



Republic of the Philippines
Department of Environment and Natural Resources

FOREST MANAGEMENT BUREAU

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NOTICE OF MEETING

FOR/TO : Dir. Norlito P. Eneran – DENR Legal Affairs Service (LAS)
Atty. Maria Emma Gille Mercado -DENR LAS
Dir. Lormelyn E. Claudio – DENR MIMAROPA
PENRO Felizardo B. Cayatoc –DENR Palawan
CENRO Arnoldo A. Blaza Jr. –DENR Coron Calamianes Islands
Ms. Beata D. Batadlan – Land Classification Division (NAMRIA-RDAB)
Mr. Alex C. Pascua - Land Management Division (LMB)
For. Norlito P. Sarmiento – Forest Investment Development Division
For. Kathleen Q. Marasigan – FRDS
For. Danelyn T. Delos Reyes –FRDS
Mr. Richard John P. Galagate – BPRMO
Ms. Frances Nicole A. Lavapie – BPRMO/FRDS

FROM : The Assistant Secretary for Policy, Planning and Foreign- Assisted and
Special Projects and Director, in concurrent capacity

SUBJECT : **FIDD Meeting No. 2022- 11**

AGENDA : **Discussion/Preparation of the unified stand on the Yolanda
Permanent Housing Project within Busuanga Pasture Reserve
(BPR)**

DATE : 04 March 2022

TIME : 09:00 -12:00 NN

MEETING
LINK : TBA

YOUR ATTENDANCE IS HIGHLY ENJOINED.


MARCIAL C. AMARO, JR., CESO II

ANTECEDENTS

Subject: Activity/Memo/Letters	Highlights/Concerns	Actions Taken/Agreements/Results	Response
05 Feb 2021: Representatives from the NHA Regional Office (Palawan) and Front Nine Konstruct (Builders & Realty Development) Corp. (Front Nine Konstruct for brevity) visited the CENR Office Calamianes Islands and the BPR Management Office (BPRMO)	Verification of the land status of PLAN H-119741 located at So. Pinagkulungan, Brgy. San Nicolas, Coron Palawan.	1. The site was found within BPR. 2. Letter response dated 08 February 2021 of CENRO Calamianes Islands to Mr. Mark Angelo Nocum, Authorized Managing Officer Front Nine Konstruct “It was verified by the CENR Office Calamianes Island that the subject site is within the Unclassified Public Forest ”	
15 February 2021: 23 rd IATF Yolanda Meeting on the unified implementation and monitoring of rehabilitation and recovery projects and Programs in Yolanda Corridor	Concerns mentioned during the meeting: <ul style="list-style-type: none"> • limited housing for the Yolanda Permanent Housing Project • proposed sites fall within timber/forest lands and declared protected areas • timber/forest lands are not eligible for resettlement areas, unless classified or reclassified through an Executive Action or Congressional Act, respectively • maps/specific locations of the proposed housing project in RIV-B were requested to be plotted in the land classification maps of NAMRIA 		
10 February 2021: Letter Request of Front Nine Konstruct for the issuance of certificate to construct	<ul style="list-style-type: none"> • issuance of certificate to construct 	Regional Executive Director of DENR MIMAROPA through a Memorandum dated 16 February 2021, referred to the Undersecretary for Field Operations and	FMB through a memo dated 30 March 2021, referred to Office of the Undersecretary Legal, Administration, Human Resources,

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		Environment (att'n: FMB) on the request of Front Nine Konstruct	<p>and Legislative Affairs (attention: the DENR Legal Affairs Service)</p> <p>The said referral included the GIS analysis using the maps from DENR Region IV-B and other available datasets resulting to the followings findings:</p> <ul style="list-style-type: none"> • The site has a total area of 24 hectares and is within the boundaries of BPR. • The area falls within forestland as per unified replotted land classification. • Majority of the area falls within 0-8% slope category. • As per 2015 land cover, the area is predominantly covered with grassland and shrubs.
Email dated 24 March 2021 containing a Memorandum from the Cabinet Secretary was sent to FMB regarding the directives from the 23 rd IATF Yolanda meeting	<p>Directives of IATF:</p> <ul style="list-style-type: none"> • submit a written report on instances wherein certain areas in Palawan or other regions were reclassified to accommodate resettlement housing projects • request the National Mapping and Resource Information Authority for the Land Classification map of Yolanda affected areas in Palawan 	FMB refer the documents to the DENR MIMAROPA for appropriate action through FMB Memorandum dated 27 March 2021	<p>Letter response dated 04 April 2021 of DENR MIMAROPA to CabSec Karlo A.B. Nograles re: directives from the 23rd IATF Yolanda meeting</p> <ul style="list-style-type: none"> • There are no instances nor requests for reclassification and/or classification of forestland in Palawan for the Yolanda Housing Project. • No proposed House Bill reclassifying forestland in the province has likewise been filed

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			<p>in the Congress for the said matter.</p> <ul style="list-style-type: none"> • In the case of the housing project specifically located at So. Pinagkulungan, Brgy. San Nicolas, Coron Palawan, the honorable Cabinet Secretary was informed that the case has been referred to DENR Legal Affairs Service for legal opinion on the matter.
<p>14 May 2021: FMB-BPR Technical Working Group Meeting</p> <p>Agenda: discuss proposed Yolanda Permanent Housing Project within BPR.</p>	<ul style="list-style-type: none"> • Request from NAMRIA for a Certification on the LC of the area at the time the OCT was issued in 1949. Request NAMRIA further for the current LC of the area covered by the NHA Project. • Coordinate with LMB on the Homestead patent which served as the basis for the issuance of the OCT No. G-6688 in 1949. 	<ol style="list-style-type: none"> 1. A letter was sent to NAMRIA requesting for a certification on the current land classification Title No G-6688 (Plan H-11974) and its land classification when the title was issued on 01 July 1949. 2. A memorandum was sent to LMB requesting for the authenticated copy of Homestead Patent No. 2903 and clarifications on the issuance of Homestead Patent and subsequent title over an area treated as UPF. 	<p>Letter dated 30 June 2021, response of Administrator of NAMRIA – Usec. Peter N. Tiangco re: request for certification on the current land classification of Title No G-6688</p> <ul style="list-style-type: none"> • There is no approved LC Map covering San Nicolas, Coron, Palawan. • It was mentioned, however, that the result of plotting of the technical description indicated in the TCT, disclosed that the subject lot falls within the unclassified public forest of Coron, Palawan. • There is no response received from LMB
<p>Memorandum dated 26 March 2021 from the Regional Executive Director of DENR MIMAROPA (copy furnished</p>	<ul style="list-style-type: none"> • The area was found to be within the unclassified public forest and falls within the BPR. 	<p>FMB through a Memorandum dated 22 June 2021</p> <p>“Front Nine Konstruct should not be given favorable consideration on its request for</p>	

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the USAHRLA, UOFOE and DENR LAS)		certificate to construct due to its classification as unclassified public forest”	
FMB through a memo dated 30 March 2021, referred to Office of the Undersecretary Legal, Administration, Human Resources, and Legislative Affairs (attention: the DENR Legal Affairs Service) re: request for legal opinion on the request of Front Nine Konstruct for the issuance of Certification to Construct	Construction of housing units within BPR with OCT G-6688 and TCT T-8335	<p><i>USLHRLA through a Memorandum dated 12 July 2021 forwarded a legal opinion.</i></p> <p><i>“Taking into consideration that the project is part of the unclassified public forest, it was mentioned in the said Memorandum that there might be irregularities in obtaining and in the issuance of OCT G-6688 since unclassified public forest cannot be subject to titling. Since there remain questions in relation to the classification of the land covered by the Yolanda Permanent Housing Project and the validity in the issuance of OCT G-6688 and TCT T-8335, the Office of the USLAHRLA recommended that the construction of housing units be held in abeyance until appropriate investigation be concluded.”</i></p>	<p>FMB through a Memorandum dated 17 September 2021 forwarded to Usec. Field Operations CSW pertaining to the Yolanda Permanent Housing Project within the BPR with attached draft letter to National Housing Authority (NHA) requesting the said Office to hold in abeyance the construction of housing units within BPR.</p> <p>Memo was reverted to FMB with notes/comments:</p> <p>Sir,</p> <p>Per UJMTC, would it be prudent on our part to at least conduct an initial investigation on the TCT/OCT before we ask NHA to stop from pursuing the project? For comment, please. Thank you.</p> <p>-Rommel 10/21/21</p>
IATF Meeting on 22 October 2021	<ul style="list-style-type: none"> NHA to provide the IATF Yolanda the copy of technical descriptions of the project sites 	On 11 November 2021, as a way forward during the IATF Yolanda Special Meeting, a draft Memorandum was forwarded to the	A Memorandum dated 07 January 2022 was received by the FMB on 10 January 2022 regarding the

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	<p>located in the UPF such as Culion, Busuanga, Linapacan, and Agutaya;</p> <ul style="list-style-type: none"> • All the technical reports should be coursed through proper channels from the CENRO Coron-Calamianes Islands to facilitate the implementation of the Yolanda housing project; and • An investigation pertaining to the issuance of land title despite of land classification of the project site in Coron should be conducted by the DENR. 	<p>RED of DENR MIMAROPA on the conduct of investigation pertaining to the land classification of Yolanda Housing Projects within the Busuanga Pasture Reserve.</p>	<p>investigation on the land classification of the Yolanda Permanent Housing Project within BPR. Synthesis of the report states that:</p> <p>xxx considering that the said TCT falls within UPF, pursuant to its LC issued in 1929 by the Bureau of Forestry, the land cannot be recognized as privately owned under the existing law. Hence, construction of permanent housing structures may not be possible until any of the following action are effected:</p> <ol style="list-style-type: none"> a. An appropriate forest land use tenure instrument is issued. b. Classification of UPF into Alienable and Disposable land, or c. Issuance of Presidential Proclamation, allocating the subject area for resettlement/housing project <p>xxx</p>
<p>Hold in abeyance letter to NHA on 11 November 2021</p>	<p>A letter was sent to the General Manager of the National Housing Authority (NHA) including the Front Nine Construct, requesting to hold in abeyance the construction of the housing units until such time the authenticity and legality of the issued title has been proven.</p>	<p>On 17 November 2021, a letter was sent by the General Manager of National Housing Authority (NHA) to FMB re: endorsing the land use conversion/ reclassification from the original use of land for the utilization of the proposed housing project in Brgy. San Nicolas, Coron, Palawan.</p>	<p>A letter dated 04 January 2022 was addressed to Mr. Marcelino P. Escalada Jr., General Manager of National Housing Authority (NHA).</p> <p>It was mentioned in the letter that the FMB is still awaiting the submission of in-depth investigation report of the DENR MIMAROPA on the authenticity of the titles for the</p>

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			Yolanda Permanent Housing Project. However, the FMB maintained its stand to hold in abeyance the construction of the housing project until such time the authenticity and legality of the titles are proven or the impending issues and concerns on the matter are resolved.
Email from IATF- Yolanda on 12 November 2021 re: furnished copy of the Memorandum of the PENR Officer Palawan to CENR Officer CENRO Calamianes Islands	<p>A Memorandum was sent by the PENRO Palawan to CENRO Calamianes Islands (copy furnished IATF-Yolanda) re: requirements on the classification of Unclassified Public Forest to Alienable and Disposable Lands.</p> <p><i>“TCT No. 8335 enjoys its character as a private landholding regardless of its land classification status until after it is cancelled through Court Proceedings. Furthermore, since the identification of the resettlement sites are legally authorized, the survey plan is duly approved, there is no other documentary and processing requirement needed other than the approval of its classification or reclassification to Alienable and Disposable area now as agricultural land.”</i></p>	<p>A meeting was scheduled on 10 December 2021 attended by representatives from DENR LAS, LMB, NAMRIA, DENR MIMAROPA, PENRO Palawan and CENRO Coron-Calamianes to discuss the Yolanda Permanent Housing Project within BPR. The Memorandum sent by the PENRO Palawan to CENRO Calamianes Islands (copy furnished IATF-Yolanda) was also discussed during the meeting.</p> <p>After the meeting, it was agreed upon to:</p> <ol style="list-style-type: none"> 1. Consolidate actions pertaining to the stand of DENR on the issue concerning the Yolanda Permanent Housing Project within Busuanga Pasture Reserve (BPR). 2. Since the whole BPR is classified as a forestland, the subject site, regardless of the title issued, must undergo reclassification from forestland to alienable and disposable lands. 3. As suggested by LMB and NAMRIA, the suitability of the subject site for a resettlement site should be determined 	<p>4. The FIDD requested for an analysis on the suitability of the area (TCT No. T-8335) for resettlement site project through Internal Memorandum for the Forest Policy, Planning and Knowledge Management Division dated 25 January 2022.</p>

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		<p>first before the conduct of reclassification from forestland to alienable and disposable lands. These should also include the overlaying of the subject site to hazard maps to further determine the suitability of the area for the resettlement site.</p>	
<p>Letter from PCSD dated 16 November 2021 re: acknowledgement receipt of the hold in abeyance letter to NHA</p>	<p>Acknowledged the receipt of copy of the letter request of FMB to hold in abeyance the housing project within the BPR.</p> <p>Also, PCSD did not receive any application for ECAN Zoning Certification and/or SEP Clearance for the said housing project.</p>	<p>The FMB on it letter dated 23 December 2021 responded to PCSD.</p> <p>In the said letter, it was mentioned that the information on the investigation regarding the issuance of OCT No G-6688 (now TCT T-8335) shall be provided to PCSD. In the meantime, the PCSD was informed that the area covered by the housing project within BPR requires reclassification through Act of Congress considering that the land classification of BPR is forestland by virtue of Presidential Proclamation No. 1387 s. 1975.</p>	
<p>28th IATF-Yolanda Meeting on 14 December 2021</p>	<p>A 28th IATF for the Unified Implementation and Monitoring of Rehabilitation and Recovery projects and programs in the Yolanda Corridor was scheduled on 14 December 2021.</p> <p>During the said meeting, it was mentioned that an investigation regarding the authenticity/legality of the title is being conducted by the DENR MIMAROPA.</p>		

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	<p>Asec. Ricky Dela Torre from the Office of the Cabinet Secretary mentioned to defer any resolution on the matter while waiting for the result of the investigation of the DENR. Furthermore, it was agreed upon that a coordination with the DENR will be continuously done to identify certain areas and seek recommendations on which specific areas are available and suitable for resettlements. The possibility of issuing a Presidential Proclamation designating the area as residential zone for the YPHP will also be explored.</p>		
29 th Meeting of IATF-Yolanda Meeting	<p>29th IATF for the Unified Implementation and Monitoring of Rehabilitation and Recovery Projects and Programs in the Yolanda Corridor was scheduled on 16 February 2022</p> <p>During the said meeting, it was agreed upon to:</p> <ol style="list-style-type: none"> 1. Fast track the release of the investigation report involving the land titles of the Yolanda Permanent Housing Project (YPHP) sites located within the Busuanga Pasture Reserve in Coron, Palawan; and 		FMB will endorse to the DENR Legal Affairs Service the result of the Investigation conducted by the DENR MIMAROPA.

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	<p>2. A TWG meeting to be initiated by the Yolanda Project Monitoring Office shall be conducted with DENR, Department of Human Settlements and Urban Development (DHSUD), National Housing Authority (NHA) Region IV-B, Palawan Council for Sustainable Development (PCSD), and the Local Government Unit (LGU) of Coron to discuss the suspended YPHP projects in Coron, Palawan.</p>		