLUP)	DENR CENRO-ROKAS Palawan (two (2) applications)	8/20/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
16	4-B	3 Dec-18	Special Land Use Permit (SLUP)	DENR CENRO-BROOKE'S POINT Palawan (two (2) applications)	3 Dec-18	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
17	6	5/8/2019	Special Land Use Permit (SLUP)	DENR CENRO Mambusao Iloilo	5/8/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
18	6	3/5/2020	Special Land Use Permit (SLUP)	DENR CENRO Belton Iloilo	3/5/2020	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
19	6	4/14/2019	Special Land Use Permit (SLUP)	DENR CENRO Barotac Nuevo Iloilo	4/14/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
20	6	3/5/2020	Special Land Use Permit (SLUP)	DENR CENRO Culesti Iloilo	3/5/2020	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
21	6	6/7/2019	Special Land Use Permit (SLUP)	DENR CENRO Kubantulan Negros Occidental	6/7/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
22	7	6/7/2019	Special Land Use Permit (SLUP)	DENR CENRO TAGBLARAN Bohol	6/7/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
23	8	5/29/2020	Special Land Use Permit (SLUP)	DENR CENRO PALO Leyte (two (2) applications)	5/29/2020	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
24	8	3/10/2020	Special Land Use Permit (SLUP)	DENR CENRO MAASIN Leyte	3/10/2020	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
25	9	2/6/2019	Special Land Use Permit (SLUP)	DENR CENRO Zamboanga City	2/6/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
26	9	8/9/2019	Special Land Use Permit (SLUP)	DENR CENRO Imelda Zamboanga Sibugay	8/9/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
27	11	1/22/2019	Special Land Use Permit (SLUP)	DENR PENRO DAVAO OCCIDENTAL	1/22/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
28	11	1/8/2019	Special Land Use Permit (SLUP)	DENR PENRO LUPON DAVAO ORIENTAL	1/8/2019	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
29	4B	2/18/2020	Special Land Use Permit (SLUP)	DENR CENRO PUERTO PRINCESA, PALAWAN	2/18/2020	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
30	4B	2/26/2020	Special Land Use Permit (SLUP)	DENR CENRO CORDON, PALAWAN (two (2) applications)	2/26/2020	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
31	4B	2/18/2020	Special Land Use Permit (SLUP)	DENR CENRO Romes Palawan (four (4) applications)	2/18/2020	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification
32	4B	3/3/2020	Special Land Use Permit (SLUP)	DENR CENRO Quezon Palawan (three (3) applications)	3/3/2020	3/3/2020
33	4B	20-Apr-20	Special Land Use Permit (SLUP)	TAYTAY DENR CENRO (three (3) applications)	20-Apr-20	Delay in the issuance of Order of Payment, Barangay Resolution and NCP Certification

Total of 66 Applications for 66 Towers



Republic of the Philippines  
 Department of Environment and Natural Resources  
**BIODIVERSITY MANAGEMENT BUREAU**

Ninoy Aquino Parks and Wildlife Center

Quezon Avenue, Diliman, Quezon City

DEPT. OF ENVIRONMENT AND NATURAL RESOURCES  
 Tel. Nos.: (632) 924-4038 (632) 924-4039 (632) 924-0109, (632) 920-4417  
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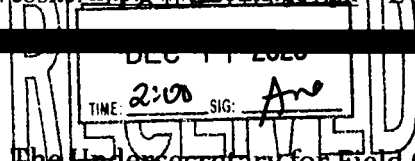


**MEMORANDUM**

FOR : The Undersecretary for Field Operations and Environment

FROM : The OIC, Asst. Secretary for Climate Change  
 and Director in concurrent capacity

SUBJECT : **PROCESSING OF SAPA APPLICATIONS INVOLVING  
 COMMUNICATION TOWERS AND FACILITIES**



DEC 10 2020

This refers to the discussion we had with Atty. Jeremiah Belgica, the Director General of the Anti-Red Tape Authority, and his letter providing a list of SAPA applications pending in some protected areas. Atty. Jeremiah Belgica asked for a status report on the pending SAPA applications as well as the status of the streamlining of the processing of SAPA applications in view of the requirements of Republic Act 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018.

In this regard, may we request your approval and signature of the attached draft memorandum requesting the Regions to provide status report on certain SAPA applications for communication towers in Regions 2, 3, 7 and 10, and directing Regional Executive Directors to expedite the processing of SAPA applications for communication towers in view of the requirements RA 11032 and in support to the government thrust of enhancing nationwide connectivity through the construction of communication towers which are badly needed especially in this time of pandemic.

Also attached is a draft letter to Atty. Jeremiah Belgica in reply to his request for the checklist of SAPA requirements and on the status of SAPA applications in certain protected areas in Regions 2, 3, 7 and 10.

For his signature of the attached draft letter to Atty. Belgica and draft memorandum to all Regions.

RICARDO L. CALDERON, *CESO III*

Republic of the Philippines  
 Department of Environment and Natural Resources  
 BIODIVERSITY MANAGEMENT BUREAU



BMB202002940



United Nations Decade on Biodiversity