



Republic of the Philippines;
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
MIMAROPA Region

DEC 19 2022

MEMORANDUM

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

FROM : The OIC-PENR Officer

SUBJECT : **LETTER DATED OCTOBER 20, 2022 FROM HON. MERLITA V. ILDEFONSO, PUNONG BARANGAY OF BRGY. IRIRON, CALINTAAN, OCC. MINDORO RE: COMPLAINT OF IRIRON BOAT OWNERS' ASSOCIATION IN RELATION TO THE CONSTRUCTION OF CONCRETE SEAWALL WITHIN THE SALVAGE ZONE/EASEMENT OF BRGY. IRIRON, CALINTAAN, OCC. MINDORO**

DENR MIMAROPA RECORDS SECTION	
RECEIVED	
20 DEC 2022	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: _____	DATE NO. _____
TIME: _____	

Respectfully forwarded is the Memorandum dated December 02, 2022 from CENR Officer Efren L. delos Reyes regarding the Completed Staff Work (CSW) report on the above-mentioned subject.

Based on the CSW report, the construction of seawall by a certain Rommel G. Oba is within the easement/ salvage zone. Accordingly, the said activity was a violation of existing environmental laws, rules and regulations, in particular Article 51 of P. D. No. 1067 also known as Water Code of the Philippines.

In this regard, we concur to the recommendation of concerned CENR Officer that a Notice of Violation (NOV) be issued against the violators/perpetrators.

For information and evaluation.


ERNESTO E. TAÑADA

TSD-RPS



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

DEC 02 2022

MEMORANDUM

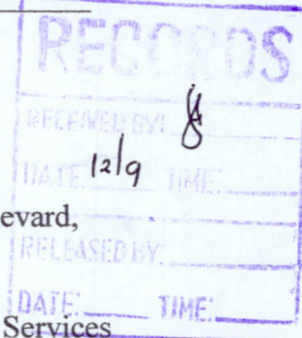
FOR : The Regional Executive Director
1515 DENR By the Bay Building, Roxas Boulevard,
Barangay 668, Ermita, Manila

ATT'N: The Assistant Regional Director for Technical Services

THRU : The OIC, PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

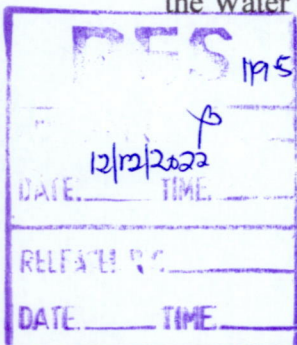
SUBJECT : LETTER DATED OCTOBER 20, 2022 FROM
HON. MERLITA V. ILDEFONSO, PUNONG BARANGAY
OF BRGY. IRIRON, CALINTAAN RE: THE COMPLAINT
OF IRIRON BOAT OWNERS ASSOCIATION IN
RELATION TO THE CONSTRUCTION OF CONCRETE
SEAWALL WITHIN THE SALVAGE ZONE / EASEMENT
AT BRGY. IRIRON, CALINTAAN, OCCIDENTAL
MINDORO



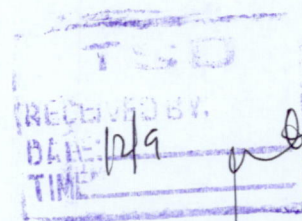
Respectfully submitted is the Completed Staff Work (CSW) report regarding the above-mentioned subject.

Please be informed that based on the site investigation conducted by competent staff/personnel of this Office on October 24, 2022, it was ascertained the veracity of said complaint in coordination with the concerned LGUs. The team found out that the on-going construction of concrete seawall was located within the salvage zone / easement of said barangay and adjacent to titled Lot No. 1339-D (portion), Psd-04-103603 AR with an area of 2,055 sq.m. covered by TCT No. 10756 in the name of Mr. Ronnel G. Oba.

Accordingly, in the absence of Mr. Ronnel G. Oba at the time of investigation, Mrs. Lolita Oba, mother of Mr. Oba was in the premises and duly informed about the prohibition under existing laws of Article 51 of Presidential Decree No. 1067 also known as the Water Code of the Philippines.



Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph



On November 10, 2022, this Office initiated the Technical Conference at Iriron Barangay Hall to discuss the complaint with the presence of the Municipal Engineering Office, Municipal Planning and Development Office, Municipal Environment and Natural Resources Office, Barangay Iriron Council, the complainants and Mrs. Lolita Oba.

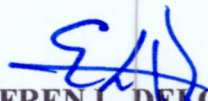
This Office explained that the seawall was constructed within the easement and outside the titled lot, and emphasized that the construction is a clear violation of Article 51 of Presidential Decree No. 1067, though, it is not in the DENR's authority to demolish or remove the structure. The roles of the Municipal LGU and the Barangay was highlighted in the conference. There is resistance on the suggestion for self-demolition but it was agreed to give Mrs. Lolita Oba enough time to internalize the situation and is expected to have taken action a week after the said conference. However, the said suggestion was not followed.

In view hereof, this Office respectfully recommends for the issuance of a Notice of Violation to Mrs. Lolita Oba / Mr. Ronnel G. Oba considering that the said activity located within the salvage zone/easement is in violation of our existing environmental laws, rules and regulations.

Attached are the copy of pertinent documents as follows:

1. Map and geo-tagged photos;
2. Report of the Technical Conference with attendance, geo-tagged photos (November 10, 2022);
3. Invitation Letters to BLGU, Iriron, Calintaan and LGU-Calintaan regarding the Technical Conference (November 7, 2022);
4. Letter of Hon. Merlita V. Ildefonso, Punong Barangay of Brgy. Iriron, Calintaan, Occidental Mindoro;
5. Complaint letter of Iriron Boat Owners Association.

For information, evaluation and record.


EFREN L. DEKOS REYES



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

October 25, 2022

MEMORANDUM

FOR : The CENR Officer

THRU : The Chief, RPS

FROM : Engr. Nilo P. Salvador – DMO IV/Deputy CENRO
Jimmy D. Duruin – Forester II
John Senry B. Fulgar – Land Management Officer I
Ronald D. Fresnillo – Forest Ranger
Ronnele T. Esteves – EMB Staff

SUBJECT : COMPLETED STAFF WORK (CSW) REPORT
IN RELATION TO THE COMPLAINT ON THE ON-GOING
CONCRETE SEAWALL CONSTRUCTION WITHIN
THE SALVAGE ZONE / EASEMENT AT BRGY. IRIRON,
CALINTAAN, OCCIDENTAL MINDORO

I. BACKGROUND

On October 21, 2022, this Office received a letter dated October 20, 2022 from Hon. Merlita V. Ildefonso, Punong Barangay of Brgy. Iriron, Calintaan, Occ. Mindoro regarding the complaint of Iriron Boat Owners Association in relation to the on-going concrete seawall construction within the salvage zone / easement which may affect the public interest, and the said area serves as docking station for small boats. (*Annex A*)

II. FINDINGS / ACTION TAKEN

On October 24, 2022, DMO IV/Deputy CENRO, Engr. Nilo P. Salvador together with Forester II Jimmy D. Duruin, Land Management Officer I John Senry B. Fulgar, Forest Ranger Ronald D. Fresnillo and EMB Staff Ronnele T. Esteves coordinated with the Municipal Engineering's Office, LGU – Calintaan regarding the issuance of Building/Fencing Permit. According to them, no Building/Fencing Permit was released/issued for the on-going concrete seawall construction at Brgy. Iriron, Calintaan, Occidental Mindoro. They added that they will issue a notice of violation/stoppage if the proponent violates the environmental laws, rules and regulations. (*Annex B*)

The team coordinated and requested assistance from Barangay Officials, represented by Hon. Mark Anthony Oba, Barangay Kagawad of Brgy. Iriron, Calintaan to conduct site investigation of the said area. (*Annex C*)

2. After coordinating with the Brgy. LGU of Brgy. Iriron, Calintaan, Occ. Mindoro, the team headed to the said area, and found out that the location of the said activity is identified as within the *salvage zone/easement* (based on the Projection of GIS staff of this Office per Block 1, LC Map No. 678, Project No. 17, Brgy. Iriron, Calintaan, Occidental Mindoro), and adjacent to Titled Lot No. 1339-D (*Portion*), Psd-04-103603 AR with an area of 2,055 sq.m. covered by TCT No. 10756 in the name of Mr. Ronnel G. Oba. (*Annex D, E and F*)
3. The team conducted an interview with Mrs. Lolita Oba, mother of Mr. Ronnel G. Oba for the reason that Mr. Ronnel G. Oba was not around in the premises at that time of investigation.

DMO IV/Deputy CENRO, Engr. Salvador informed Mrs. Lolita Oba about the prohibition under existing laws of Article 51 of Presidential Decree No. 1067 also known as the Water Code of the Philippines considering that the location of the said activity is within the salvage zone/easement and outside to her son's titled lot. (*Annex G*)
4. The introduced improvement of the said area is the on-going construction of concrete seawall (*length = 20 meters; width = 2.5 meters; height = 1.5 meters*) made from various materials such as rocks, cements, steel bars, hollow blocks, sand and gravel. (*Annex H*)
5. Based on the records of this Office, the coastal area/stretch of the said barangay were identified as active nesting site of marine turtles which will be affected/disturbed by the said construction of seawall. (*Annex I*)

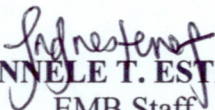
III. COMMENTS AND RECOMMENDATIONS:

Hereunder are the comments and recommendations in view of the foregoing findings:

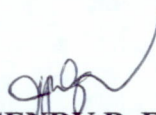
1. This Office shall inform BLGU-Brgy. Iriron, Calintaan, and LGU-Calintaan regarding the necessary action done by this Office on the said matter.
2. This Office shall need to set schedule for a consultation meeting or technical conference and invite the BLGU-Brgy. Iriron, Calintaan together with Mr. Ronnel G. Oba, Mrs. Lolita Oba, the Iriron Boat Owners Association and other concerned agencies regarding the said complaint.
3. This Office shall recommend for the issuance of a Notice of Violation / Cease and Desist to Mr. Ronnel G. Oba considering that the said activity located within the salvage zone / easement is in violation of our existing environmental laws, rules and regulations.
4. This Office shall issue a Special Order for concerned DENR-CENRO San Jose personnel to conduct delineation of foreshore, survey and inventory of households violating our existing environmental laws, rules and regulations, to wit:
 - a. Article No. 51 of Presidential Decree No. 1067, otherwise known as "A Decree Instituting a Water Code, thereby Revising and Consolidating the Laws Governing the Ownership, Appropriation, Utilization, Exploitation, Development, Conservation, and Protection of Water Resources", which provides that "*the banks or 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.*"


- b. Section 4 of Presidential Decree No. 1586, otherwise known as "Establishing an Environmental Impact Statement System including other Environmental Management related measures and for other purposes", which provides that *"No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate issued by the President or his duly authorized representative."*

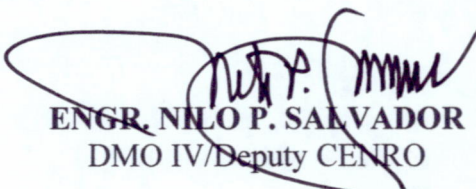
For his information, evaluation and record.


RONNELE T. ESTEVES
EMB Staff




RONALD D. FRESNILLO
Forest Ranger

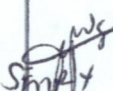

JOHN SENRY B. FULGAR
Land Management Officer I


JIMMY D. DURUIN
Forester II



ENGR. NILO P. SALVADOR
DMO IV/Deputy CENRO

Annex A

 <div>Department of Environment and Natural Resources CENRO Occidental Mindoro</div>		by:ADMIN- RONA 61617	
CENRO DOCUMENT ACTION TRACKING SLIP			
Provincial Doc. Number	2022-1885		
Originating Office	TANGGAPAN NG PUNONG BARANGAY	Date Received	21-Oct-2022
Sender	MERLITA V. ILDEFONSO		
Address	IRIRON, CALINTAAN		
Subject	LETTER RE: SA PAGSAKOP NG PAGBAKOD SA PONDOHAN NG BANGKA		
Addressee	CENRO		
Document Type	LETTER		
Attachment(s)			

Route to/Date/Time Received	Released to/Date/Time Released	Action Required/Taken Remarks/Status
2022-10-21 / 2:31 PM by <u>ADMIN-RONA</u>	CENRO / 2022-10-21 /	IN //
	Depd CENRO RPS	Pl. provide priority action - form by creat a team to conduct investigation. Tx.
	RPS	10/21/22
Received by:  10/24/2022 8:40 Am		THE HOT BEING MENTION BY IRIRON POPE OWNERS ASLO. IS THE AREA FENCED BY CENRO APTT. GARCIA WHAT IS THE FINDINGS AND RECOMMENDATION WHO CONDUCTED THE INVESTIGATION. Tx

10/24/22 8:35 AM
Wm S. Fulgar
Plc. prior figs.
Tx
M


10-21-2022
2:24 PM



Republika ng Pilipinas
Lalawigan ng Kanlurang Mindoro
Lungsod ng Calintaan
BARANGAY IIRON

TANGGAPAN NG PUNONG BARANGAY

Oktuber 20, 2022

MR. EFREN DELOS REYES
DENRO/CENRO
DENR, Labangan
San Jose, Occ. Mdo

DENR - DENRO SAN JOSE
MIMAROPA REGION

RECEIVED BY: E 2022-12815
DATE: P-21-2022


Sir;

Magandang araw po!

Kaugnay po sa idinulog na problema ng grupo ng mangingisda (**IRIRON BOAT OWNERS ASSOCIATION**) tungkol sa pagsakop ng pagbakod sa pondohan ng bangka ng may-ari ng lupang katapat ng marine zone ay ipinaabot po ng barangay council ang nasabing problema sa inyong butihing tanggapan.

Umaasa po sa inyong pagtalima sa bagay na ito. Marami pong salamat.

Gumagalang,


MERLITA V. ILDEFONSO
Punong Barangay

IRIRON BOAT-OWNERS ASSOCIATION
IRIRON, CALINTAAN, OCCIDENTAL MINDORO

OCTOBER 3, 2022

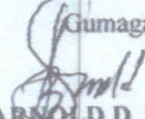
KGG. MERLITA V. ILDEFONSO
Punong Barangay at Barangay Kagawad
Iiron, Calintaan, Occidental Mindoro

SA MGA KINAUKULAN;

Magandang Araw Po!

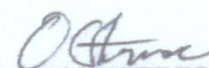
Kami po binubuo ng Boat-Owners Association ng Iiron ay dumudulog sa inyong butihing tanggapan na matulungan kami sa problemang aming kinakaharap tungkol sa pagsakop sa pondohan ng aming bangka sa kasalukuyan ito ay binabakuran ng may-ari ng lupang katapat ng marine zone hanggang sa tagwakan ng alon,

Sana po ay mabigyan pansin ang aming reklamo sa lalong madaling panahon.
Marami pong salamat.

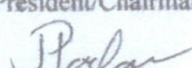
Gumagalang;

ARNOLD D. ZAMORA
Boat-Owners Association/Chairman

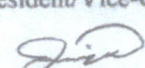
LAGDA NG OFFICERS/MEMBER:


ARNOLD D. ZAMORA
President/Chairman


ORLAN M. ESTRERA
Vice-President/Vice-Chairman

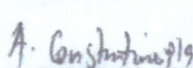

ROBYRICK S. IBUNA
Secretary

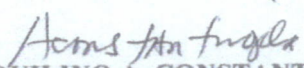

JONNY BOY R. PADASAS
Treasurer

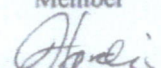

ARMAN S. BAUTISTA
Auditor

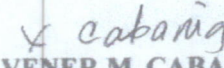

VICENTE P. DIZON
Member

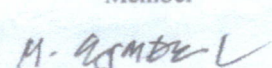

JEFFREY B. MORILLA
Member



ALDRIN CRIZ M. CONSTANTINO
Member


AQUILINO A. CONSTANTINO
Member

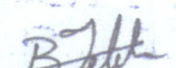

JOWITO S. TARDIO
Member


VENER M. CABANIG
Member



MELVIN V. ESMAEL
Member


DIOMEDES G. GALLEJOS
Adviser


EMMANUEL S. ABSALON
Adviser


BERNARD
WMA MEMBER
11/5/22

FETAL VER


RUDEY RAFAEL

ACTION TAKEN ON OCTOBER 24, 2022

ANNEX "B"



The team led by DMO IV/Deputy CENRO, Engr. Nilo P. Salvador coordinated with the Municipal Engineering's Office, LGU-Calintaan regarding the issuance of Building/Fencing Permit.

ANNEX "C"



The team coordinated and requested assistance from Barangay Officials represented by Hon. Mark Anthony Oba, Barangay Kagawad of Brgy. Iriron, Calintaan to conduct site investigation of the area.

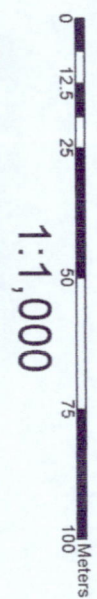


N
W
E
S

LOCATION MAP

OF THE CONSTRUCTED CONCRETE FENCE WITHIN LEGAL EASEMENT


LOCATED AT:
SITIO: IIRON
BARANGAY: CALINTAAN
MUNICIPALITY: OCCIDENTAL MINDORO
PROVINCE:




Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV (MIMAROPA)
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
San Jose, Occidental Mindoro

This is to certify that this is the correct location of the above cited lot surveyed through GPS as described in the herein map prepared based from the consolidated sketch and other references available in this Office.

Further certify that said concrete fence falls within the legal easements/salvage zone of Alienable and Disposable Land as per Land Classification Map No. 678Project-9 block -1 certify as such on July 29, 1927

Prepared by:

JIMMY D. DURAN
Forster III, chief of unit

Attested by:

MILO P. SALVADOR
DMO II

Approved by:

EFREN L. DELOS REYES
CENR Office

Annex F

Form No. 2-B
(July 1989)

SN No. 00605060

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
LAND REGISTRATION AUTHORITY

REGISTRY OF DEEDS FOR THE PROVINCE OF OCCIDENTAL MINDORO

Transfer Certificate of Title
No. T-10756-

Entered in accordance with Republic Act No. 6657, dated June 10, 1988, pursuant to a Certificate of Land Ownership Award issued by the Department of Agrarian Reform, at Quezon City, and spread in the records of the said Department of Agrarian Reform, as follows:

"REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
CERTIFICATE OF LAND OWNERSHIP AWARD NO. 00605060

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, pursuant to the provisions of Republic Act No. 6657, dated June 10, 1988, INSTITUTING A COMPREHENSIVE AGRARIAN REFORM PROGRAM TO PROMOTE SOCIAL JUSTICE AND INDUSTRIALIZATION AND PROVIDING THE MECHANISM FOR ITS IMPLEMENTATION, there is hereby awarded unto RONNEL G. OBA

, a parcel of agricultural land situated in Barangay Iriron, Municipality of Calintaan, Province of Occidental Mindoro, Island of Mindoro, Philippines, containing an area of SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY TWO (17,752) square meters, more or less, which is now more particularly bounded and described at the back hereof.

WHEREAS, it has been established that the herein awardee has fully complied with the requirements for the grant of title under Republic Act No. 6657.

NOW, THEREFORE, KNOW YE, That by authority of the provisions of Republic Act No. 6657, there is hereby awarded unto the said * RONNEL G. OBA, Filipino of legal age, married to Monina Villanueva, and a resident of Iriron, Calintaan.

this Certificate of Land Ownership Award covering the parcel of agricultural land herein described. TO HAVE AND TO HOLD IN OWNERSHIP AND TO USE PRODUCTIVELY said parcel of agricultural land with all the rights and privileges appurtenant thereto, subject to the condition that it shall not be sold, transferred or conveyed except through hereditary succession, or to the Government, or to the Land Bank of the Philippines, or to the other qualified beneficiaries for a period of ten (10) years, Provided, however, that the children or the spouse of the transferor shall have a right to repurchase the land from the Government or the Land Bank of the Philippines within a period of two (2) years from the date of transfer.

IN TESTIMONY WHEREOF, and by authority vested upon me by law, I, JOSEPH E. ESTRADA, President of the Philippines, hereby cause these letters to be made patent and the seal of the Republic of the Philippines to be hereunto affixed
Given at Quezon City, Philippines, on this 20 day of NOV, 2000, in the year of Our Lord nineteen hundred and 00.

*Occidental

BY AUTHORITY OF THE PRESIDENT
OF THE PHILIPPINES:

HORACIO R. MORALES
Secretary of Agrarian Reform

Entered in the Registry of Deeds of Occ. Mindoro pursuant to Section 24 of Republic Act No. 6657 on this 10th day of December 2000 at 10125 and Two Thousand

REFERENCE:

This certificate is a transfer from Transfer Certificate of Title No. T-15173 Rep. of the Phils. (formerly) Ronnel G. Medalla D-6 Iriron, Calintaan, Occidental Mindoro (Owner's postal address)

Acting Register of Deeds

*State the civil status, name of spouse if married, age if a minor, citizenship and residence of the awardee

ACTION TAKEN ON OCTOBER 24, 2022

ANNEX "G"



The team conducted an interview with Mrs. Lolita Oba, mother of Mr. Ronnel G. Oba for the reason that Mr. Oba was not around in the premises at that time of investigation.



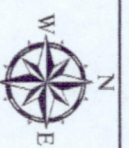
DMO IV/Deputy CENRO, Engr. Salvador informed Mrs. Lolita Oba about the prohibition under existing laws of Article 51 of Presidential Decree No. 1067 also known as the Water Code of the Philippines considering that the location of the said activity is within the salvage zone/easement and outside to her son's titled lot.

ACTION TAKEN ON OCTOBER 24, 2022

ANNEX "H"



The on-going construction of concrete seawall (length = 20 meters; width = 2.5 meters; height = 1.5 meters) made from various materials such as rocks, cements, steel bars, hollow blocks, sand and gravel.

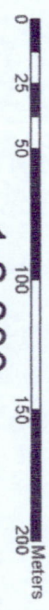


RELATIVE LOCATION

OF THE CONSTRUCTED CONCRETE FENCE
WITHIN LEGAL EASEMENT/SALVAGE ZONE
AND MARINE TURTLE NESTING SITE

LOCATED AT:

SITIO: IRIRON
BARANGAY: CALINTAAN
MUNICIPALITY: OCCIDENTAL MINDORO
PROVINCE:



1:2,000



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
San Jose, Occidental Mindoro

This is to certify that this is the correct location of the above cited lot surveyed through GPS as described in the herein map prepared based from the consolidated sketch and other references available in this Office.

Further certify that said concrete fence falls within the legal easement/salvage zone of Alienable and Disposable Land as per Land Classification Map No. 678Project-9 block -I certify as such on July 29, 1927

Prepared by:
JIMMY D. FORSTER
Forster II, chief GIS unit

Attested by:

NILIO P. SALVADOR
DWO IV


Approved by:

EFREM L. DELOS REYES
CENR Unit

Marine Turtle Nesting Sites

Map showing the Identified Marine Turtle Nesting Site In Brgy. Iiron, Calintaan, Occidental Mindoro

Legend

 Marine Turtle Nesting Sites

 Marine Turtle Nesting Site 1

 Marine Turtle Nesting Site 2

 Marine Turtle Nesting Site 3

Google Earth

© 2020 Google

Image © 2020 TerraMetrics

Image © 2020 Maxar Technologies

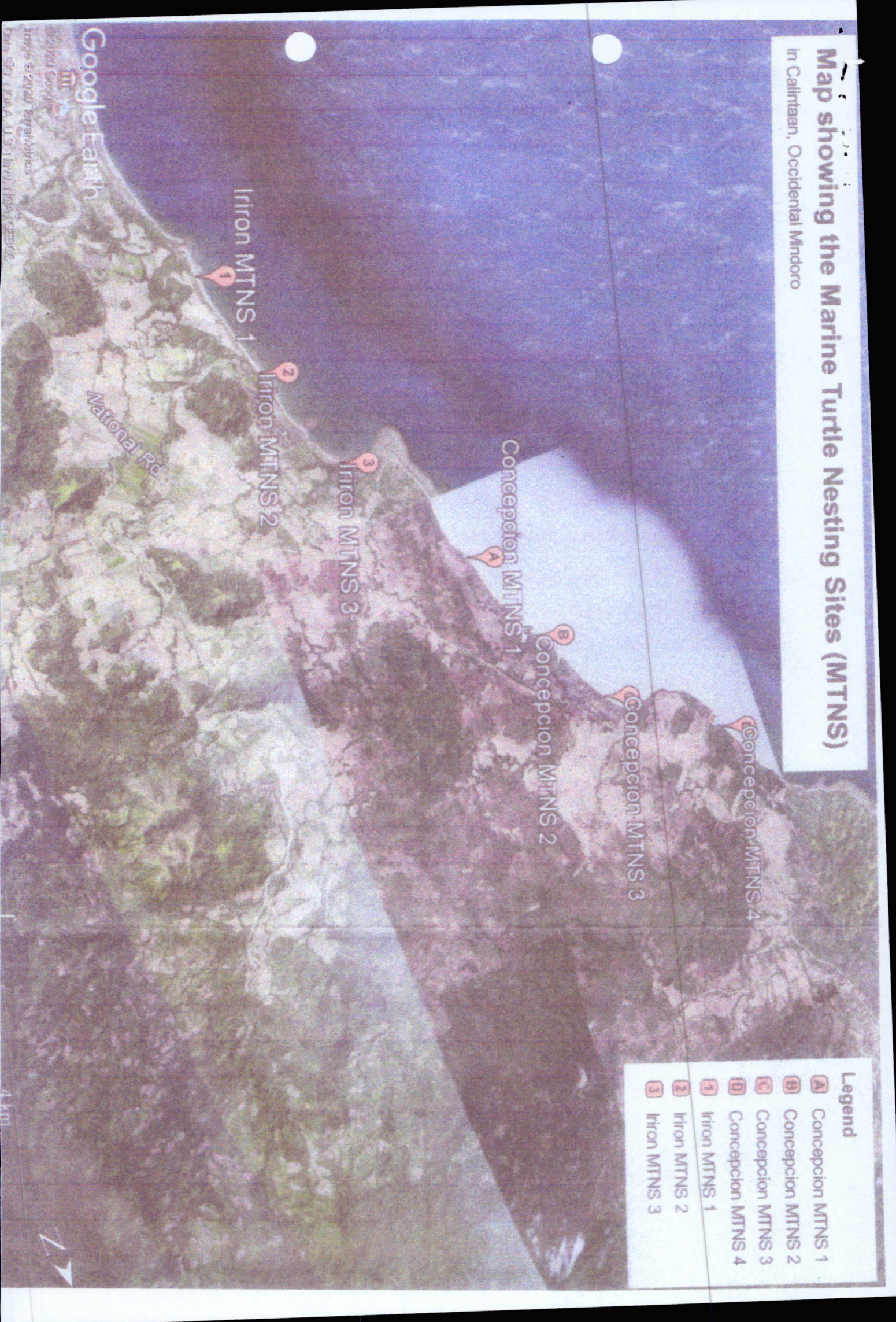
Iiron Rd

Mindoro West Coastal Rd

1 km



Map showing the Marine Turtle Nesting Sites (MTNS) in Calintaan, Occidental Mindoro



- Legend**
- (A) Concepcion MTNS 1
 - (B) Concepcion MTNS 2
 - (C) Concepcion MTNS 3
 - (D) Concepcion MTNS 4
 - (1) Iriron MTNS 1
 - (2) Iriron MTNS 2
 - (3) Iriron MTNS 3



REPORT OF THE CONDUCTED TECHNICAL CONFERENCE AT BARANGAY IRIRON, CALINTAAN, OCCIDENTAL MINDORO

In response to the complaint of the Iriron Boat Owners Association endorsed to this Office by Hon. Merlita V. Ildefonso, the Punong Barangay of Iriron, Calintaan, Occidental Mindoro about the alleged illegal construction of concrete 'seawall' within the easement/ salvage zone of Brgy. Iriron coastal area, CENRO San Jose through its technical staff in coordination with the concerned Municipal and Barangay LGUs, conducted joint ground inspection on November 4, 2022. Upon inspection, it was verified and reported that the concrete seawall measuring approximately 20 m length and 2.5 m width and 2.0 m height was constructed along the coastal area of the said Barangay. Further verification and map projection, it was found out that the said structure constructed by Mrs. Lolita Oba, fronting their private lot (Lot no. 1339-D, Psd-04-103603 (AD)) is within the salvage zone/ legal easement without permit.

In order to come up with the most appropriate action towards the complaint, CENR Officer initiated the Technical Conference where the concerned parties were invited. These includes the Municipal Engineering Office, Municipal Planning and Development Office, Municipal Environment and Natural Resources Office, all members of the Barangay Council, Iriron Boat Owners Association and Mrs. Lolita Oba held on November 10, 2022 at Iriron barangay hall.

With the complete representation of the invited attendees, the conference proceeded immediately with the presentation. CENRO Efren L. delos Reyes presented the Map of the area and showed the location where the concrete wall was constructed which is outside the above-cited titled lot and is within the salvage zone/ easement. It was confirmed that the construction is a clear violation of Article 51 of PD 1067 otherwise known as the "Water Code of the Philippines". That the easement are intended for the utilization of the public for recreation, during disasters and for the fishing community within the area. It was explained also that the coastal area of Barangay of concern is an active nesting site for marine turtles. CENRO delos Reyes explained the role of marine turtles to the coastal and marine ecosystem. That the said wildlife is an endangered species in need for intensified protection, thus, the coastal areas of the Barangay are regularly monitored jointly by this Office and the LGU Calintaan Pawikan Patrol. However, it is not in the DENR's authority to demolish or remove the structure. The roles of the Municipal LGU and the Barangay was highlighted in the conference.

Mrs. Oba on the other hand together with her relative admits that their construction activity is illegal however, she strongly disregarded the existing laws and policies due to the previous construction of different concrete structures along their coastal area. In response to this information, Municipal Engineer Arnulfo I. Ulay said that all other establishments which constructions of permanent structures are within easement were already issued with the Notice of Violation.

During the conference, the roles of the different concerned entities were discussed clarifying that the DENR has no authority nor police power to facilitate a structure demolition. It was explained that the said demolition can only be done by the Local Government Unit being the entity that issues building permits.

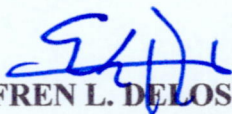
Furthermore, the complainant appeals for the demolition of the constructed wall since it affects their livelihood and it was a violation after all. The Officers attended the conference including Punong Barangay Ildefonso encouraged Mrs. Oba to execute self-demolition to avoid further complications which may add to their violation. Mrs. Oba was resistant and hesitates to follow the advice and stressed that she will wait for the implementation of the said policy and the execution of demolition of the previous violators of the law.

However, it was agreed to give Mrs. Oba enough time to internalize the weight of the situation in and consult her advisors with regards to the violation. The decision of Mrs. Oba is expected to be known a week after the conference.

Prepared by:


AINA KRIZIA S. VIRAY
Forest Technician II/
Information Officer

Attested by:


EFREN L. DELOS REYES
CENR Officer

NOVEMBER 10, 2022



CENRO Efren L. Delos Reyes initiated the Technical Conference held on November 10, 2022 at Iriron Barangay Hall in order to come up with the most appropriate action towards the complaint. The Municipal Engineering Office, Municipal Planning and Development Office, Municipal Environment and Natural Resources Office, all members of the Barangay Council, Iriron Boat Owners Association and Mrs. Lolita Oba were invited.

CENRO Efren L. Delos Reyes presented the Map of the area and explained that the seawall was constructed outside the titled lot and is within the salvage zone/easement. It was confirmed that the construction is a clear violation of Article 51 of PD 1067, otherwise known as the "Water Code of the Philippines." However, it is not in the DENR's authority to demolish or remove the structure.



Republic of the Philippines
Province of Occidental Mindoro
Municipality of Calintaan
BARANGAY IRIRON
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OFFICE OF THE PUNONG BARANGAY

MEETINGS

CONFERENCE w/ IDA/BANTAY DAGAT
November 10, 2022

NO	NAME	DESIGNATION	ADDRESS	SIGNATURE
1.	ERMITO V. SUMANDE	BANTAY-DAGAT	PUROK 3 IRIRON	
2.	ROBYRICK S. IBUNG	BANTAY-DAGAT	PUROK 2 IRIRON	
3.	ARNOLD D. ZAMORA	IBA/CHAIRMAN	PUROK 3 "	
4.	WENDO B. ELLAGA	BANTAY DAGAT	-X-X IRIRON	
5.	ROBERT A. MATIAS	BANTAY DAGAT	-X-X IRIRON	
6.	Richard C. Santiago Jr.	BREX/KAGAWAD	IRIRON	
7.	John D. Dapday	Brgy. Kagawad	IRIRON	
8.	Christian M. Clavano	Bantay dagat	SO. MARIYA	
9.	Crisostomo	Bantay Dagat		
10.	PRIMO S. GREGORIO	BREX KAGAWAD	BULANGGOG	
11.	MARVIN ANTHONY M. DE LA	BREX KAGAWAD	IRIRON	
12.	Melesio B. Diguera	Bantay-dagat	Wawa, Iriron	
13.	JOM B. CALABAN	MPDO	PUBLACAN	
14.	Cecilia C. Trinidad	Mrgy. Secretary	IRIRON	
15.	NILO P. SALVADOR	CENRO SJ	LARANGAN, SAN	
16.	STEVEN L. DELA CRUZ	CSJ	San Jose	
17.	HERNAN CASTRO	CST	"	
18.	MERALITA V. ILDEFONSO	P.B.	IRIRON	
19.	AINA KRIZIA S. VIKAT	INFO OFFICER	CENRO SAN JOSE	
20.	John D. Dapday	MENR OFFICER	Public	
21.	Vin Arnold Dapday	Zoning Officer	Pub	
22.	Lolita Obo			
23.	Don Obo			
24.	Emmanuel Absalon	Brgy. Kagawad	IRIRON	
25.	Dionides G. Canigao	"	"	



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

NOV 07 2022

HON. DANTE C. ESTEBAN
Municipal Mayor
Calintaan, Occidental Mindoro

Dear Mayor Esteban:

Isang maka-**KALIKASANG** pagbati po sa inyo!

Please be informed that this Office received a letter from Punong Barangay, Hon. Merlita V. Ildefonso of Brgy. Iriron, Calintaan regarding the complaint of the Iriron Boat Owners Association on the construction of concrete seawall within the marine zone in their Barangay.

That based on the field verification survey and investigation by competent staff/personnel of this Office, it was ascertained that the construction of said concrete seawall was found within the easement/salvage adjacent/fronting a private lot of Mrs. Lolita Oba (*see attached location map*). Accordingly, the said concrete seawall is being constructed purposely to protect her property but without the necessary permit/clearance, hence it is in violation of Article 51 of Presidential Decree 1067 and Section 4 of Presidential Decree No. 1586.

It is also worth to note that based on the monitoring reports of this Office, the coastal area/stretch in the said barangay were also known/identified as active nesting site of marine turtles which will be affected/disturbed by the said construction of seawall.

Relative to this, the undersigned is respectfully requesting for the attendance of the Heads and/or representative of the concerned Offices for a Technical Conference on November 10, 2022 - Thursday, nine o'clock (9:00) in the morning at Brgy. Hall, Brgy. Iriron, Calintaan, as follows:

1. Municipal Planning and Development Office;
2. Municipal Engineering's Office; and
3. Municipal Environment and Natural Resources.

Furthermore, be informed also that Barangay Local Government Unit of Brgy. Iriron, Calintaan, and the Iriron Boat Owners Association were also invited.

MAYORS OFFICE
CALINTAAN, OCCIDENTAL MINDORO

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 442-5627

Email: cenrosanJose@denr.gov.ph

DATE: 11/08/2022

Should you have any concerns and clarifications, you may reach us through this Office's e-mail – cenrosanjose@denr.gov.ph or through Deputy CENRO, Nilo P. Salvador at 09955774424.

Thank you for your continued support and cooperation for the conservation and protection of the environment and natural resources.

Very truly yours,


EFREN L. DELOS REYES
CENR Officer

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Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

NOV 07 2022

HON. MERLITA V. ILDEFONSO

Punong Barangay
Barangay Iriron, Calintaan,
Occidental Mindoro

Dear PB Ildefonso:

Isang maka-KALIKASANG pagbati po sa inyo!

This is connection to your letter received by this Office on October 21, 2022 regarding the complaint of the Iriron Boat Owners Association in the construction of concrete seawall within the marine zone in your barangay.

Please be informed that based on the field verification survey and investigation by competent staff/personnel of this Office, it was ascertained that the construction of said concrete wall was found within the easement/salvage adjacent/fronting a private lot of Mrs. Lolita Oba (*see attached location map*). Accordingly, the said concrete sea wall is being constructed purposely to protect her property but without the necessary permit/clearance, hence it is in violation of Article 51 of Presidential Decree 1067 and Section 4 of Presidential Decree No. 1586.

It is also worth to note that based on the monitoring reports of this Office, the coastal area/stretch of your barangay were also known/identified as active nesting site of marine turtles which will be affected/disturbed by the said construction of sea wall.

In this connection, may we respectfully invite/request you together with the Sangguniang Barangay Members and Officers of the Iriron Boat Owners Association for a Technical Conference/Meeting to be held in your Barangay Hall on November 10, 2022 - Thursday, nine o'clock (9:00) in the morning.

Thank you very much for your continued support and efforts for the conservation and protection of our environment and natural resources.

Very truly yours,

Received By: *[Signature]* 11-08-22

EFREN L. DELOS REYES
CENR Officer

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

NOV 07 2022

GNG. LOLITA OBA

Barangay Iriron, Calintaan,
Occidental Mindoro

Gng. Oba:

Isang maka-**KALIKASANG** pagbati po sa inyo!

Ito ay ukol sa isang sulat reklamo na dumating sa aming tanggapan noong ika-21 ng Oktubre, taong 2022 patungkol sa paggawa ng "concrete seawall" sa salvage zone/easement na katabi ng inyong tituladong lupa sa Brgy. Iriron, Calintaan, Occidental Mindoro.

Na noong ika-24 ng Oktubre, taong 2022 ay nagsagawa ng imbestigasyon sa inyong lugar ang aming mga otorisadong kawani kasama ang mga kinatawan ng Brgy. Iriron, Calintaan kung saan ay kinumpirma sa inyo ang ginagawang "concrete seawall" na nakatayo sa nasabing salvage zone/easement na katabi ng inyong tituladong lupa. Ibig po naming ipabatid sa inyo na ang pagtatayo ng anumang establisyimento sa loob ng salvage zone/easement ay mahigpit na ipinagbabawal ng batas alinsunod sa Article 51 ng Presidential Decree No. 1067 o ang "Water Code of the Philippines".

Kaugnay din nito, kayo po ay malugod naming iniimbitahan sa gagawing "Technical Conference" na gaganapin sa Brgy. Hall, Brgy. Iriron, Calintaan sa Nobyembre 10, 2022 - Huwebes, alas 9:00 ng umaga.

Inaasahan po namin ang inyong pakikiisa sa gawaing ito.

Maraming salamat po.

Very truly yours,

Received by: *[Signature]* 11-08-22
LOLITA U. ILDEFONSO
Brgy. Captain

[Signature]
EFREN L. DELOS REYES
CENR Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

NOV 07 2022

G. ARNOLD D. ZAMORA

Chairman, Iiron Boat Owners Association
Barangay Iiron, Calintaan,
Occidental Mindoro

G. Zamora:

Isang maka-KALIKASANG pagbati po sa inyo!

Ito ay ukol sa inyong sulat reklamo na dumating sa aming tanggapan noong ika-21 ng Oktubre, taong 2022 patungkol sa paggawa ng "concrete seawall" sa salvage zone/easement sa Brgy. Iiron, Calintaan, Occidental Mindoro.

Kaugnay nito, kayo po ay malugod naming iniimbitahan sa gagawing Pagpupulong na gaganapin sa Brgy. Hall, Brgy. Iiron, Calintaan sa Nobyembre 10, 2022 – Huwebes, alas 9:00 ng umaga.

Inaasahan po namin ang inyong pakikiisa sa gawaing ito.

Maraming salamat po.

Very truly yours,

EFREN L. DELOS REYES
CENR Officer

Received: *[Signature]* NOV. 8, 2022
MORRIS V. LACAPALAY: 15 AM
Brgy Captain

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number: (043) 457-0000 / (043) 740-0007