



July 25, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 DENR By the Bay Bldg.,
Roxas Blvd., Brgy. 668
Ermita, Manila

THRU : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : The Community Environment and
Natural Resources Officer

**SUBJECT : UPDATED COMPLETED STAFF WORK IN
PROPOSED PRESIDENTIAL PROCLAMATION
FOR THE PHILIPPINE NAVY RESERVATION IN
BARANGAY POBLACION V, ISLAND OF
BALABAC, PALAWAN**

Sir:

In connection with the above-subject, I have the honor to submit herewith our report in CSW, to wit:

The following is a chronology of events and actions taken based on the records found in this Office:

On May 27, 2013, this Office received a letter dated May 14, 2013 from the Philippine Navy, requesting a survey authority to consolidate and subdivide Lot Nos. 1478 and 1474, PLS 471-D.

On December 03, 2013, this Office received Transmittal letter dated November 27, 2013 Enp Proscoro Ervin A. Mundo referred to the request of Philippine Navy for survey authority of the lots and foreshore area.

On December 05, 2013, this Office wrote a letter to Enp Proscoro Ervin A. Mundo (E), Lt. Commander, Administrator, PN REMO, informing him of the initial findings, observations and requesting additional documents from certain claimants of lots.

On September 02, 2014, this Office received a PENRO Memorandum dated August 26, 2014 referring to the memorandum dated July 23, 2014 of the DENR regional Director together with a memorandum of Undersecretary and Chief of Staff Atty. Analiza Rebuela – Teh and enclosed copy of the letter dated May 14, 2014 of DND Secretary Voltaire T. Gazmin to DENR Secretary Ramon J.P. Paje. That in the letter of Secretary Gazmin to Secretary Paje, it was mentioned that the area of the Forward Operating Base requested to be proclaimed as reservation would encroach an approved Port Zone Delineation (PZD) of the port of Balabac covered by Executive Order No. 122 dated December 21, 2012.

That the land area and offshore waters sought to be issued Presidential Proclamation as drawn in the sketch submitted and described in the technical description appearing in the SB Resolution and draft Presidential Proclamation, though still be officially surveyed, is observed to include a salvage zone, the municipal coastal road, several residential buildings and the DENR Sub office building.

[Handwritten signature]

On September 04, 2014, this Office acknowledge receipt of PENRO Memorandum dated August 24, 2014 pertaining to the request for issuance of a Presidential Proclamation reserving a parcel of land of the Public Domain located in Barangay Poblacion V, Balabac Island, Palawan for Military Purposes.

On September 2, 2014, this Office received a Memorandum from the PENR Officer containing the Memorandum from the Regional Director dated July 23, 2014 together with the Memorandum from Undersecretary Atty. Analiza Rebuelta-Teh regarding the request for special patent in favor of Armed Forces of the Philippines.

On September 24, 2014, this Office received a copy furnished Memorandum from the PENR Officer addressed to the Regional Director pertaining to the request for issuance of a Presidential Proclamation reserving a parcel of land of the Public Domain located in Barangay Poblacion V, Balabac Island, Palawan for Military Purposes. Also submitted is the Memorandum-report of this Office dated September 04, 2014 with attachments informing among others that:

1. The proposed reservation is foreseen to traverse a Municipal Road and an area claimed by Angel Nicholas with house as improvement.
2. It also include Lot 1424, Pls 471-d listed for Bureau of Post Radio Station and Lot 1478, Pls 471-D claimed on record by the Insular FF 26.
3. It covers a terrestrial area of 1.60 heactares and a marine area of 23.3993 hectares for a total of 24.9993 hectares.
4. The municipality of Balabac is covered by on-going cadastral Survey by Contract.

The PENR Officer recommended that a Survey Order be issued and referred to Gabayan Surveying Office (Cad Survey Contractor) for the survey.

On February 05, 2018, this Office forwarded a Memorandum to the Regional Director in compliance with the directive contained in a Memorandum dated January 15, 2018 of the PENRO received by this Office on January 19, 2018 pertaining to the status of the application for Presidential Proclamation reserving a parcel of land of the Public Domain located in Barangay Poblacion V, Balabac, Palawan for Military Purpose.

On June 14, 2018, this Office received a Memorandum from the Regional Director regarding the issuance of Tenurial Instrument to all Military/Naval/Air Force Camps and Military Reservations, instructing to extend full assistance to all AFP personnel who will coordinate with this Office and submit all completed tenure applications.

On June 21, 2018, this Office forwarded a Memorandum to the Regional Director and submitted the Tenurial Applications currently on file on this Office as compliance to the directive on the memorandum dated June 14, 2018.

On July 20, 2018, A Survey Order was given to Eng'r. Jonathan F. Gellez for the delineation of the Port of Balabac from the applied area by the Philippine Navy to be the site of its Forward Operating Base located at Barangay Poblacion V, Balabac, Palawan.

On August 17, 2021, this Office received a Memorandum from the PENR Office forwarding the Memorandum from the Regional Director dated August 16, 2021 informing about the request of Philippine Navy for a Zoom meeting regarding the updates on the Philippine Navy Properties in Balabac, Palawan and was instructed to prepare a presentation regarding the matter.

On August 17, 2021, this Office forwarded a Memorandum to the Regional Executive Director containing the report of LMO III Florante Candido regarding the Conference Meeting with the Philippine Navy.

On July 21, 2021, this Office received a letter from the Philippine Navy, Headquarters Naval Installation Facilities-West acknowledging receipt of the presentation sent from this Office via e-mail on the teleconference held on August 17, 2021 thru Zoom Meeting regarding the updates on the issuance of Presidential Proclamation for the offshore and land area in Barangay Poblacion V, Balabac, Palawan and scheduled a face to face meeting for further clarifications and avoid technical difficulties.



On October 28, 2021, this Office received a letter from the Philippine Navy pertaining to the Forward Operating Base project of the Philippine Navy in Balabac, Palawan, also inquiring if the documents attached were sufficient to start the FOB Project. Attached to the letter is a copy of Sangguniang Bayan Resolution No. 025-2015, authorizing Municipal Mayor of Balabac to donate a parcel of land to the Philippine Navy for the development of Naval Station located at Barangay Poblacion V, Balabac, Palawan and recommend to the President of the Republic of the Philippines to declare the municipal water area within Calandarong Bay adjacent to the lot being donated as Naval Reservation in favor to the Philippine Navy.

On October 29, 2021, this Office acknowledge receipt of the letter from the Philippine Navy dated October 28, 2021 and informing that during the meeting held at NAVFORWEST on August 12, 2021 attended by a representative of this Office and three PENRO personnel, it was recommended that the Philippine Navy will request a survey authority/order to delineate the water and land area being claimed, the purpose of which is to have a technical description for issuance if the Presidential Proclamation so as to reconcile the boundary of the PN's claim and the Philippine Ports Authority claim which was already covered by Executive Order No. 122.

On November 08, 2021, this Office forwarded a Memorandum to the PENR Officer containing the e-mailed letter request including the report of LMO III Florante Candido dated August 16, 2021 and the letter to Maj. Anathalia B. Angare (JAGS) PN Real Estate Officer of the Philippine Navy pertaining to the Navy's claim.

The following are the suggestions to the Philippine Navy:

1. File a request for survey authority with the Regional Office to delineate the offshore area to segregate therefrom encroachment as observed by the PPA (Philippine Ports Authority) as informed by the letter dated May 14, 2014 of DND Secretary Voltaire T. Gazmin to the DENR Secretary;
2. That the land area be surveyed separately and marked on the ground to determine and resolve the issues with local residents and DENR Balabac Sub Office that may be affected;
3. That the land area, after being delineated and issues resolved, be applied separately under Section IV of RA 10023.

On March 15, 2022, this Office received a letter from the Philippine Navy pertaining to the outcome of the conference between the Philippine Navy thru the Real Estate Management and the Naval Installation and Facilities-West with DENR MIMAROPA, PENRO AND CENRO Brooke's Point last 2021 at the Headquarters, NIF-West, that there is a need to conduct a joint survey at the land and water area on the Naval Station Narciso Del Rosario (NSNDR) at Barangay Poblacion V, Balabac, Palawan and was favorably approved by the PENRO and the joint survey was scheduled on March 16-18, 2022.

On April 11, 2022, this Office received a Memorandum from the PENR Officer dated March 28, 2022 pertaining to the Accomplishment Report on the joint survey held last March 16-18, 2022.

On June 22, 2022, this Office received an e-mailed letter from the PENR Officer containing the letter from the Philippine Navy pertaining to the joint survey at the land and water area of Naval Station Narciso Del Rosario at Barangay Poblacion V, Balaba, Palawan conducted on March 16-18 by the PN Representatives, private surveyor, Engineer Jonatahan F. Gellez and representatives from this Office. All mentioned personnel had a coordinating conference on May 24, 2022 aboard Naval Station Apolinario Jalandoni and agreed to conduct another joint survey at Balabac in order to finalize the output for the proposed Presidential Proclamation of the said property, also requesting representatives from this Office to join the private surveyor coordinated by NIF-West from June 21-24, 2022.

On May 29, 2023, this Office forwarded a letter to the PENRO addressed to the Directorate for Real Estate Management NIC, in connection to the request of the PN for issuance of survey authority to delineate an area located at Barangay Poblacion V, Balabac, Palawan subject of a zoom meeting dated May 26, 2023, informing that survey authority be submitted specifying the name of the Geodetic Engineer and a final sketch of the offshore area as the result of joint survey conducted by Eng'r. Gellez and Eng'r. Lachica, also requesting that the sketch on the request show the area under EO. 122 in favor of the PPA be submitted to show the relative position of the offshore area requested by the Philippine Navy, and if there was indeed an encroachment, the same should be shown and submitted for approval to effect the

amendment of EO 122 prior to the Presidential Proclamation to be issued to the PN as informed to the letter dated May 15, 2014 of DND Secretary Gazmin to then DENR Secretary Paje.

On June 06, 2023, this Office received a letter from the Municipal Mayor of Balabac dated May 31, 2023, requesting this Office to award a parcel of A and D land (unregistered) bearing coordinates 7-59-15 N 117-04-15 E located at Barangay Poblacion V, Balabac, Palawan for the purpose of relocation for the affected families by the proposed expansion of Philippine Navy reservation, also the subject lot is intended for construction of government offices.

On June 19, 2023, this Office acknowledge receipt of the letter dated May 31, 2023 from the Municipal Mayor of Balabac, informing that the subject lot falls within Alienable and Disposable land and recommended a joint investigation and inspection for judicious disposition of that unregistered lot.

On June 30, 2023, this Office received an e-mailed letter from the PENR Officer containing the letter from the Philippine Navy in reference with the Proposed Presidential Proclamation area, requesting representatives from this Office for a joint inspection and survey of area to finalize the lot boundaries of the Proposed Presidential Proclamation area to be scheduled on July 06, 2023.

On July 05, 2023, a team from CENRO Brooke's Point headed by CENRO Leonard T. Caluya conducted inspection with Lt. Apolinario OIC, Philippine Navy Station in Barangay Poblacion V, Balabac, Palawan and discussed the final map, affected families, relocation site and various approaches to attain solutions to this matter. This dialogue was facilitated by Eng'r. Nonito Lachica representing the Philippine Navy, Brgy. Chairman Ike Pactanac of Barangay Poblacion V and Eng'r. Kibad of the Municipal Assessor of Balabac representing the Mayor, in dialogue with relevant matters were discussed hence, the Philippine Navy as the proponent was advised to submit complete requirements including the copy of the site Development Plan to fast track processing of the desired Presidential Proclamation

On July 17, 2023, this Office forwarded a Memorandum to the PENR Officer containing the report of LMO III Marivic C. Quitian on what transpired on the joint inspection and survey on the Proposed Presidential Proclamation located at Poblacion V, Balabac, Palawan requested by the Philippine Navy.

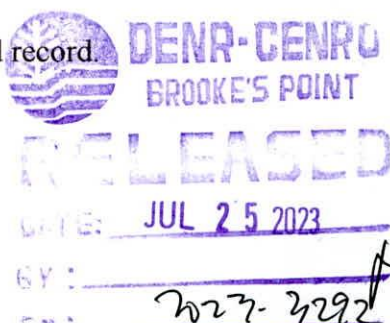
On July 25, 2023, this Office sent a letter to the Philippine Ports Authority (PPA) inquiring about the current status and intentions regarding the implementation of the Executive Order No. 122, specifically, if the PPA has plans to utilize or develop the designated zone for port-related purposes in the future.

RECOMMENDATIONS:

1. The Philippine Navy should present documents verifying that they are exempted from securing an Environmental Compliance Certificate (ECC).
2. That a Site Development Plan be submitted to this Office.
3. Submit required documents to avoid delay on the processing of Presidential Proclamation.
4. The Survey Order dated July 20, 2018 issued to Eng'r. Jonathan Gellez be used as authority to conduct the survey which was jointly facilitated by Eng'r. Nonito Lachica and the representatives of Philippine Navy.
5. To verify the status of Executive Order No. 122: DECLARING AND DELINEATING THE BALABAC PORT ZONE AND PLACING IT UNDER THE ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY(PPA) with the Office of the Philippine Ports Authority (PPA)

Attached is the location map of the area proposed for Presidential Proclamation and a copy of Executive Order No. 122

For information and record




LEONARD T. CALUYA

M. Rodriguez St. Poblacion District I, Brooke's Point Palawan 5305
Mobile Phone: Globe: 0945-257-1402; Smart: 0912-429-0856
Email/Gmail: cenrobrookespoint@denr.gov.ph



LOCATION MAP SHOWING THE
LOT 1421 AND 1478 PLS-471-D AND
PROPOSED PRESIDENTIAL PROCLAMATION
OF PHILIPPINE NAVY

LOCATED AT
BARANGAY: BARANGAY V,
MUNICIPALITY: BALABAC,
PROVINCE : PALAWAN

1:600,000

0 3,700,740 14,800 22,200 29,600
Meters

Coordinate System: GCS WGS 1984
Datum: WGS 1984
Units: Degree

Legend

- Ferry route
- National Highway
- Geotagged Photos
- MUNICIPALITY**
 - Balabac
 - Bataraza
 - Lot_1421_and_1478_Pls-471-D



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brooke's Point, Palawan

CERTIFICATION

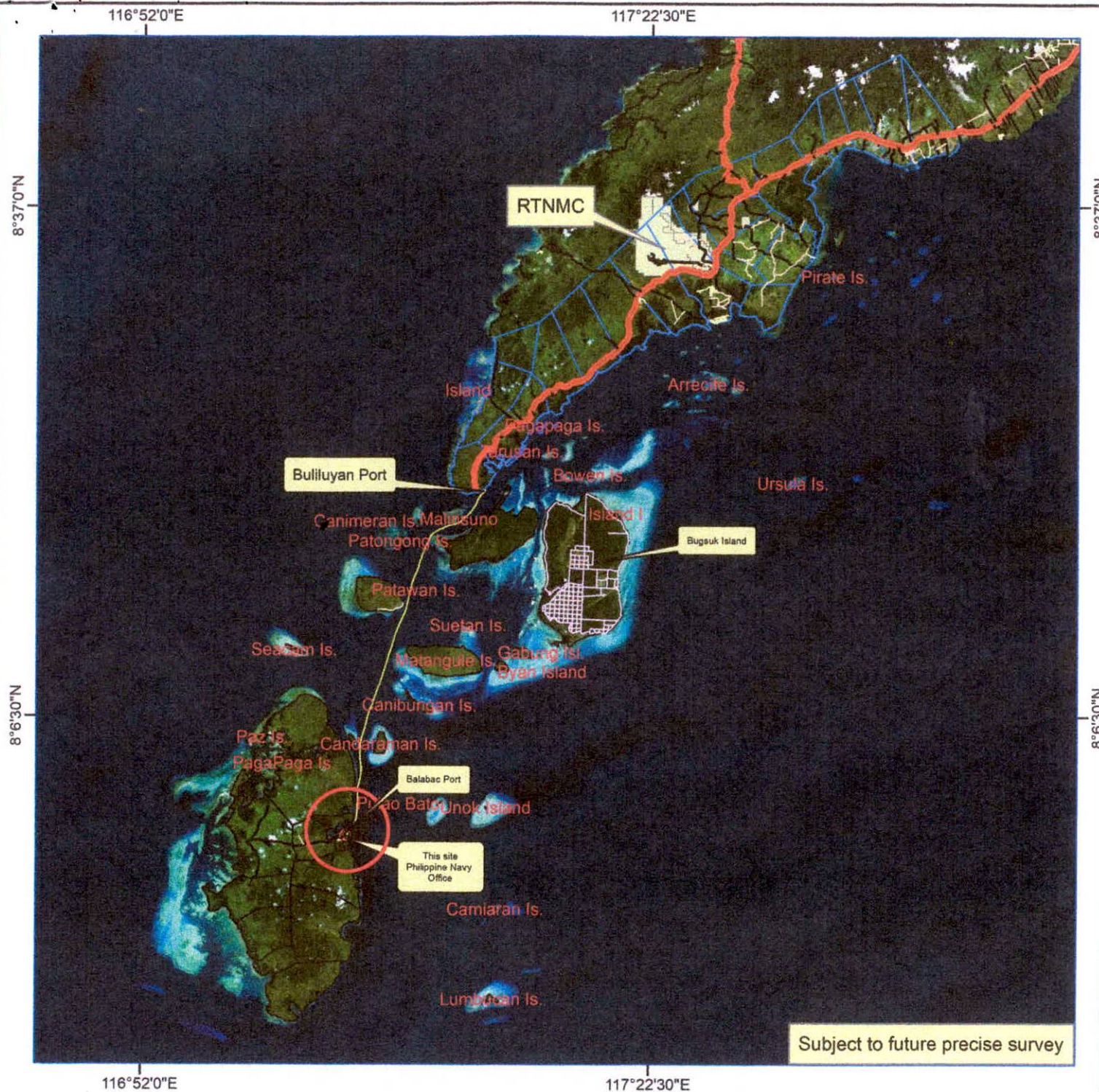
This is to certify that this is the true and correct location map
of lot 1421 and lot 1478 PLS-471-D and Proposed Presidential
Proclamation as described hereon.

This map was digitized based from geotagged photos and
trackings submitted and other references available in this Office.
Digitized by:

MARLOU D. SORETES
Forester I/GIS focal

Noted by:

LEONARD T. CALUYA
CENRO



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0 3,7007,400 14,800 22,200 29,600
Meters

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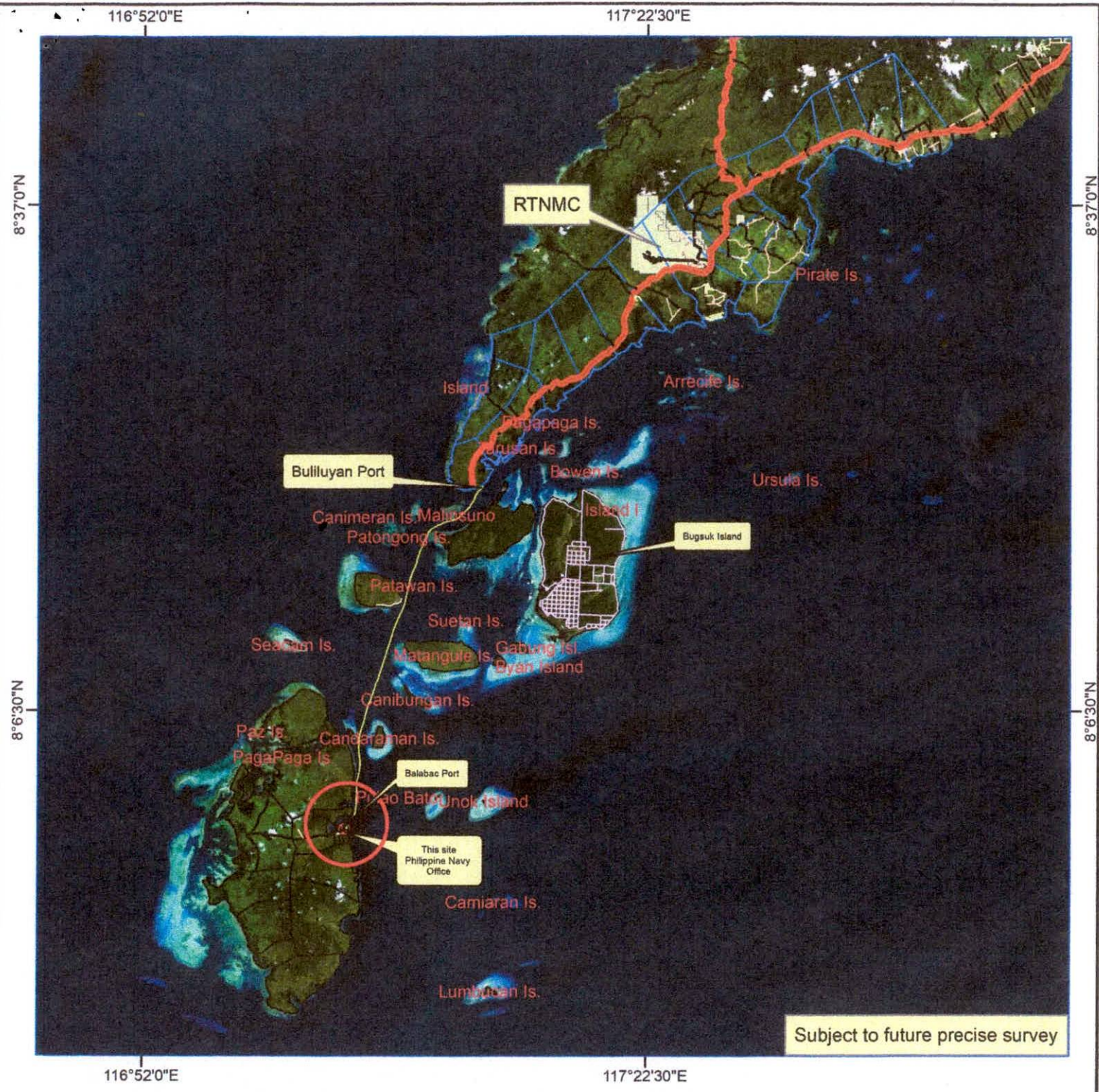
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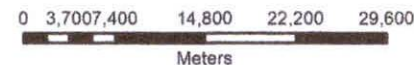
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CENRO



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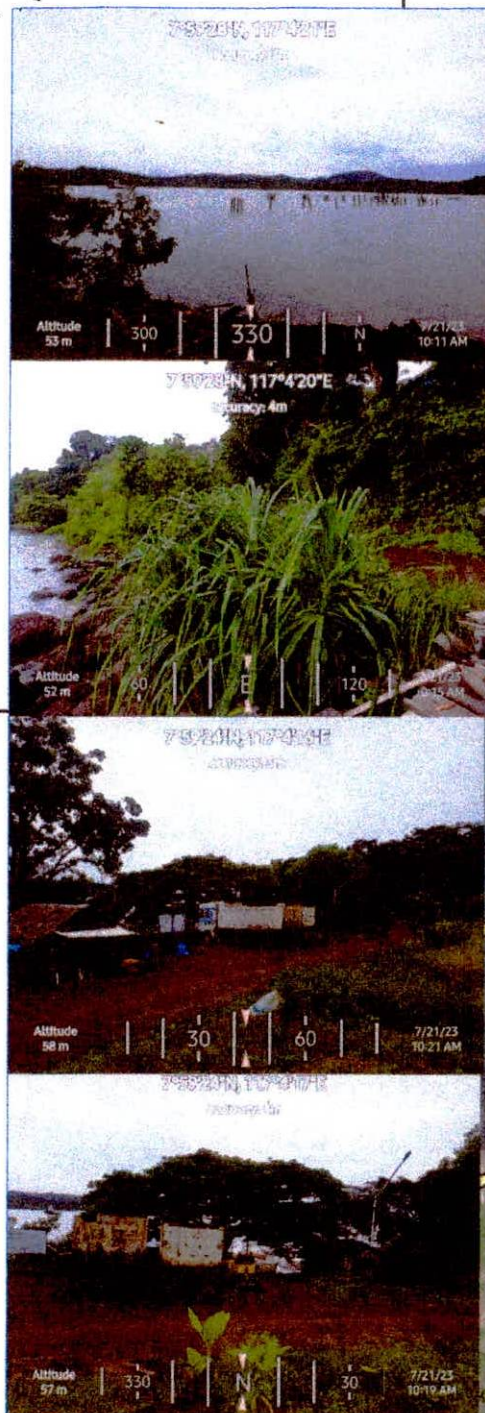
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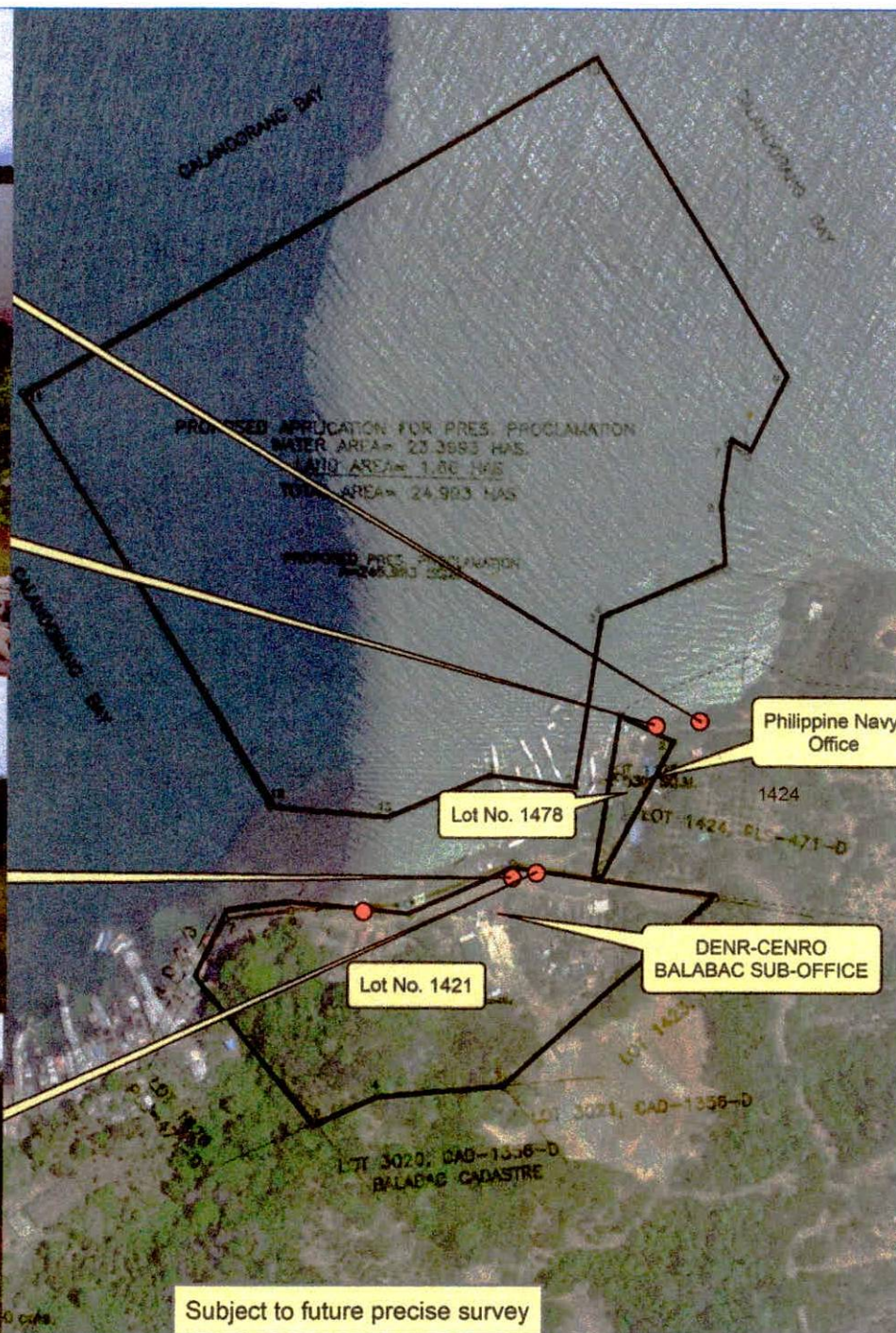
Subject to future precise survey

117°4'0"E

7°59'30"N



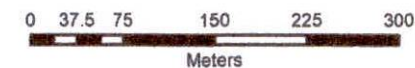
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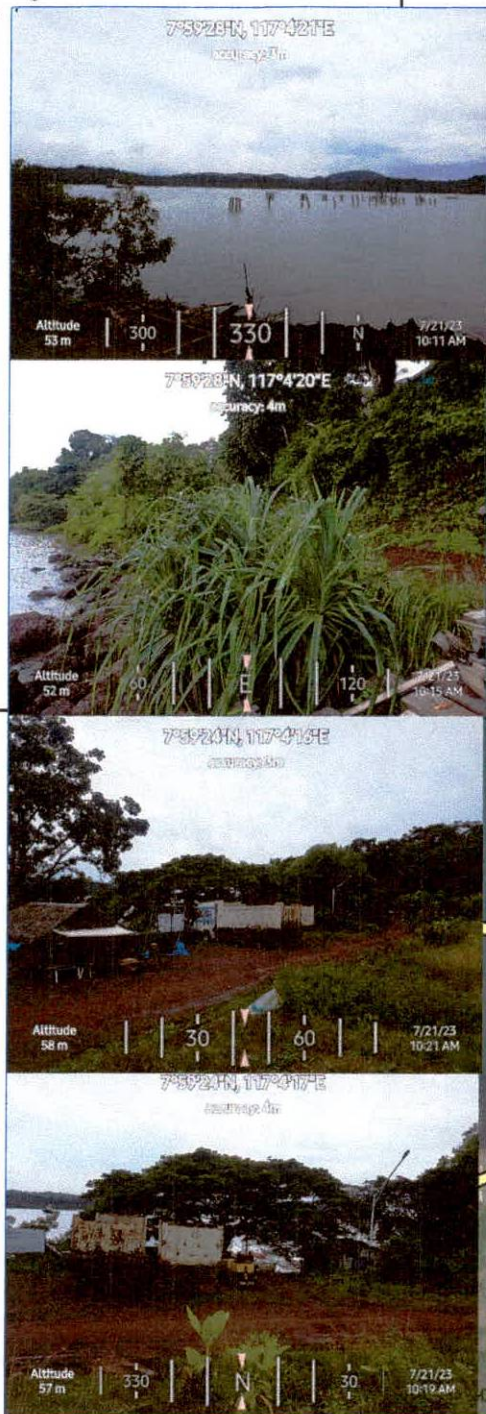
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7°59'30"N

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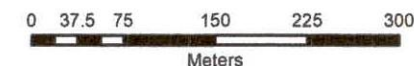
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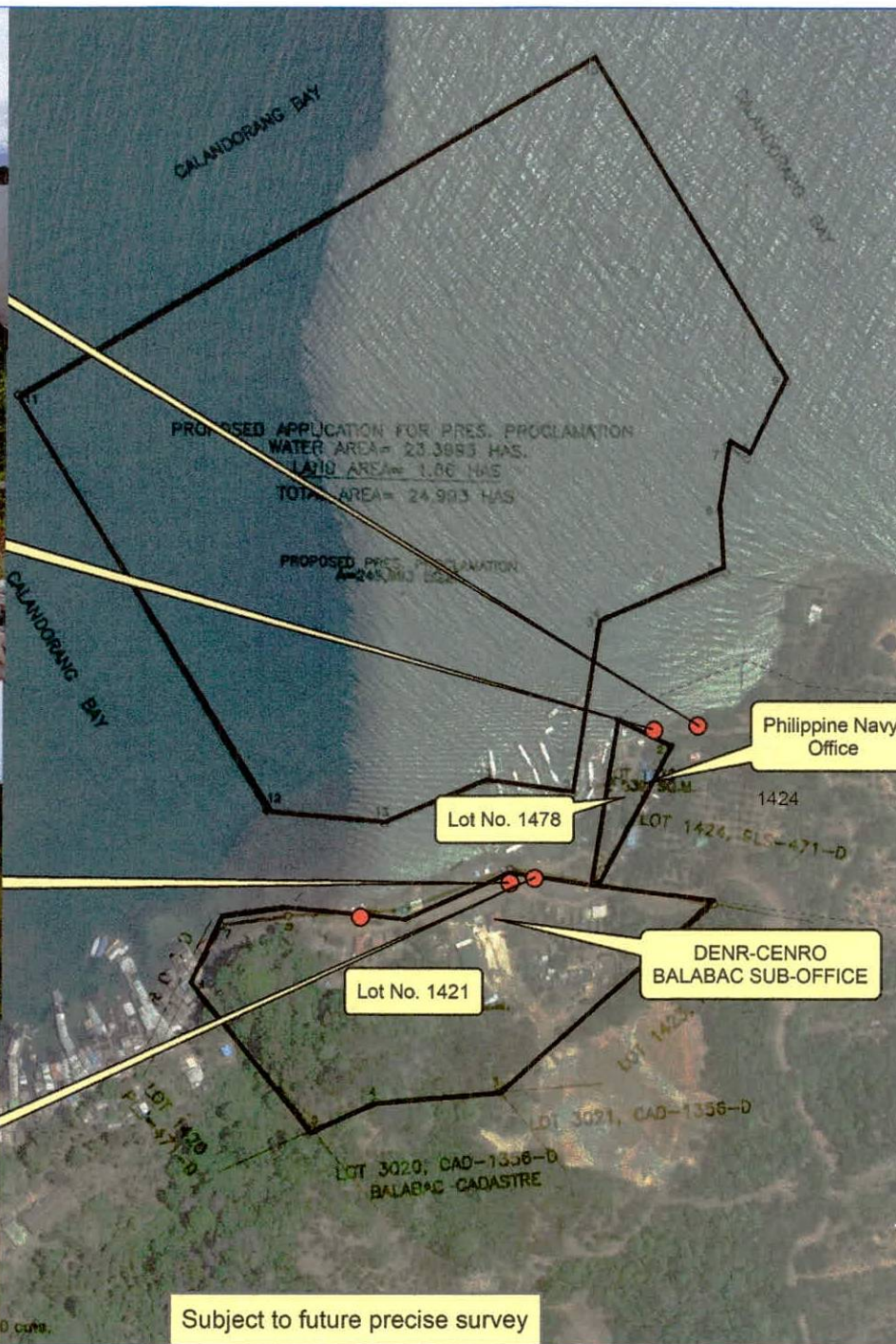
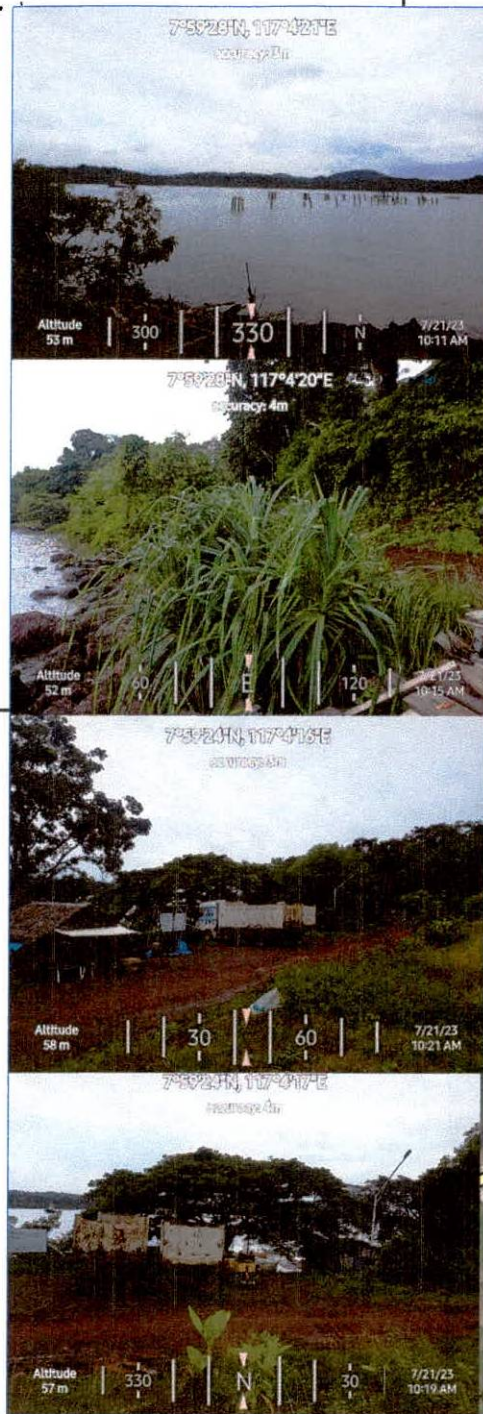
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117°4'0"E

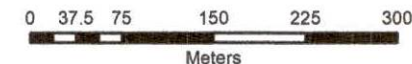
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CENRO

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 122

DECLARING AND DELINEATING THE BALABAC PORT ZONE AND PLACING IT
UNDER THE ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS
AUTHORITY (PPA)

WHEREAS, the Port of Balabac in Balabac, Palawan is one of the busiest ports in the country;

WHEREAS, there is an urgent need to accelerate the development of a seaport in the Municipality of Balabac which will serve as the gateway of Balabac and Southern Palawan areas to the rest of the country and nearby countries of Brunei Darussalam, Malaysia, Indonesia and others; and

WHEREAS, there is a need to accommodate projected increase in port traffic and program the development of the port facilities to support the increasing demands of shipping trade within the region.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Port of Balabac. The territorial jurisdiction of the Port of Balabac situated in Barangay Poblacion, Municipality of Balabac, Province of Palawan, is hereby delineated and established, particularly described as follows:

Beginning at a point marked 1 on the plan, thence:

DUE EAST	4,160.00 m.	to point 2;
DUE SOUTH	8,500.00 m.	to point 3;
DUE WEST	3,400.00 m.	to point 4;
DUE NORTH	1,200.00 m.	to point 5;
DUE WEST	2,450.00 m.	to point 6;
DUE NORTH	500.00 m.	to point 7;
N. 73 deg. 00' E.,	2,500.00 m.	to point 8;
DUE NORTH	3,500.00 m.	to point 9;
DUE WEST	700.00 m.	to point 10;
DUE NORTH	2,570.00 m.	to point of beginning.

Containing a total area of **THIRTY-THREE MILLION ONE HUNDRED NINETY-NINE THOUSAND NINE HUNDRED SEVEN SQUARE METERS AND FIFTY-SEVEN SQUARE DECIMETERS (33,199,907.57)**, more or less.



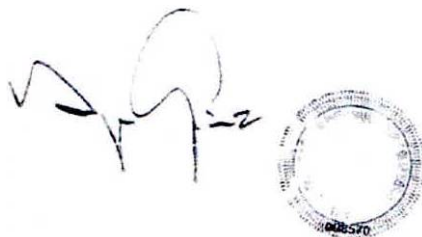
SECTION 2. PPA Jurisdiction. The Baiabac Port Zone, as delineated, is hereby placed under the administrative jurisdiction of the PPA, which shall, consistent with the regional industrial plans of the government, implement a program for the proper zoning, planning, development and utilization of the port.

SECTION 3. Repeal. All issuances, orders, rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 4. Separability. If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 5. Effectivity. This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE, in the City of Manila, this 21st of December, in the year of our Lord, Two Thousand and Twelve.



By the President:

PAQUITO N. OCHOA, JR.
Executive Secretary



CERTIFIED COPY

MARIANITU M. UIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE