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Republic of the Philippines
Department of Environment and Natural Resources
BIODIVERSITY MANAGEMENT BUREAU
Ninoy Aquino Parks and Wildlife Center
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MAY 27 2022

DENR MIMAROPA RECORDS SECTION
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BY: DATS NO.

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 DENR by the Bay Building
Roxas Boulevard, Ermita, Manila

FROM : The OIC Director

SUBJECT : **STATUS OF COMPLIANCE OF MR. RAYMUNDO GABARRA, JR. OF SIGNIFICO VISTA VENTURES, INC. (SVVI), TO ITS COMMITMENTS DURING THE TECHNICAL CONFERENCE HELD ON OCTOBER 7, 2020 IN EL NIDO, PALAWAN**

This is to acknowledge your Memorandum dated August 13, 2021 providing a Complete Staff Work (CSW) on the actions taken regarding the violations of Significo Vista Ventures Inc. in El Nido, Palawan for the construction of a resort project without the necessary permits. Said memorandum was received by this Office on April 21, 2022.

Considering that more than eight (8) months have already passed since your memorandum, may we request for updates including the responses of the PAMO on the documents and actions being required as indicated in the CSW.

Further, may we reiterate our recommendation in memorandum dated February 21, 2022 which is to continue the imposition of the moratorium on the construction of new building and any improvements on existing structures within the Municipality of El Nido until the concerned Local Government Unit (LGU), Protected Area Management Office (PAMO) and ENTMRPA Management Board have complied and/or acted on the measures to be undertaken as elaborated in the said memorandum, such as:

a. The PAMO and PAMB to update the Protected Area Management Plan (PAMP) including the management zones based on the results of the carrying capacity study and in consideration of the designation of Strict Protection Zone;

b. The PAMB and PAMO to translate the carrying capacity study recommendations into various management strategies through the updated PA Management Plan to be adopted by the PAMB through a Resolution;

c. The PAMB and PAMO and concerned LGU to rehabilitate areas susceptible to erosion;

d. The PAMO to coordinate with EMB for the establishment of permanent water quality monitoring stations;

e. The PAMB in collaboration with the LGU of El Nido to impose measures addressing the various issues on water quality and land uses; and

f. The DENR Regional Office and PAMB to monitor the implementation of the above-mentioned measures and submit a quarterly report to this Office.

For consideration and appropriate action.

NATIVIDAD Y. BERNARDINO

Republic of the Philippines
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FEB 21 2022

MEMORANDUM FOR THE SECRETARY

THRU : The Undersecretary for Field Operations and Environment

The Undersecretary for Protected Areas and Special Concerns

The Undersecretary for Legal, Administration, Human Resources and Legislative Affairs and Chair, Green Economy Model Sites (GEMS)

The Director for Environmental Law Enforcement and Protection Service

FROM : The OIC, Director

SUBJECT : **REQUEST FOR THE LIFTING OF MORATORIUM ON THE ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF NEW BUILDING AND ANY IMPROVEMENTS OF EXISTING STRUCTURES WITHIN THE MUNICIPALITY OF EL NIDO**

REFERENCE

1. Memorandum from the DENR MIMAROPA Regional Executive Director dated 14 January 2022 requesting for the lifting of moratorium for the issuance of permits related to improvements/for the constructions of new structures in the Municipality of El Nido.

2. Report on the results of the Carrying Capacity Study conducted in El Nido (Mainland) and its adjacent Islands.

BACKGROUND

3. In 2018, DENR Secretary Roy A. Cimatu during his joint visit with the DOT and DILG Secretaries in El Nido made an instruction to impose a moratorium on the issuance of building permits for new establishments and directed the LGU of El Nido to rehabilitate the area and resolve the various environmental issues within six months.

4. In support of the rehabilitation of the area, the Biodiversity Management Bureau (BMB) and the Ecosystem Research and Development Bureau (ERDB) have collaborated with regards to the financing and conduct of the carrying capacity study in El Nido through the UPLB School of Environmental Science and Management (SESAM).

5. On 19 July 2019, the Regional Directors of DOT-MIMAROPA, DILG-MIMAROPA and the Regional Executive Director of DENR-MIMAROPA, through a letter to the Municipal Mayor of El Nido, enjoined the local government to heighten enforcement of environmental laws and immediate declaration of moratorium of all permits for the construction of new buildings and any improvements on existing structures until a study on carrying capacity is completed and corresponding recommendations have been issued.

United Nations Decade on Biodiversity

6. On 13 August 2019 Municipal Mayor Edna Gacot-Lim of El Nido provided instruction to the Municipal Engineer of El Nido, Engr. Ronnie M. Alcantara to take immediate action relative to letter from the RDs of DOT-MIMAROPA and DILG MIMAROPA and RED DENR MIMAROPA on the declaration of above-mentioned moratorium

7. In August to December 2019, the actual Carrying Capacity Study for El Nido (mainland) and its adjacent islands was executed by the UPLB School of Environmental Science and Management (SESAM) guided by the Manual on the Computation of Carrying Capacity prepared by the ERDB. They were joined by a Team from the BMB to develop and strengthen the latter's capacity on the tool and its application and as counterpart resource pool for this study.

8. From First to Second Quarter of CY 2020, the finalization of the Study report was undertaken. On 25 June 2020, result of the said Study was presented to the ENTMRPA Management Board through online platform (Zoom) due to the restriction brought by COVID-19 pandemic; it was however deferred due to unstable internet connection. Hence, the Management Board requested Resource Persons / BMB to present the results through face-to-face as soon as conditions on COVID-19 pandemic will permit.

9. On 25 November 2020, a face-to-face presentation was successfully undertaken for the ENTMRPA Management Board. Further, on 18 February 2021 an En Banc Meeting of the ENTMRPA Management Board was convened wherein majority of the members agreed and accepted the results of the Study. Hence, PAMB Resolution No. 003, Series of 2021 was issued (attached as Annex A).

RESULTS AND FINDINGS

10. The key results and findings of the carrying capacity study are as follows:

STUDY AREA	RESULTS AND FINDINGS
Population Carrying Capacity	The total population carrying capacity (PCC) for El Nido (outside ENTMRPA) ranges from 167,000 to 213,000; while PCC for ENTMRPA ranges from 65,000 to 95,000. It was further estimated that urban areas within ENTMRPA and El Nido have a PCC ranging from 20,000 to 34,000. Rural areas within ENTMRPA have a PCC range of 44,000 to 61,000, while PCC for rural areas of El Nido ranges from 147,000 to 180,000. There is an observed population exceedance of 400 to 1,200 in urban barangays of El Nido, particularly in Buena Suerte and Corong-Corong and exceedance ranging from 100 to 4,500 in rural areas within ENTERPA. Exceedance in PCC indicates continuing strain on the environment and natural resources of the Municipality of El Nido and ENTMRPA. This will require higher demand for basic needs and services and increase waste generation.
Biodiversity Assessment	El Nido exhibits different types of vegetation such as secondary growth forest, mangrove vegetation, riparian vegetation, limestone forest formation and beach forest. The assessment showed that several species found in the area are Philippine endemic and threatened species. In terms of marine ecosystem, surveyed reefs were categorized under "excellent condition".
Tourism Carrying Capacity	The total tourism Real Carrying Capacity (RCC) of El Nido and its adjacent islands was estimated at 34,897 visitors/day.

	Disaggregated, this is divided into island-hopping tour packages at 1,881 visitors/day, mainland tourism attractions at 30,969 visitors/day, terrestrial or nature-based tourism sites at 1,455 visitors/day, and dive sites at 592 visitors/day. Given an average length of stay of tourists of three days, an average daily tourist arrival of 11,633 was determined. This is much larger than the 2018 actual daily average tourist arrival of only 713. Nevertheless, there was observed exceedance, based on 2018 arrival, on Tour A and Tour C, the two most popular island-hopping tour packages in El Nido. The island-hopping tour is a flexible system that has an inherent mechanism to adjust overcrowding. However, other destinations may still have exceedance during peak hours within a day and insufficient tourism support facilities can still cause overcrowding of boats.
Physical Carrying Capacity	For residential structures, the Real Carrying Capacity (RCC) obtained falls within the range of 4,746-6,064 units for ENTMRPA and 11,412-14,069 units for El Nido. For tourist accommodation-related structures, the RCC was estimated at 71-184 units for ENTMRPA and 485-601 units for El Nido. RCC for commercial establishments ranges from 1,020 to 1,785 units for ENTMRPA and 1,142-1,963 units for El Nido. Commercial structures in both ENTMRPA and El Nido (outside protected area) had the highest physical carrying capacity exceedance. Urban areas in El Nido have exceeded the physical carrying capacity for residential, accommodation, and commercial uses.
Solid Waste Generation and Management	Different solid waste management strategies are being implemented for biodegradable and recyclable waste by the Municipality. However, the current solid waste facilities are insufficient to cater the waste generated by the current population of El Nido.
Wastewater Generation and Management	The current wastewater treatment facility includes desludging of septic tanks for accumulated sludge. This is insufficient to serve the existing population of the municipality. Construction of sewer networks and centralized Sewage Treatment Plant (STP) is being constructed to serve the urban barangays and four adjacent barangays. However, the capacity of the planned additional STPs will still be insufficient to provide service to the estimated wastewater generation when the population reaches carrying capacity.
Water Supply	The current centralized water supply system is concentrated in the four urban barangays. The proposed water supply system across the municipality should be implemented for a wider safe water access. The total water production of the existing and proposed water systems will be insufficient for the estimated water demand at population carrying capacity level.
Water Quality	Water qualities of urban barangays' coastal waters and outfalls showed high exceedance in terms of fecal coliform content as compared with the Philippine Standards. Almost all the tested stations (both coastal and outfalls) in the urban barangays exceeded the limits for Class SB/SC waters in August-September 2019. Exceedance was also confirmed using the historical data of

	EMB (2018-2019). Fecal coliforms were also present in other mainland beaches and island beaches. On the other hand, the assessed coastal waters (both mainland and island beaches) were generally within the standard limits for Class SB/SC waters in terms of physico-chemical characteristics. Compared with the standard for Class SB/SC waters which are 5 and 6 mg/L, only a few stations had notable deviations from the standards, such as low Dissolved Oxygen (DO) levels in Calitang, Buena Suerte, and Masagana. Riverine areas were also within the required physico-chemical characteristics for freshwater ecosystems. However, fecal coliform traces were observed in some stations, particularly the downstream portion of the rivers. Fecal coliform was also present in the sampled wells in the urban barangays.

A detailed summary of the results of the carrying capacity study and the corresponding recommendations is attached as Annex B.

RECOMMENDATIONS

In view of the foregoing, the Bureau recommends the continued imposition of the moratorium for the issuance of all permits for the construction of new buildings and any improvements on existing structures in El Nido until the concerned LGU, PA Management Office and ENTMRPA Management Board have complied and/or acted on the following measures:

11. For the PAMO and PAMB to update the PAMP including the management zones based on the result of the carrying capacity study and in consideration of the following in the designation of the Strict Protection Zone:
    a. Natural vegetation or representative of any of the ecosystem types such as secondary growth forest, mangrove vegetation, riparian vegetation, limestone forest formation and beach forest and coral reef cover with excellent conditions;
    b. Habitats of endemic and threatened species, and biologically important areas, including sites for seasonal feeding, foraging, roosting, nesting, and breeding of wild fauna;
    c. Areas highly prone to natural and man-made hazards;
    d. Areas set aside as permanent danger zones;
    e. Small islands with areas less than 500 hectares;
    f. Easements of inland wetlands such as lakes, rivers, creeks, etc.;
    g. Class I caves and unclassified caves; and
    h. Areas that require immediate rehabilitation or restoration.

12. The PAMB and PAMO to translate the carrying capacity study recommendations into various management strategies through the updated PA Management Plan to be adopted by the PAMB through a Resolution.

13. For the PAMB, PAMO and concerned LGU to rehabilitate areas susceptible to erosion.

14. For the PAMO to coordinate with EMB for the establishment of permanent water quality monitoring stations.

15. For the PAMB in collaboration with the Local Government Unit of El Nido to impose measures addressing the various issues on water quality and land uses including the following:

a. Establishment of local water drainage plan and immediate construction of sewerage network and treatment plant for treatment of sewage and gray water especially in areas with high commercial and tourism activities;
b. Designation of areas with high coliform level based on the water quality analysis as no swimming zone;
c. Revisit current CLUP and relevant local policies to reflect the appropriate land use and to emphasize the need to conserve and protect the natural resources within the protected area;
d. Designation of appropriate navigational lanes and docking areas for large vessels and tourism boats to be strictly enforced to avoid accidents and congestions;
e. Capacitation of solid waste management in the barangay level, particularly on waste management; and,
f. Adoption of the recommendations of carrying capacity study through Municipal Ordinance.

16. For the DENR Regional Office and PAMB to monitor the implementation of the above-mentioned measures and submit a quarterly report to this Office through BMB.

Foregoing considered, attached is a draft Memorandum for DENR MIMAROPA Region for your signature.

NATIVIDAD Y. BERNARDINO

Republic of the Philippines
Department of Environment and Natural Resources
BIODIVERSITY MANAGEMENT BUREAU

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