



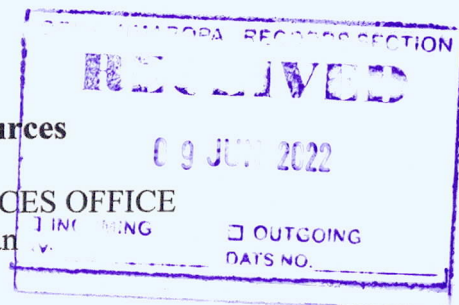
Republic of the Philippines  
**Department of Environment and Natural Resources**  
MIMAROPA Region

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

Bgy. Sta. Monica, Puerto Princesa City, Palawan

Telfax No. (048) 434 - 8791

Email Add: [penropalawan@denr.gov.ph](mailto:penropalawan@denr.gov.ph)



May 31, 2022

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR MIMAROPA Region  
1515 L&S Bldg., Roxas Blvd.  
Ermita, Manila

**FROM :** Provincial Environment and  
Natural Resources Officer

**SUBJECT :** **COMPLIANCE MONITORING REPORT ON FOREST LAND  
USE AGREEMENT FOR TOURISM PURPOSES OF CORAL  
BAY MARINE RESORT, INC. LOCATED AT POPOTOTAN  
ISLAND, BARANGAY MAGLALAMBAY, BUSUANGA,  
PALAWAN**

Respectfully forwarded is the memorandum of CENRO Coron, Palawan dated May 6, 2022 relative to the above subject.

CENRO Coron conducted the compliance monitoring activity on April 27, 2022 on the Forest Land Use Agreement for Tourism Purposes of Coral Bay Marine Resort, Inc. Located at Popototan Island, Barangay Maglalambay, Busuanga, Palawan

Per report, the said FLAgT was not operational and all resort buildings/ establishments were dilapidated and appears abandoned. Also, the proponent has not paid the Annual Government Share since FY 2018.

Further, CENRO Coron is requesting for the issuance of Show Cause Order on why the FLAgT should not be cancelled due to abandonment, non payment of Annual Government Share and non submission of Annual report.

For information and further instruction

  
**FELIZARDO B. CAYATOC**

Copy Furnished:  
CENRO Coron, Palawan  
<cenrocoron@denr.gov.ph>  
KVE/MES Doc. No. 2022-4351

DENR-PALAWAN  
PENRO RECORDS  
**RELEASED**  
By \_\_\_\_\_  
Date: **JUN 02 2022** CN 22-1367



May 6, 2022

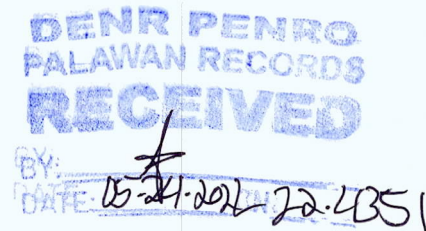
**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR RIV - MIMAROPA  
1515 L&S Bldg., Roxas, Blvd.,  
Ermita, Manila

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

**FROM :** The Community Environment and  
Natural Resources Officer  
Coron, Palawan

**SUBJECT :** **COMPLIANCE MONITORING REPORT ON FOREST LAND USE  
AGREEMENT FOR TOURISM PURPOSES OF CORAL BAY  
MARINE RESORT, INC. LOCATED AT POPOTOTAN ISLAND,  
BARANGAY MAGLALAMBAY, BUSUANGA, PALAWAN**



Respectfully forwarded is the attached duly accomplished compliance monitoring form submitted by the monitoring team dated May 5, 2022 re: above cited subject.

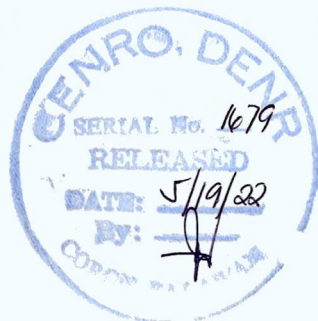
Please be informed further that the resort is not in operational condition and all resort buildings/establishment are now dilapidated and it seems abandoned.

Further informed that the proponent has not paid their annual rental/government share till this report.

In this, this office is requesting for the issuance of show Cause Order why should the FLAGT Agreement could not be cancelled due to the abandonment.

This report will serve as a means of verification (MOV) of the office.

For information and record.



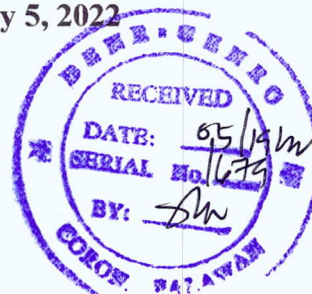
  
**ARNOLDO A. BLAZA, JR.**





Republic of the Philippines  
**Department of Environment and Natural Resources**  
Community Environment and Natural Resources Office  
Coron, Palawan  
cenrocoron@denr.gov.ph

May 5, 2022



## MEMORANDUM

**FOR :** The Community Environment and Natural Resources Officer  
Coron, Palawan

**FROM :** The Compliance Monitoring Team

**SUBJECT :** **COMPLIANCE MONITORING REPORT ON FOREST LAND USE AGREEMENT FOR TOURISM PURPOSES OF CORAL BAY MARINE RESORT, INC. LOCATED AT POPOTOTAN ISLAND, BARANGAY MAGLALAMBAY, BUSUANGA, PALAWAN**

Respectfully submitted is the duly attached accomplished compliance monitoring form regarding the conducted monitoring and evaluation of the approved Forest Land Use Agreement for Tourism Purposes (FLAgT) of Coral Bay Marine Resort, Inc. with FLAGT No. DENR IV-MIMAROPA-11302030-0006.

Please be informed that the findings of the team regarding the compliance of the terms and conditions of the FLAgT Agreement are enumerated in duly accomplished compliance monitoring form dated April 27, 2022.

Be informed further that the proponent has yet paid the annual government share for CY 2022 and not submitting the annual report since 2018. Buildings are all dilapidated and it seems abandoned.

No maintenance personnel seen in the FLAGT area during the monitoring. Attached are geo-tagged photos during the conduct of said activity.


For your information and record.

  
**LYNETH A. ILOVINO**  
Forest Ranger/Member

  
**ARIEL C. DELIN II**  
Forest Technician II/Member

  
**EMMA C. FRANCISCO**  
Forester II/Asst. Team Leader

  
**RENIEL OLIVER M. FUENTES**  
Forest Technician I/Team Leader

  
**EDWIN I. CAC**  
SEMS/Chief MES

COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (FLAGT)

|  |  |                              |  |
|--|--|------------------------------|--|
| Monitoring Date: April 27, 2022  |  | Monitoring Time: 10: 27AM    |  |
| A.BASIC INFORMATION:   |  |                              |  |
| Name of Company: CORAL BAY MARINE RESORT, INC.   |  |                              |  |
| Location of Area (Sito,Brgy, Mun): Popototan Island, Bgy. Maglambay, Busuanga, Palawan |  | Area in Sq. Meter: 10,000    |  |
| Business Address: (email, messenger acct. & contact number): N/A                       |  |                              |  |
| Amount of Annual Government Share: N/A   |  | Date Paid/OR No. N/A         |  |
| Year of last revaluation (Per Section of 16 DAO 2002-28): N/A                          |  |                              |  |
| Nature of Land-use ( Per Section 4 of DAO 2004-28): For Tourism Purposes               |  |                              |  |
| Tenure Instrument Number: DENR IV-MIMAROPA-11302030-0006                               |  | Date of Issuance: 11/23/2005 |  |
| Kind of Tenure Instrument: FLAGT   |  | Expiry Date: 11/30/2030      |  |
| Contact Person/Designation: N/A  |  |                              |  |
| Name of Pollution Control Officer (PCO): N/A   |  |                              |  |
| PCO Accreditation No.: N/A   |  | Effectivity: N/A             |  |
| Contact No.: N/A   |  | Email: N/A                   |  |

B. COMPLIANCE TO EXISTING ENR LAWS, RULES AND REGULATIONS:

| Conditions  | Yes | No | Remarks   |
|---|-----|----|---|
| 1. NCIP/Cert of Pre Condition/Date Issued   | ✓   |    | RIV-CNO-08-02-0073/Feb.13, 2009   |
| 2. Free and Prior Informed Consent/Date Issued  |     |    |   |
| 1.Compliant to ECC - PD 1586, Philippine Environmental Impact Assessment / DAO 2003-30  | ✓   |    | ECC-4B-034-PAL-402-2003   |
| 2. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/ DAO 1992- 29  |     |    | The FLAGT area is not operational since 2018. All buildings are dilapidated. It seems like abandoned. |
| 3. Compliant to RA 8749, Clean Air Act of 1999 /DAO 2000-81   |     |    |   |
| 4. Compliant to RA 9003, Ecological Solid Waste Management Act of 2000/DAO 2001-34  |     |    |   |
| 5. Compliant toR A 9275- Clean Water Act of 2004 / DAO 2005-10  |     |    |   |
| 6. Compliant to PD 705, Forestry Reform Code of the Philippines   |     |    |   |
| 7. Compliant to Water Code of the Phil./ Article No. 51-PD 1067 (No Permanent Structures within Easement Zones)<br>a.) Within 3 meters in Urban Areas<br>b.) Within 20 meters in Agricultural (A&D) Areas<br>c.) Within 40 meters in Timberland Areas |     |    |   |



D. IMPROVEMENTS INTRODUCED:

| Type of Improvement Introduced | Approximate Value of Improvement | STATUS (permanent of temporary) | REMARKS   |
|--------------------------------|----------------------------------|---------------------------------|---|
| A. Current Year <u>2021</u>    |                                  |                                 |   |
| 1. Land                        |                                  |                                 | No improvements since 2018. Resort is not operational, buildings are dilapidated. |
| 2. Buildings                   |                                  |                                 |   |
| 3. Infra/Machineries           |                                  |                                 |   |
| 4. Plantation                  |                                  |                                 |   |
| 5. Other Improvements          |                                  |                                 |   |
|                                |                                  |                                 |   |
| B. Previous Years <u>2020</u>  |                                  |                                 |   |
| 1. Land                        |                                  |                                 | No improvements since 2018. Resort is not operational, buildings are dilapidated. |
| 2. Buildings                   |                                  |                                 |   |
| 3. Infra/Machineries           |                                  |                                 |   |
| 4. Plantation                  |                                  |                                 |   |
| 5. Other Improvements          |                                  |                                 |   |
|                                |                                  |                                 |   |

**D. COMPLIANCE PURSUANT TO DENR ADMINISTRATIVE ORDER NO. 2004-28**

| Terms and Conditions  | Response  |                 |
|---|-----------|-----------------|
|   | Yes or No | Remarks         |
| 14.1. The boundaries of the FLaGT area was delineated and marked on the ground within six (6) months from the issuance of the agreement?  | Yes       |                 |
| 14.2 The FLaGT holder submitted the Site Management Plan for the protection of the environment and conservation of the area within 3 months from issuance.  | Yes       |                 |
| 14.3. The holder secured the required Environmental Compliance Certificate (ECC) and other necessary permits prior the conduct of any activity in the area?   | Yes       |                 |
| 14.4. The holder utilized the area only for the purpose for which the FLaGT was granted. If the area was utilized for other purposes/s other than what was approved, is prior approval secured from the Secretary of his/her duly authorized representative?  | Yes       |                 |
| 14.5. In all instances, cutting of trees within the FLaGT area shall be subject to prior clearance by the DENR in accordance with existing rules and regulations. If there are cutting of trees, is prior clearance secured from DENR Secretary of his duly authorized representative?  | Yes       |                 |
| 14.6. Is the practice of Ecological Solid Waste Management properly observed and implemented ? Is the Clean Water Act observed and followed (STP, Water Discharge Permit, etc)?   | Yes       |                 |
| 14.7. Is biodiversity in the area especially those identified as unique, rare and endangered species of flora and fauna strictly protected?   | Yes       |                 |
| 14.8. Is there any changes in the management, ownership or capital stock of the company or corporation or transfer of a majority of the stock or shares of the company or corporation as provided for in PD 705, as amended? If so, did the proponent immediately informed the RED or his/her duly authorized representative? | N/A       |                 |
| 14.9. The holder are willing to surrender to the RED or his/her duly authorized representative the agreement if not to be renewed on the date of expiration, or if the holder is no longer interested in the area, or in case of cancellation, immediately after the effectivity of its cancellation?                         | Yes       |                 |
| 14.10. Is the holder fully aware that in case of death of individual FLaGT holder, the heir(s) may apply for the transfer of FLaGT within ninety (90) days upon his/her death?  | Yes       |                 |
| 14.11 Is the tenure holder aware that the FLaGT shall not be construed as permit to obstruct the free navigation of any stream, creek or river or marine  | Yes       |                 |
| 14.12 Did the FLaGT holder submit the Annual Report as to its compliance to the Site Management Plan?   | No        | Not operational |
| 14.13 Is the Annual Government Share paid on or before March 31 pursuant to DAO 2021-02 which amended Section 16 of DAO 2004-28 and Section 18 of DAO 2004-59   | No        | Not operational |



G. PAYMENT OF ANNUAL GOVERNMENT SHARE/RENTAL/FOREST FEES: (O.R. copy hereto attached)

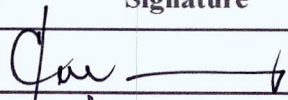
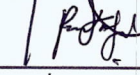
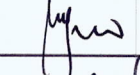

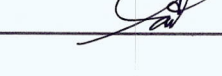
| Particulars             | Amount | Official Receipt No. | Date Issued | Remarks<br>(Indicate if updated or not)    |
|-------------------------|--------|----------------------|-------------|--|
| Government Share/Rental |        |                      |             | Non payment of governemnt share since 2018 |
| Performance Bond        | N/A    | N/A                  | N/A         |  |
| Forest Charges          | N/A    | N/A                  | N/A         |  |
| Surcharges              | N/A    | N/A                  | N/A         |  |

H. Other environmental, social activities by the holder (e.g tree planting, coastal clean-up, gift giving etc)

|  |
|--|
| Not operational since 2018.  |
|  |
|  |
|  |
|  |
| I. FINDINGS AND RECOMMENDATIONS  |
| Resort is not operational. Buildings are all dilapidated that need a total rehabilitation. Not paid the government share for CY 2022 till this writing |
|  |

J. DETAILS AND SIGNATURE OF MONITORING TEAM:

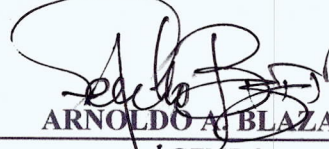
WE HEREBY CERTIFY to the correctness of the data and information as contained herein to the best of our knowledge and belief.

| Name                          | Position/Designation/Office     | Signature   |
|-------------------------------|---------------------------------|---|
| FOR. EDWIN I. CAC             | SEMS/Chief, MES                 |  |
| FOR. RENIEL OLIVER M. FUENTES | Forest Technician I/Team Leader |  |
| FOR. EMMA C. FRANCISCO        | Forester II/Asst.Team Leader    |  |
| ARIEL C. DELIN II             | Forest Technician II/GIS        |  |
| LYNETH A. ILOVINO             | Forest Ranger/Encoder           |  |

J. ATTACHMENT/S

(See attached photo or geo-tagged/map/and other documentations)

SUBSCRIBED AND SWORN to before me this 14th day of MAY 2022 at DENR- CENRO  
Bavangay 3, Coron, Palawan.

  
ARNOLDO A. BLAZA, JR.  
'CENRO  
Authorized Person to Administer Oath



Geo-tagged photos taken during the conduct of compliance monitoring of Forest Land use Agreement for Tourism Purposes issued to Coral Bay Marine Resort, Inc.. located at Popototan Island, Bgy. Maglambay, Busuanga, Palawan on April 27, 2022.,





| GEOGRAPHICAL COORDINATES |          |         |         |           |         |         |        |  |  |
|--------------------------|----------|---------|---------|-----------|---------|---------|--------|--|--|
| Corner                   | Latitude |         |         | Longitude |         |         |        |  |  |
|                          | Degrees  | Minutes | Seconds | Degrees   | Minutes | Seconds |        |  |  |
| 1                        | 11       | 59      | 30.435  | 119       | 51      | 51      | 8.563  |  |  |
| 2                        | 11       | 59      | 32.484  | 119       | 51      | 51      | 10.519 |  |  |
| 3                        | 11       | 59      | 33.724  | 119       | 51      | 51      | 9.505  |  |  |
| 4                        | 11       | 59      | 37.633  | 119       | 51      | 51      | 11.537 |  |  |
| 5                        | 11       | 59      | 37.424  | 119       | 51      | 51      | 11.984 |  |  |
| 6                        | 11       | 59      | 28.878  | 119       | 51      | 51      | 12.206 |  |  |

# POPOTATAN ISLAND Timberland



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LOCATION MAP  
Calamianes Island  
Province of Palawan



## SKETCH MAP

showing the location of

**FLAGT No. DENR IV-MIMAROPA-**

**11302030-0006**

is sited to

**WINTHER'S, INC**

Transferred by Coral Bay Marina and Resort, Inc.

Located at

Island : Popotatan  
Barangay : Magalanbay  
Municipality : Bustinza  
Province : Palawan

Scale 1 : 3,000



Projection: Universal Transverse Mercator-Zone 50 (N)

Datum: World Geodetic System 1984 (WGS84)

Approximate Total Area : 1 Hectare

### Legend

● Corners

□ Boundary of FLAGT No. DENR IV-MIMAROPA-11302030-0006



Republic of the Philippines  
Department of Environment and Natural Resources  
Region IV-MIMAROPA  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE  
Coron, Palawan

FLAGT boundary of Wintner's, Inc. is based on the shapefile provided by the Regional Office and is subject for future precise survey

Prepared by:

**ARIEL DELUN II**  
Forest Technician II/GIS Focal

Attested by:

**CHERRY CAC**  
SEMS/ In-Charge, MES  
Monitoring and Evaluation of  
Tentorial Instruments