



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. (632) 929-6626 loc. 2113; 1070 Fax (632) 926-2567
E-mail: officeofuseccuna@denr.gov.ph; website www.denr.gov.ph

MEMORANDUM

TO : **THE REGIONAL EXECUTIVE DIRECTOR**
DENR-Region IV-B MIMAROPA
1515 Roxas Blvd., Ermita, Manila

FROM : **THE UNDERSECRETARY**
Field Operations – Luzon, Visayas and Environment

SUBJECT : **COMPLAINT OF MS. ROWENA G. PE AGAINST ALLEGED LAND GRABBING INCIDENT IN BRGY. BUENAVISTA, PUERTO PRINCESA, PALAWAN**

DATE : **MAY 08 2023**

This pertains to the letter dated 09 February 2023 of Ms. Rowena G. Pe, addressed to the Office of the President, which was copy furnished to the Office of the Secretary, regarding the above-mentioned subject.

You are hereby instructed to verify the veracity of the complaint and act in accordance with the pertinent laws, rules and regulations on the matter. Directly reply to the parties concerned and copy furnish this Office of the action taken citing document tracking number DENR-ASRMD-2023-004255 for record and monitoring purposes.

For compliance.


ATTY. JUAN MIGUEL T. CUNA, *CESO I*

Encls.: as stated

cc: Ms. Rowena G. Pe
Brgy. Buenavista, Puerto Princesa
Palawan

Office of the Secretary
DENR



February 9, 2023

TO: HIS EXCELLENCY PRESIDENT FERDINAND R. MARCOS JR.
Presidential Complaint Center
Malacanang Palace

LAYUNIN: NAIS NAMIN IPARATING SA INYONG TANGGAPAN MAHAL NA PANGULO NA SA LOOB NG ANIM (6) NA BUWAN MULA NG KAMI AY UNANG SUMULAT SA INYO WALA KAMING NATANGGAP NA ANUMANG AKSYON SA MGA AHENSYA NG GOBYERNO NA MAY KINALAMAN SA "LAND GRABBING WITH PRIVATE ARMY".

Mahal na Pangulong Marcos,

Magandang araw po sa inyo at sa inyong butihing tanggapan.

Kami po ay ang kinabibilangan ng pamilya PE, GARCELLANO, SALVADOR, DESTRAJO, AT ADORNA, na humihingi po ng tulong sa inyong tanggapan noong ika-18 ng Hulyo 2022 tungkol sa aming kinakaharap na problema patungkol sa mga "Land Grabber" na pumasok sa aming lugar sa Barangay Buenavista, Puerto Princesa City, Palawan noong May 20, 2022. Mula June 08, 2022 kaming mga residente ay hindi na pinapapasok sa lugar hanggang sa kasalukuyan.

Sina Mr. Edgar "Bebot" LUENGO at Engr. Marion LUENGO ang may pasimuno ng Land grabbing sa aming lugar na tinitirahan at sinasaka. Sa ngayon namatay na lahat ang aming mga alagang hayop dahil sa tagal na hindi namin natirahan ang aming bahay at mapakain ang aming mga alaga, maging ang aming mga alagang pananim na Kasoy, Kalamansi, Guyabano, Rambutan at iba pa na binigay galing sa Department of Agriculture ay hindi na namin naasikasong alagaan, sa kadahilanan hindi kami papasukin ng mga PRIVATE ARMY nila Mr. LUENGO.

Mula po noong kami sumulat sa inyong tanggapan anim (6) na buwan na ang nakakalipas wala po kaming natanggap na anumang aksyon mula sa inyong mga inatasan na mga ahensya, tamang pinatawag lang kami at kinausap ngunit wala pong anumang aksyon na ginawa dahil ang mga PRIVATE ARMY ay nananatili pa din sa lugar at madalas nagpapaputok ng baril, at ang ginawa nilang guard house ay andun pa din maging ang bakod na nilagay sa tabing ilog na kinabibilangan ng easement zone ay andun pa din. Hindi sumunod si Mr. Edgar Luengo at Engr. Marion Luengo sa binigay ng DENR-CENRO na "NOTICE TO VACATE" pitong buwan na ang nakakalipas.

Mahal na Pangulo, tama po ba na anim (6) na buwan na wala pa kaming natatanggap na anumang aksyon mula sa mga inatasang ahensya? Sa aming pagkakaalam sa batas, may labing limang araw lang dapat may aksyon na ang mga ahensya ng gobyerno.

Maging ang local government namin na inatasan ng DENR-CENRO na ipatupad ang kanilang binigay na "Demolition ORDER" hanggang sa ngayon ay wala pa ding aksyon. Ganito po ba ang mga ahensya ng gobyerno katagal bigyan ng katugunan ang mga hinaing ng mga mamamayan? Bilang mga mamamayan meron ba kaming matatanggap na tulong sa mga ahensya lalong lalo na sa tanggapan ng DENR?

Mahal na Pangulo, may pag-asa po ba na kami ay inyong matutulungan mula sa aming kinakaharap na problema? Kami po ay nagsusumamong nakikiusap po sa inyo na kami po ay inyong matulungan sa kadahilanang wala po kaming maramdaman na malasakit sa mga namumuno dito sa aming probinsya maging ang aming Barangay Kapitan pinabayaan na kami. Malaki na ang perwisyo sa amin ng mga Land Grabber maging sa aming mental at emotional health ay sobrang apektado na po.

Nawa'y matuloy po ang Public Hearing dito sa Puerto Princesa, marami po ang mga taong nangangailangan ng tulong dito sa aming lugar tungkol sa usaping lupa.

Mahal na Pangulo, ang buong pamilya namin ay lubos na umaasa sa inyong pagmamahal at malasakit sa mga katulad namin na maliliit na magsasaka at malaki ang aming tiwala sa inyong tapat na pamumuno na mabibigyan ng tuldok at katugunan ang aming hinaing.

Maraming salamat po at pagpalain kayo ng Poong Maykapal.

Lubos na gumagalang,



ROWENA PE, et al.

Cellphone Number: 0916-798-5041

Email address: weng.mestiza@gmail.com

Barangay Buenavista, Puerto Princesa City, Palawan

FEB 09 2023

SUBSCRIBED AND SWORN to before me this _____ day of

_____, 2023. The affiant exhibited to me his/her

_____, TIN _____ ID No. _____ 170-772-472 issued on _____ at

_____, PPC _____

Doc. No. 86
Page No. 57
Book No. XVII
Series of 2023



ATTY. ONOS B. MANGOTARA
NOTARY PUBLIC
NPL No. 2022-005 Until Dec. 31, 2023
PTR No. 2342860/01.03.23
IEP No. 002047/12.01.21
ATTORNEY'S ROLL 27750
MCLE Compliance No. VII-0007106
Valid Until April 14, 2025

COPY FURNISHED:

Honorable BENJAMIN D. ABALOS JR.
DILG Secretary

Honorable JESUS CRISPIN "BOYING" REMULLA
DOJ Secretary

Honorable PGen. RODULFO AZURIN JR.
PNP CHIEF

Honorable RAFAEL T. TULFO
Senator

Honorable MA. ANTONIA Y. LOYZAGA
DENR Secretary

Honorable BRIG. GEN. ROMEO CARAMAT
CIDG Director

Honorable ATTY. PERCIDA V. ACOSTA
PAO-Chief Public Attorney

Honorable LUCILO R. BAYRON
Mayor – Puerto Princesa City

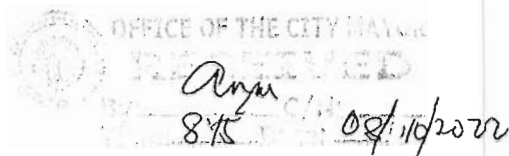
Hon. ATTY. CHRISTINE N. LONGNO
Asst. City Legal Officer – PPC
Head – LCASSAPS, Secretariat



Republic of the Philippines
Department of Environment and Natural Resources
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCE OFFICE
Brgy. Sta. Monica, Puerto Princesa City

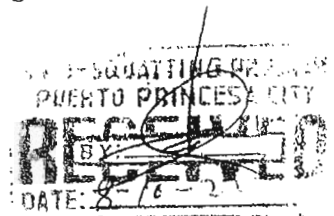
August 5, 2022

Hon. Lucilo R. Bayron
City Mayor
New City Hall Building, Bgy. Sta. Monica
Puerto Princesa City



Attention : **Mr. Alex Hermoso**
*The Chief, Council Against Squatting Syndicates and
Professional Squatters (CASSAPS)*
Old City Hall Building, Bgy. Sta. Monica, PPC

Dear Mayor Bayron:



Environmental Greetings!

This pertains to the complaint lodged in this office by the following:

1. Melinyo Farmers and Workers Association which was indorsed by Barangay LGU of Buenavista
2. Mrs. Rowena Pe, et. al.
3. Tagbanua Indigenous Cultural Communities of Barangay Buenavista represented by their Tribal Chieftain Mercelita F. Sabater

The complaint is about overlapping claims in parcels of land under Gss-04-000165-D located at Purok Milenyo, Brgy. Buenavista, Puerto Princesa City.

Further investigation however shows that aside from overlapping claims, SM&E Development Corporation represented by Mr. Edgar Luengo has constructed a guardhouse with barrier within the twenty (20) meter wide salvage zone/easement zone. This is along Camanglit River.

Article 51 of Presidential Decree No. 1067, otherwise known as "The Water Code of the Philippines", a **salvage zone** is defined as "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**".

DENR Administrative Order (DAO) No. 2021-07 dated April 28, 2021 under Section 6.6.2 states that:

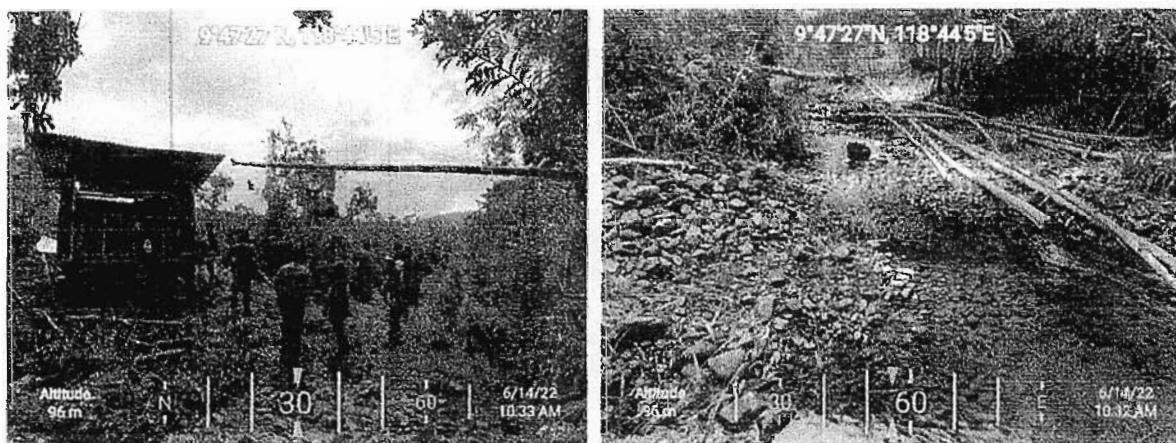
"Banks of rivers and streams with channels at least five (5) meters wide or continuously flowing rivers and streams **even with less than five (5) meters width**, creeks, arroyos, or esteros shall be subjected to legal easement of three meters in urban areas, **twenty (20) meters in agricultural lands** and forty (40) meters in forest lands, measured landward from the edge of the normal high waterline".

Furthermore, under Section 8 of the same Administrative Order, it is stated that “all individuals, or group entities owning or managing the establishments and structures which are found to be in violation of the rules on the establishment of salvage zone and legal easements, whether private or owned by the government, **shall be subjected to possible relocation and demolition**, if warranted”.

City Ordinance 960 dated August 31, 2018 also identified easement/salvage zone as “No Build Zone”.

Mr. Edgar Luengo representing 5M&E Luengo Development Corporation was already issued a Notice to Vacate dated June 22, 2022 to “VACATE THE SAID AREA AND REMOVE ANY STRUCTURES BUILT THEREIN WITHIN THIRTY (30) DAYS UPON RECEIPT”

Below is the photo of the guardhouse with barrier which was built within the 20 meters wide salvage zone/easement (along Camanglit River):



Pursuant to Section 30 of Republic Act No. 7279 or the “Urban Development and Housing Act of 1992”, which states that it shall be unlawful for any person to construct any structure in areas mentioned in Section 29 of the same Act and the **barangay, municipal or city government units has the responsibility to prevent the construction of any kind of illegal dwelling units or structures within their respective localities.**

In this regard, may we request your assistance to **facilitate the demolition of all structures built within the salvage/easement zone more particularly the guardhouse with barrier.**

This office would like to emphasize that the demolition of the said structures will benefit the collective citizenry and give them easy access to the said river.

Attached are photocopies of the following documents:

1. Notice to Vacate dated June 22, 2022 addressed to Mr. Edgar A. Luengo.
2. Order of Status Quo issued to:
 - Melinyo Farmers and Workers Association
 - Mrs. Rowena Pe, et. al.
 - Tagbanua Indigenous Cultural Communities of Barangay Buenavista represented by their Tribal Chieftain Mercelita F. Sabater
 - 5M&ELunego Development Corporation
3. Letter from Rowena Pe et. al. dated July 9, 2022
4. Letter from Harry L. Maniong, Barangay Kagawad, Officer-In-Charge of Barangay Buenavista dated June 6, 2022
5. Certification from Atty. Jansen L. Jontilla, Provincial Officer, NCIP dated June 8, 2022

6. Petisyon para sa pag-iisyu ng isang moratorium sa pagbibigay ng titulo at pamamahagi ng lupang tinitirhan at sinasaka ng Melinyo Farmers and Workers Association sa Barangay Buenavista, Puerto Princesa City.
7. 1st Endorsement of the Petition Papers of Melinyo Farmers and Workers Association.

We thank you for your unending support and assistance in the enforcement of our environmental laws.

Very truly yours,


PEDRO A. VELASCO
OIC-CENRO

Copy furnished:

1. Hon. Juanito D. Capin
Punong Barangay
Buenavista, PPC
7008
2. Rowena Pe, et al.
Brgy. Buenavista, PPC
3. Tagbanua Indigenous Cultural Communities of Barangay Buenavista
Represented by: Tribal Chieftain Mercelita F. Sabater
4. Melinyo Farmers and Workers Association
Represented by: Crispin L. Alaska



Republic of the Philippines
**LOCAL COMMITTEE AGAINST SQUATTING SYNDICATES
AND PROFESSIONAL SQUATTERS [LCASSAPS]**
Office of the City Mayor
City Government of Puerto Princesa

January 16, 2023

MS. ROWENA G. PE

Bgy. Buenavista
Puerto Princesa City

Dear Ms. Pe,

This confirms receipt of your letter dated December 16, 2022 which was indorsed to the undersigned as the Head Secretariat of the Local Committee Against Squatting Syndicates and Professional Squatters (LCASSAPS) on December 28, 2022. As stated in your letter, you are seeking assistance from the City Government of Puerto Princesa (CGPP) regarding your problem with the alleged land-grabbers on the agricultural land you were occupying in Bgy. Buenavista and for the implementation of a Notice of Demolition issued by the DENR-CENRO.

At the outset, and as verbally explained by the undersigned during your visit to the City Legal Office, the LCASSAPS has no jurisdiction to hear complaints or disputes on claims over agricultural land. A protest or claims/conflict case may be lodged to the DENR-CENRO for the administrative adjudication of your land claim over the said property.

As regards your request for implementation of the Notice of Demolition, we have not found any such notice attached to your letter. We only found the following documents, to wit:

1. **Notice to Vacate** addressed to Mr. Edgar Luengo issued on June 22, 2022 by Mr. Pedro A. Velasco, OIC-CENRO, DENR-CENRO Puerto Princesa City
2. **Order of Status of Quo** issued on June 24, 2022 by Mr. Pedro A. Velasco
3. **Letter** dated August 5, 2022 addressed to the Lucilo R. Bayron, City Mayor, by Mr. Pedro A. Velasco requesting "*assistance to facilitate the demolition of all structures built within the salvage/easement zone, more particularly the guardhouse with barrier*".


The letter, however, did not pertain to any Demolition Order issued by the DENR-CENRO. His letter, however, refer to violation of environmental laws, issuances and ordinance due to the allegation of construction of structures within the water easement/danger area/no-build zone. Thus, our assumption is that the DENR-CENRO is requesting for the assistance of demolition of the structures pursuant to the power of the local chief executive for summary demolition under the existing applicable laws, to wit:

1. Section 455 (b) (3) (vi) of Republic Act No. 7160 or the Local Government Code
2. Section 27, 28 and 30 of Republic Act No. 7279 or the Urban Development and Housing Act

Thus, in order to address your concern and to validate the findings of the DENR-CENRO as stated in their letter and Notice to Vacate, please be informed that the undersigned shall indorse this matter to the DAPSASS and other concerned offices of the CGPP, to conduct an on-site investigation before we refer the same to the LCASSAPS.

We will contact you on the schedule of the said on-site investigation. We hope to have assisted you on the matter. Thank you.

Sincerely,



ATTY. CHRISTINE N. LONGNO
Assistant City Legal Officer
Head, LCASSAPS Secretariat

Copy furnished:

Mr. Alex Hermoso
Program Head
Drive Against Professional Squatters and Squatting Syndicates (DAPSASS)



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
PROVINCE OF PALAWAN
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City
Email Address: cenropuertoprincesa@denr.gov.ph
Tel No. 717-0702

June 22, 2022

Mr. Edgar A. Luengo
Representative of 5M&E Luengo Devt. Corp.
Puerto Princesa City

NOTICE TO VACATE


This pertains to your occupancy over a portion of **Environmental Bank Protection/Easement Zone** more particularly the **Guard House** you built adjacent to the **creek** located in Bgy. Buenavista, Puerto Princesa City.

Per ocular inspection and investigation on the ground conducted by representatives from this office and based on the approved **Plan Gss-04-000126-D**, it was verified that the said **Guard House** is within the **twenty (20) meters wide Environmental Bank Protection** pursuant to Article 51 of **Presidential Decree 1067**, otherwise known as the **Water Code of the Philippines** and likewise in accordance with **DENR Administrative Order No. 2021-07** dated April 28, 2021.

It is also within the **No-Build Zone** per **City Ordinance No. 960** dated August 31, 2018.

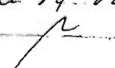
In this connection, you are hereby directed to **VACATE THE SAID AREA AND REMOVE ANY STRUCTURES BUILT THEREIN WITHIN THIRTY (30) DAYS UPON RECEIPT HEREOF.**

Failure to comply on your part will constrain this office to take legal action.


PEDRO A. VELASCO
OIC-CENRO

Copy furnished:

1. Hon. Mayor Lucilo R. Bayron
City Mayor
New City Hall Bldg., Brgy. Sta. Monica
Puerto Princesa City
2. Hon. Juanito D. Capin
Punong Barangay
Brgy. Buenavista, Puerto Princesa City
3. Melinyo Farmers and Workers Association
Rep. by: Mr. Crispin L. Alaska
CP#09473892941 - 099757806373
4. Mrs. Rowena Pe, et. al.
Brgy. Buenavista, Puerto Princesa City
CP#09167985041
5. Ms. Marcelita F. Sabater
Tribal Chieftain
Brgy. Buenavista, Puerto Princesa City
6. Mr. Noel A. Manalo
Police Major
Police Station 2, Brgy. Irawan, Puerto Princesa City
7. PENRO, Palawan
8. The Regional Executive Director
L&S Bldg., Roxas Blvd. Ermita, Manila

DENR MIMAROPA REGION
CENRO
NO 3142
DATE: 6-24-22
BY: 



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
PROVINCE OF PALAWAN
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City
Email Address: cenropuertoprincesa@denr.gov.ph
Tel No. 717-0702

Melinyo Farmers and Workers Association

Represented by: Mr. Crispin L. Alaska

Protestants-Complainants

-versus-

Mrs. Rowena Pe, et. al.

Protestants-Complainants

Lot Nos. 319 to 434, all Gss-04-000126-D

Total Area: 397.9758 hectares

-versus-

Brgy. Buenavista, Puerto Princesa City

Tagbanua Indigenous Cultural Communities

of Brgy. Buenavista, Puerto Princesa City

Rep. by: Tribal Chieftain Mercelita F. Sabater

Protestants-Complainants

-versus-

5M&E Luengo Development Corporation

Rep. by: Mr. Edgar A. Luengo

Protestees-Respondents

X-----X

ORDER OF STATUS QUO

Records of this Office show that the aforementioned parcels of lands are listed in the names of various individuals (Edgar Luengo, et. al.) and some of these lots were applied by different individuals and remain unnumbered and/or subsisting while a number of these lots were already patented to other applicants.

On August 07, 2018, a Resolution No. 1124-2018 dated July 9, 2018, entitled, **"A Resolution Authorizing the Honorable Mayor Lucilo R. Bayron, for and in behalf of the City Government of Puerto Princesa, to apply for a tenurial instrument with the Department of Environment and Natural Resources (DENR) for the Proposed Joint Project with the Provincial Government for a 1,000 Hectare Forest Park in Barangay Buenavista, this City, and to Ensure Full Ownership of the Area"** which was enacted by the 15th Sangguniang Panlungsod of the City of Puerto Princesa during its 100th Regular Session held on July 9, 2018 was received by this Office. Some of the aforementioned lots are within the said 1,000 hectare Proposed Forest Park.

On June 2, 2022, a Petition dated May 30, 2022 of the Melinyo Farmers and Workers Association represented by its President, Mr. Crispin L. Alaska, which was indorsed by Punong Barangay Juanito D. Capin was likewise received by this Office.

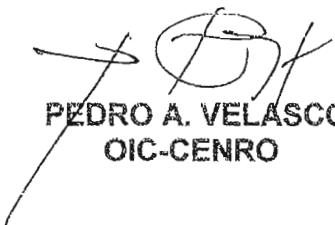
On June 7, 8 & 9, all year 2022, Ms. Rowena G. Pe, et. al filed their letter-complaints against the claimants of some parcels of lands under the aforementioned survey plan.

On June 20, 2022, a "Kapasyahan Bilang 01, Serye 2022" dated May 21, 2022, entitled, ***"Kapasyahang Humihiling Sa Tanggapan ng National Commission of Indigenous People na Makansela at Mapawalang Bisa Ang Aplikasyon ng mga Indibidwal at Samahan/Assosayon na Umaangkin sa Nasasakupan ng Lupaing Ninuno ng mga Katutubong Tagbanua sa Bgy. Buenavista, Lungsod na Ito"*** which was approved by the Tagbanua Tribal Council of Brgy. Buenavista, this City, was likewise received by this Office.

On June 14, 2022, an ocular inspection and investigation was conducted by representatives from this Office and it was found out that there exist an overlapping of claims of different individuals and likewise various issues and concerns had emerged which needed to be addressed and therefore an intervention from the DENR higher office/s is necessary.

WHEREFORE, in view of the various complaints and/or oppositions filed over the subject area and the existence of overlapping claims, the above-mentioned parties are hereby **ORDERED** to continually observe **STATUS QUO** over the aforementioned lots, and therefore directed to stop introducing additional improvements, including fences, building of structures of any type, and planting of any crops until after all the issues and concerns has been addressed and the final instruction and/or advice of action on the matter has been issued. This Order shall remains enforced unless otherwise revoked by the undersigned or higher authority.

SO ORDERED, 24 June 2022.


PEDRO A. VELASCO
OIC-CENRO

Copy furnished:

1. Hon. Mayor Lucilo R. Bayron
City Mayor
New City Hall Bldg., Bgy. Sta. Monica, Puerto Princesa City
2. Hon. Juanito D. Capin
Punong Barangay
Bgy. Buenavista, Puerto Princesa City
3. Mr. Noel A. Manalo
Police Major
Police Station 2, Brgy. Irawan, Puerto Princesa City
4. PENRO, Palawan
5. The Regional Executive Director
L&S Bldg., Roxas Blvd. Ermita, Manila

DATE
BY: 

374/
6-24-22