



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
MIMAROPA Region
Coron, Palawan

September 23, 2021

MEMORANDUM

FOR : THE REGIONAL EXECUTIVE DIRECTOR
DENR MIMAROPA Region
DENR Building, Roxas Boulevard, Ermita, Manila

THRU : THE PENRO
Sta. Monica, Puerto Princesa City, Palawan

FROM : THE CENRO
Coron, Palawan

**SUBJECT : INVESTIGATION REPORT ON THE ALLEGED
ILLEGAL EXCAVATION AT BRGY. POBLACION 5,
CORON, PALAWAN**

Respectfully forwarded is the investigation report dated September 22, 2021 regarding the complaint of concerned citizens pertaining to the ongoing excavation located at the National Highway, Barangay Poblacion 5, Coron, Palawan beside the Bed & Breakfast Hotel.

For your perusal and further action.




ARNOLFO A. BLAZA JR.
POIC, CENRO - Coron



September 22, 2021

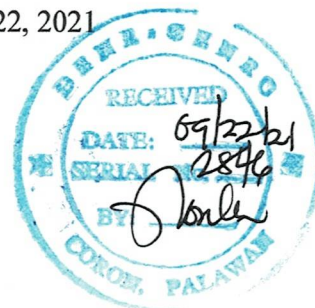
MEMORANDUM

FOR : The CENR Officer
Coron, Palawan

FROM : THE UNDERSIGNED

**SUBJECT : INVESTIGATION REPORT ON THE ALLEGED
ILLEGAL EXCAVATION AT BRGY. POBLACION 5,
CORON, PALAWAN**

DOCUMENTS : 1. Photo Documentation; and
ATTACHED 2. Location Map of the Excavation Site



Pursuant to the Travel Order No. 2021-09-21-241, the undersigned together with the EMB embedded personnel Engr. Mark Angelo Rogel and staffs of the Monitoring and Enforcement Section of CENRO - Calamian Island conducted field inspection on 21st day of September 2021 regarding the abovementioned subject.

Background Information

On the 13th of August 2021, the technical personnels of this office conducted a reconnaissance survey on the request of Mr. Arnold P. Nepomuceno. The request letter was about the intent to apply for Forest Land Use Agreement for Tourism (FLAgT) for the lot covered by the Tax Declaration No. 09-005-1193 in Sitio. Insikay, Barangay Poblacion 5, Coron, Palawan.

On 6th of September 2021, the technical personnels of this certified that the applied area for FLAgT of Mr. Nepomuceno falls within the category of Unclassified Public Forest, outside LC Map no. 127, Project 2, certified November 23, 1933.

On 17th of September 2021, the technical personnel certified further that the area turned positive or it can be applied for FLAgT and the certification was issued upon request of Mr. Nepomuceno facilitate their request for permits/clearances from concerned agencies.

On 20th of September 2021, this office received the complaint from a concerned citizen regarding the abovementioned subject.

Purpose and Scope

The investigation aims to validate the pertinent documents prior to the activity in the area. The team also interviewed the representative of the proponent regarding to the details of the project for the area in Brgy. Poblacion 5, Coron, Palawan.

Findings and Observation

1. The inspection site is located beside the Coron-Busuanga Road at So. Insikay, Brgy, Poblacion 5, Coron, Palawan with a total area of 518 sq.m.. It is accessible by any land transport vehicle from the town proper of Coron via concrete Coron-Busuanga road. The travel time from town proper of Coron to the excavation site is approximately 5-10 minutes.
2. On 21st day of September 2021, upon the instruction of OIC, CENRO Coron to conduct investigation on the complaint received by this office last 20th of September 2021, the team proceeded to the excavation site to conduct ocular inspection of the activity.
3. During the ocular inspection, the team observed a backhoe and small hauling truck which was under operation at the time of inspection in the area. The hauling truck have a plate number CDK 4554.
4. The team interviewed Mr. Aaron Nepomuceno, the nephew of Mr. Arnold Nepomuceno. During the interview, Mr. Aaron Nepomuceno was asked where the proponent for the project. He replied that his uncle was in Manila. He added that he was in charge for the inventory of transported materials from the excavation site. The team asked who can be interviewed regarding the documents and details of the proposed project in which he replied that his mother was nearby and can be interviewed for the details on the area.
5. The team proceeded to the area where the sister of the proponent can be interviewed. The team did not obtain the name of the sister. During the interview, the team asked for the pertinent documents prior to the excavation activity and necessary documents for the proposed commercial building. Upon confirmation does not have an approved tenurial instrument and other permits from concerned agencies.
6. On the part of Environmental Management Bureau (EMB) we have found out that the proposed two-storey commercial building have a total floor area of less than 10,000 sq.m. which is exempted for securing Environmental Compliance Certificate (ECC) for commercial building projects.
7. Upon verification to the Municipal Engineering Office, the proponent thru the contractor secured Excavation and Ground Preparation Permit and paid for the Bond worth fifty thousand pesos (P50,000.00) to the Municipality of Coron.

Comments and Recommendations


1. It is recommended to issue a cease and desist for conducting any related activities to the project until such approved tenurial instrument is secured by the proponent.
2. It is also recommended to the contractor that before they cease and desist from the excavation, they should stabilize the slope of the area to mitigate the landslide hazard in the area to ensure the safety of the area and nearby establishments.

3. Pursuant to Section 78 of the Presidential Decree 705 (Revised Forestry Code of the Philippines)

“Any person who enters and occupies or possesses, or makes kaingin for his own private use or for others, any forest land or grazing land without authority under a license agreement, lease, license or permit, or in any manner destroys such forest land or grazing land or part thereof, or causes any damage to the timber stand and other products and forest growth found therein ..., or refuses to vacate the area when ordered to do so, ... shall, upon conviction, be fined in an amount of not less than Five Hundred Pesos (P500.00), nor more than Twenty Thousand Pesos (P20,000.00) and imprisoned for not less than six (6) months nor more than two (2) years for each such offense, and be liable to the payment to ten (10) times the rental fees and other charges which would have accrued had the occupation and use of the land been authorized under a license agreement, lease, license or permit.

For the CENR Officer's information and further instruction.

Inspected by:


EMMANUEL REY V. SUMANGIL
Science Research Specialist I
MGB Embedded Personnel


ENGR. MARK ANGELO S. ROGEL
Engineer II
EMB Embedded Personnel


ELIZALDE M. SEGUNDO
Forest Technician II



JULIUS R. SORREDA
Forest Ranger

PHOTO DOCUMENTATION

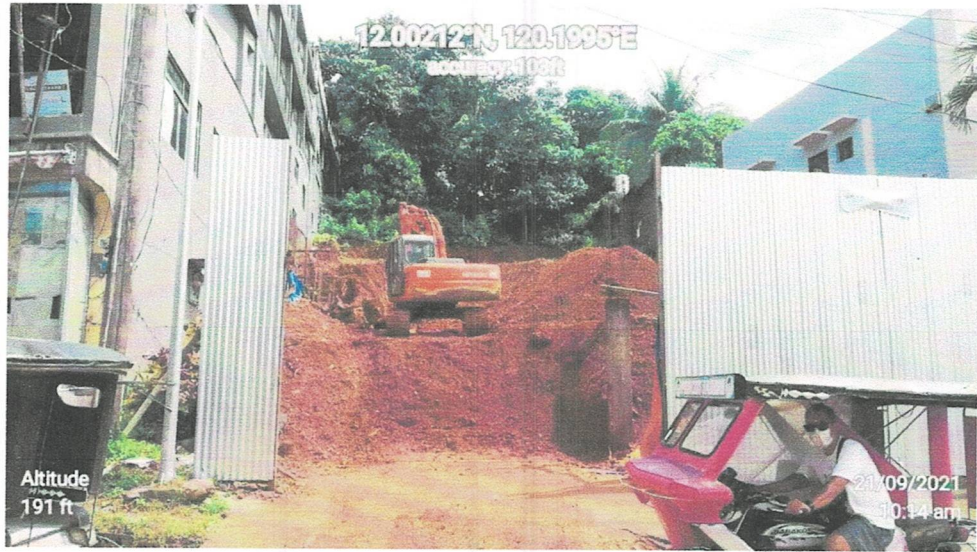


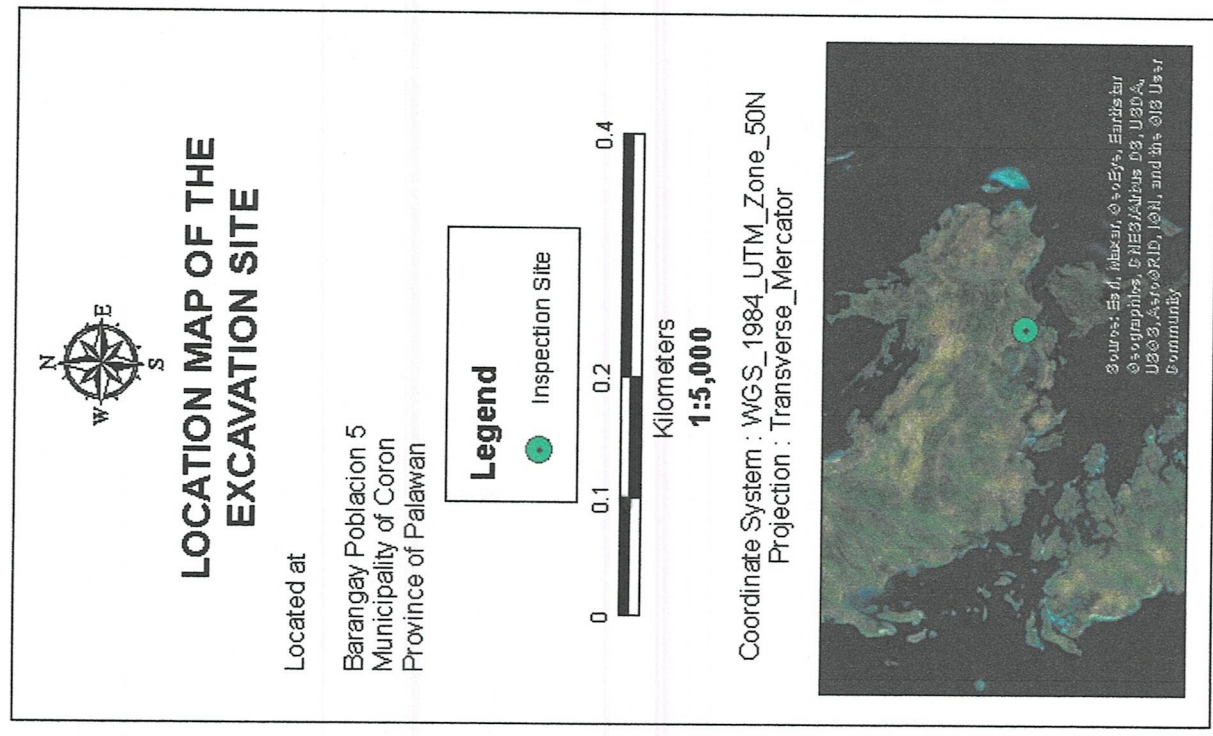
Figure 1. Backhoe in the area that was under operation.



Figure 2. Close-up photo of the backhoe



Figure 3. Hauling Truck with the Plate Number CDK 4554



September 20, 2021

For. Arnoldo A. Blaza Jr.
OIC - CENRO
DENR CENRO



Dear Sir :

Greetings !

I am a concerned citizen, resident of Brgy. Poblacion 5, Coron, Palawan. I may want to complain the ongoing excavation to the proposed building construction located to National Highway, Brgy. 5, Coron, Palawan beside the Coron and Bed & Breakfast Hotel. The ongoing excavation can contribute danger to the near area and also it came to our information that the area is an unclassified public forest lands. The DENR should inspect the area because we all know that if the area doesn't have an approved tenurial instrument, it doesn't have any activities on the area. The proposed building doesn't have Environmental Compliance Certificate (ECC) so this ongoing excavation should be checked also.

Hoping for your action for our complaint.

Thank you very much.

Sincerely,

A Concerned Citizen,

Application:
— Assessment & evaluation

Arnold Nepomuceno