

Chronology of Events

DATE	ACTION TAKEN
November 6, 1998	A Special Use Permit (Bathing Establishment) No. DENR-IV-PENRO-110699-0006 signed by then PENRO Palawan Danilo R. Querijero was granted to Ten Knots Development Corporation (Ten Knots Philippines, Inc.) covering 5.0 hectares of forest land situated in Cadlao Island, Brgy. Buena Suerte, El Nido, Palawan. The SUP expired on November 6, 1999. (ANNEX A)
April 19, 2005	Ten Knots Philippines, Inc. (TKPI) applied for conversion of SUP into Forest Landuse Agreement for Tourism (FLAgT) purposes with reduced area from 5.0has to 3.206 hectares.
December 27, 2005	TKPI was granted the FLAgT No. DENR IV-MIMAROPA-12302030-0010 covering 3.206 hectares over the same area with the previously issued SUP with corresponding Annual Government Share amount to PhP 48,090.00. The FLAgT will expire on December 30, 2030. (ANNEX B)
October 5, 2016	A memorandum from PENRO Palawan submitting an Ocular Inspection and Verification of Lot 285, CAD 1037-D (portion) subject to FLAgT of TKPI situated Cadlao Island, Brgy. Buena Suerte, El Nido, Palawan with a recommendation for the amendment of the erroneous polygon of the said FLAgT and adoption of the proposed polygon of TKPI with its correct corresponding technical description and coordinates. (ANNEX C)
November 9, 2016	Thru remarks/ notes on the document tracking system (RDN 2016-7415, a coordination with Survey and Mapping Division (SMD) was made for an assistance in the rectification of map of FLAgT issued to TKPI which is the result of the ocular inspection and verification conducted by CENRO Taytay.
November 15, 2016	Thru post-it note from the Chief of LESS of SMD stated that “ Amendment/rectification of the Map covering FLAgT No. DENR-IV-MIMAROPA 12302030-0010 cannot be pursued since the proposed polygon falls within A&D/Agricultural land Blk VI per LC Map 1187 certified on September 7, 1935”
March 22, 2017	LPDD initiated a technical conference at the office of the LPDD Chief which was participated by Ms. Mariglo Laririt and Atty, Roberto Ongsiako where the technical discrepancies was presented and discussed.
April 2017	A letter was sent to the president of TKPI requiring them to submit comment/ explanation on why we should not cancel the FLAgT under consideration signed then by RD Natividad T. Bernardino. (ANNEX D)
May 10, 2017	Reply Letter from TKPI was received by this office disputing the intended cancellation of its FLAgT stating the following facts: 1. the area has an average slope of 43 degrees. 2. the 3.2 hectares has 4,300 trees. 3. TKPI has open, exclusive, continuous, uninterrupted and notorious possession of the area which is fenced and secured by guards. (ANNEX E)
September 7, 2020	Through a memorandum, CENRO Taytay forwarded to the Regional Office thru the PENRO Palawan the compliance monitoring report dated August 28, 2020 of the CENRO Taytay compliance and monitoring team on the FLAgT of TKPI in Cadlao Island, Brgy. Buena Suerte, El Nido, Palawan. The

	<p>monitoring activity is part of the target activities of the CENRO Taytay for the 3rd quarter of 2020.</p> <p>The team recommended to the CENRO for the rectification/amendment of the area to conform with the inalienable area actually claimed/occupied; and issuance of a Show Cause Order (SCO) for failing to implement and comply to some of the terms and conditions of the FLAgT.</p>
November 23, 2020	Joint inspection report of the ENTMRPA – PAMO personnel shows that there is an existing barbed wire fence in the contested area allegedly installed by TKPI in front of the titled property owned by Ms. Baberlyn Gomez. The said fence was found within the forty (40) meters easement.
February 5, 2021	A Notice to Vacate dated February 5, 2021 was issued by CENRO Allan L. Valle against TKPI, and Baberlyn & Israel Gomez per Memorandum dated January 25, 2021 from PENRO Palawan in consonance with the joint inspection report of the PAMO and CENRO Taytay on November 17, 2020 pertaining to the guard house and fence constructed within the easement. TKPI and Gomez were directed to remove the structure/s built and vacate the area occupied within 30 days for violations on easement per Water Code of the Philippine and ENIPAS of 2018. (ANNEX F)
February 18, 2021	<p>On a letter, the Regional Executive Director (RED) Maria Lourdes G. Ferrer wrote TKPI disclosing findings of CENRO Taytay Compliance monitoring team (per monitoring report of their violation of some of the terms and conditions of FLAgT). TKPI was directed to appear for a technical meeting to discuss said findings</p> <p>the CENRO Taytay investigation team proceeded to the subject area for the delineation of the 40-meter easement zone/</p>
March 4, 2021	the ENTMRPA-PAMO received a letter from TKPI signed by TKPI's Project Development Officer Mr. Ralph L. Villamor stating that their management decided not to push through on the removal of structures in the subject area.
March 23, 2021	Protected Area Superintendent Mildred A. Suza of ENTMRPA-PAMO submitted their report pertaining to the ocular inspection conducted on the compliance of TKPI, and Mr. & Mrs. Israel Gomez to the issued Notice to Vacate dated February 5, 2021. The inspection report shows that as of March 9, 2021 during the inspection and compliance monitoring of ENTMRPA-PAMO personnel, the structures such as guard house and perimeter fence owned by TKPI, and Mr. & Mrs. Israel Gomez that encroaches within 40-meter easement zone and subject of NTV issued by CENRO Taytay last February 5, 2021 were still observed in the area.
May 6, 2021	CENRO Taytay issued Second Notice of Violation and Order to Vacate to both parties pertaining to the guard house and perimeter fence constructed within the easement of Cadlao Island. (ANNEX G)
July 29, 2021	Thru Memorandum the PASu submitted to CENRO their monitoring report on the compliance of both parties on the issued 2 nd Notice of Violation and Order to Vacate. Accordingly, the guardhouse within the claimed property of Mr. & Mrs. Israel Gomez is about to be demolished while the guard house and perimeter fence (barbed wire) owned by TKPI is still

	erected in the subject area, thus, no sign of compliance of issued 1 st and 2 nd Notice of Violation and Order to Vacate.
August 6, 2021	3 rd and final Notice of Violation and Order to Vacate was issued by SEMS/Chief, RPS Alexander E. Mancio, In-charge, Office of the CENRO Taytay. (ANNEX H)
August 19, 2021	CENRO forwarded to the PENRO Palawan PASuSuza's compliance monitoring report dated August 18, 2021 on the third and final notice of violation and order, stating that the guard house within the easement is partially demolished and being moved inside the titled property of Gomez which is now outside the 40-meter easement while the perimeter fence owned by TKPI is still erected within easement. PASuSuza recommended for the endorsement of this case to the Local Government of El Nido for their appropriate action. A letter dated August 18, 2021 from the CENRO was addressed to Hon. Edna Gacot-Lim, El Nido Mayor endorsing the matter for issuance of Demolition Order and appropriate action. (ANNEX I)
September 6, 2021	Hon. Edna Gacot-Lim, Municipal Mayor of El Nido wrote CENRO Taytay stating that their office decided to hold in abeyance the issuance of Demolition Order for the structures within the legal easement. The decision is made after receiving the letter from TKPI dated 21 August 2021 and the letter of Angara Abello Concepcion Regala & Cruz Law Offices (ACCRALaw) dated 2 September 2021. Accordingly, the context of the aforementioned letters, Notices of Violation and Order to Vacate and FLAgT are conflicting documents/issuances which create confusion as to which document shall prevail over the other. (ANNEX J)
September 13, 2021	El Nido Mayor Lim wrote TKPI reiterating on the action that they must have taken with regards to the letter dated September 6, 2021 as per order of DENR. The LGU gave TKPI 3 working days starting September 13, 2021 to clear the area, otherwise, they shall oblige to order of demolition of the structure within the easement area.
October 25, 2021	Thru Memorandum PENRO Palawan forwarded CENRO Taytay's Memorandum dated September 22 regarding the letter dated 8 September 2021 from ACCRALaw/TKPI to the Regional Executive Director stating that TKPI discovered that one Noel Tampe and Baberlyn Gomez secured original certificates of title (OCTs) which cover areas that overlap with TKPI's FLAgT. These OCTs were issued on 27 April 2015 pursuant to Free Patent Applications.
January 13, 2022	Virtual meeting was conducted on January 13, 2022 to discuss various issues pertaining to the FLAgT of TKPI. The meeting was attended by representatives from TKPI, former Regional Executive Director Maria Lourdes G. Ferrer, Assistant Regional Director for Technical Services (ARDTS) Vicente B. Tuddao, Jr., Ph.D., CESO IV, CENRO Allan Valle of Taytay, and members of DENR MIMAROPA Regional FLAgT committee – composite team. The meeting focused on the location map of FLAgT of TKPI which was found to fall in the sea and on the adjacent/overlapping land titles over Cadlao Island per compliance report of CENRO Taytay personnel dated August 28, 2020. Appeal of the TKPI on the increased Annual Government Share for FLAgT as result of revaluation was also discussed.

	<p>ARDTS recommended for the creation of Regional and Field office composite team together with legal division to have an in-depth investigation and come up with recommendations to finally identify the issue and come up with resolution.</p> <p><i>(Attached is the Regional Special Order No. 2022-014 for the conduct of relocation/verification survey on FLAgT and the Minutes of Meeting with Power Point Presentation of CENRO-Taytay regarding the conflict.) (ANNEX K)</i></p>
January 25, 2022	<p>Survey team for the conduct of (relocation) survey on FLAgT of TKPI was created through Regional Special Order No. 014 series of 2022 dated January 25, 2022, duly approved by OIC, Regional Executive Director Lormelyn E. Claudio, CESO IV. (ANNEX L)</p>