



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
EL NIDO-TAYTAY MANAGED RESOURCE PROTECTED AREA
Calle Real, Bgy. Masagana, El Nido, Palawan 5313
Landline No. 048-716-0674
Email: denrpao_elnidopal@yahoo.com / entmrpa@gmail.com

February 7, 2022

MS. JOSEPHINE O. TOÑACAO

Owner
Green Turtle Resort
Seven Commando, Bgy. Buena Suerte
El Nido, Palawan

Dear Ms. Toñacao,

This is to acknowledge receipt of your letter dated January 7, 2022 together with four (4) sets of documents for Special Use Agreement in Protected Area (SAPA) application of Green Turtle Resort located at Seven Commando, Bgy. Buena Suerte, El Nido, Palawan. The documents include the following, to wit:

1. Original letter to PASu Mildred A. Suza;
2. Photocopy of memorandum from the Regional Executive Director dated August 31, 2021;
3. Original duly accomplished SAPA application form signed by the owner and the authorize representative and duly sworn and subscribes;
4. Photocopy of Birth Certificate of Ms. Josephine O. Tonyacao;
5. Photocopy of Income Tax report for the year 2021, 2020, 2019, 2018 and certified photocopy from office file for the year 2017;
6. Photocopy of NCIP Certificate dated August 22, 2012 that they have just submitted its documents for issuance of NCIP;
7. Photocopy of NCIP Provincial 1st Endorsement dated June 14, 2019 (forwarded the SAPA application to Regional Office requesting for issuance of Memorandum of order and to conduct Pre-field Based Investigation Conference);
8. Photocopy of DTI permits for Green Turtle Resort;
9. Photocopy of Comprehensive Development and Management Plan (CDMP) appendices are not attached;
10. Photocopy of ECAN Map;
11. Photocopy of unsigned Map of the area;
12. Photocopy of unsigned PA zoning map;
13. Photocopy of unsigned Rehabilitation Plan;
14. Photocopy of Geohazard Assessment;

After thorough review and evaluation of this office, the documents you submitted are still lacking, the maps are unsigned and the documents are not authenticated or original. Please be informed, that a Free and Prior Informed Consent/ Certificate of non-overlap from the NCIP and Easement Certification per DAO 2019-05 must also be submitted. Also, we would like to reiterate our letter to you dated November 26, 2021 (copy attached) which states "please be

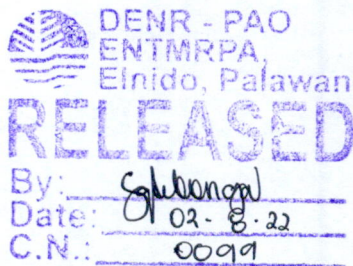
JB

advised to submit the above-mentioned documents (original or authenticated) in five (5) sets/folders together with the previously submitted documents to complete all requirements".

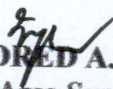

In view hereof, we regret to inform you that based on the above findings this office cannot transmit your application to the Regional Office due to incompleteness. Hence, this office is returning the submitted 4 sets/folders.

Further, per memorandum from the Regional Executive Director dated December 16, 2021 the "Easement Certification" shall be processed only after your compliance to the issued Notice to Vacate dated August 4, 2020.

Thank you for your cooperation.



Sincerely,


MILDRED A. SUZA
Protected Area Superintendent


*Copy furnished
The Regional Office, MIMAROPA Region
The PENRO, Palawan
The CENRO Taytay, Palawan
File*



Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources
EL NIDO-TAYTAY MANAGED RESOURCE PROTECTED AREA
Calle Real, Barangay Masagana, El Nido, Palawan, 5513
Contact No. GLOBE (0917-1103-262)
Email: denrpao_elnidopal@yahoo.com / entmrpa@gmail.com

November 26, 2021

MS. JOSEPHINE TOÑACAO
Green Turtle Resort
So. Seven Commando, Brgy. Buena Suerte
El Nido, Palawan

Dear Ms. Toñacao

This is in connection with your application for Special Use Agreement in Protected Area (SAPA) located in So. Seven Commando, Brgy. Buena Suerte, El Nido, Palawan, which was forwarded by this office to the CENRO per memorandum dated May 24, 2021 for review and approval of the Regional Office.

Please be informed that your application was reviewed and evaluated by the Regional Office per their memorandum dated August 31, 2021. It was noted, that copies of relevant maps are not clear as well as the final area for applied SAPA. The following are the documents needed to support your SAPA application.

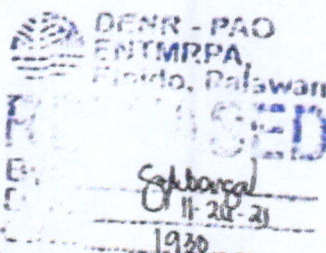
1. Completely filled-out Application Form, duly sworn and subscribed;
2. Copy of Birth Certificate;
3. Revised Project Description with the final area and clear copies of relevant maps and geotagged photos of the area;
4. Copies of the Annual Income Tax Returns for the last five (5) years;
5. Free and Prior Informed Consent/ certification from NCIP;
6. Copy of SEC registration, Articles of Information, By Laws and Resolution;
7. Revised Comprehensive Development and Management Plan with the Final Are, complete attachment and appendices;
8. Revised Rehabilitation plan; and
9. Clearer copies of geohazard assessment reports, ECAN zoning Certification and other relevant attachments

You are also required to submit Easement Certification per DAO 2019-05.

Please be advised to submit the above-mentioned documents (original or authenticated) in five (5) sets / folders together with the previously documents to complete all requirements.

For further concern, you may visit the Protected Area Management Office (PAMO) of El Nido-Taytay Managed Resource Protected Area (ENTMRPA), Calle Real, Brgy. Masagana, El Nido, Palawan and look for Ms. Faith D. Bangalisan or may communicate with our office thru e-mail at entmrpa@gmail.com and also in our telephone number 0487160674.

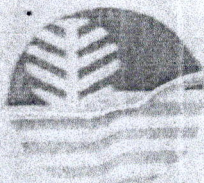
Thank you.



Sincerely,

MILDRED A. SUZA
Protected Area Superintendent
SE

Copy furnished:
The PENRO, Puerto Princesa City
The CENRO, Taytay
File



August 4, 2020

NOTICE TO VACATE

MR. EMIL PEDRO PRIMORAC ORCHE
(c/o Ms. Nikka Dennise E. Quinsaot)
CAUAYAN ISLAND RESORT
Cauayan Island, Barangay Buena Suerte, El Nido
Palawan

DENR CENRO
TAYTAY, PALAWAN
RELEASED
BY: *[Signature]*
DATE: *8.5.2020* / *GN* 1905

Sir,

This is to notify you that personnel of this Office conducted an inspection on the area being applied for Special Use Agreement in Protected Area (SAPA) in Cauayan Island, Barangay Buena Suerte, El Nido, Palawan on July 30, 2020. Report disclosed that you have not complied with the Notice to Vacate (NTV) issued last April 3, 2018 and there are several violations observed in your area, by reason thereof, you are hereby directed to voluntarily **REMOVE THE STRUCTURE/S** you build and **VACATE THE AREA** you are occupying in violation of any or all of the following provisions of law, viz:

- I. **Presidential Decree No. 705**, as amended, otherwise known as the *Revised Forestry Code of the Philippines*

Section 20. No person may utilize, exploit, occupy, possess or conduct any activity within any forest or grazing land xxx, unless he had been authorized to do under a license agreement, license, lease or permit xxx;

Section 78. Any person who enters and occupies or possesses xxx any forestland or grazing land or part thereof xxx or refuses to vacate the area when ordered to do so, pursuant to the provisions of Section 53 thereof;

- II. **Presidential Decree No. 1067**, otherwise known as *The Water Code of the Philippines*

Article 51. The banks of rivers and streams and the shores of the seas and lakes 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 are subject to the easement of public use in the interest of recreation, navigation, floatage, fishing and salvage. No person shall be allowed to stay in this zone longer than what is necessary for recreation, navigation, floatage, fishing or salvage or to build structures of any kind.

*Received by: [Signature]
Rodolfo [Signature]
Aug. 05, 2020*

III. Republic Act No. 7586 as amended by Republic Act No. 11038 otherwise known as *Expanded National Integrated Protected Areas System Act of 2018*.

Section 20. Prohibited Acts. - Except as may be allowed by the nature of their categories and pursuant to rules and regulations governing the same, the following acts are prohibited within protected areas:

(n) Occupying or dwelling in any public land within the protected area without clearance from the PAMB;

(o) Constructing, erecting, or maintaining any kind of structure, fence or enclosure, conducting any business enterprise within the protected area without prior clearance from the PAMB and permit from the DENR, or conducting these activities in a manner that is inconsistent with the management plan duly approved by the PAMB;

(v) Constructing any permanent structure within the forty (40)-meter easement from the high water mark of any natural body of water or issuing a permit for such construction pursuant to Article 51 of Presidential Decree No. 1067: *Provided*, That construction for common usage wharves and shoreline protection shall be permitted by the PAMB only after thorough EIA.

IV. **Proclamation No. 32, Series of 1998**, declaring the El Nido Marine Reserve as a Protected Area to be known as *El Nido-Taytay Managed Resource Protected Area*

In view hereof, this Office is giving you a period of **THIRTY (30) DAYS** upon receipt of this Notice to comply, or present legal documents evidencing your lawful occupation over the area, otherwise, we will be compelled to refer your act of non-compliance to the Office of the Mayor of El Nido, or file a case/s against you before the proper court.

We are hoping you will give this matter your preferential and utmost attention in order to avoid a costly litigation.

Very truly yours,

ALAN L. VALLE
OIC-CENRO 

Copy furnished:

The USEC for Field Operations, DENR Central Office
The Director, Biodiversity Management Bureau
The Regional Executive Director, DENR MIMAROPA
The PENRO, Palawan
The PASu, ENTMRPA-PAMO
File