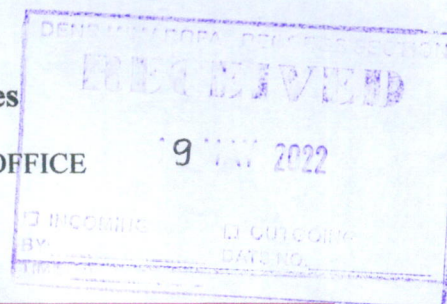




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph



May 10, 2022

MEMORANDUM

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

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **REPORT ON THE ATTENDED MEETING ON THE
ALLEGATION OF APO REMEDIOS CABATE-CABRAL
REGARDING THE EXCAVATION AND CUTTING OF TREES
WITHIN THE EASEMENT AND FORESHORE AREAS IN FRONT
OF THE PROPERTY OF TREASURE POINT VACATION CLUB,
INC. AT SITIO TEBEY, BARANGAY SIBALTAN, EL NIDO,
PALAWAN**

Forwarded is the Memorandum from CENRO – Taytay, Palawan dated April 29, 2022 along with the report of Forester Alexander Mancio and FT II Christian Cuyo relative to the above subject.


Report disclosed that Ms. Remedios Cabral's major concern is for the Treasure Point Vacation Club, Inc (TPVC). to secure Free Prior Inform Consent (FPIC) at the NCIP in relation to their foreshore lease application wherein the TPVC President have agreed. The parties have settled the issues subject of the complaint.

Further, issuance of a Provisional Permit for Foreshore Lease Application in favor of TPVC is recommended in accordance with existing laws, rules and regulations.

Furthermore, the compliance report on the appraisal of foreshore area applied by TPVC had been forwarded to your end per attached Memorandum dated March 2, 2022.

For information and further instruction.


For the PENR Officer:


FRANKLIN G. HERNANDEZ
Chief, Management Services Division
In-Charge, Office of the PENRO

Cc:

CENRO – Taytay, Palawan

TSD/File *kkva
Doc. Ref. No. 2022-0489

**DENR-PALAWAN
PENRO-RECORDS
RELEASED**
By 
MAY 12 2022



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

**DENR CENRO
PALAWAN REGION
RECEIVED**

April 29, 2022

MEMORANDUM

BY: 15-05-2022 22-3868
DATE: 15-05-2022 22-3868

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

FROM : The Community Environment and Natural Resources Officer
Taytay- El Nido, Palawan

SUBJECT : **REPORT ON ATTENDED MEETING ON THE ALLEGATION OF
APO REMEDIOS CABATE- CABRAL REGARDING THE
EXCAVATION AND CUTTING OF TREES WITHIN THE
EASEMENT AND FORESHORE AREAS IN FRONT OF THE
PROPERTY OF TREASURE POINT VACATION CLUB, INC. AT
SITIO TEBEY, BARANGAY SIBALTAN, EL NIDO, PALAWAN**

Respectfully forwarded is the memorandum dated April 20, 2022 of RPS Chief Alexander E. Mancio and Forest Technician II Christian O. Cuyo on the above subject and in reference to the issues and concerns raised by Tribong Nagkakaisang Tandulanen represented by APO Remedios Cabate-Cabral against Treasure Point Vacation Club, Inc. located at Sitio Tebey, Barangay Sibaltan, El Nido, Palawan.

Be informed further that issues and concerns were properly addresses during technical conference. Thus, the undersigned concur to the recommendation that the subject complaint of the Tribong Nagkakaisang Tandulanen be closed.

It is further be recommended that the Provisional Permit for FLA of Treasure Point Vacation Club, Inc. be issued while waiting the FPIC clearance to be issued by the NCIP considering the FPIC is not part of the requirements of FLA under DAO 2004-24.

Attached is the copy of the Minutes of the Meeting from the barangay.

For information and records.

Copy furnished:

- Anti-Red Tape Authority (ARTA)
Office of the President
Malacañang, Manila
- Office of the Director
Legal Affairs Services
Visayas Ave., Diliman, Quezon City
- Office of the Regional Executive Director
DENR MIMAROPA Region,
Roxas Blvd., Ermita, Manila
- Office of the Assistant Regional Director
for Technical Services
DENR MIMAROPA Region
Roxas Blvd., Ermita, Manila

ALAN VALLE

**DENR CENRO
TAYTAY, PALAWAN
RELEASED**
BY: 15-05-2022 22-3868
DATE: APR 29 2022 1265



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
5312 Taytay, Palawan

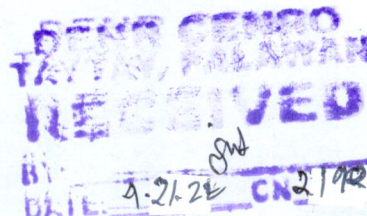
April 20, 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer

FROM : The Chief, RSP Alexander E. Mancio, and
FT II Christian O. Cuyo

SUBJECT : **REPORT ON THE ATTENDED MEETING ON THE
ALLEGATION OF APO REMEDIOS CABATE-CABRAL
REGARDING THE EXCAVATION AND CUTTING OF TREES
WITHIN THE EASEMENT AND FORESHORE AREAS IN
FRONT OF THE PROPERTY OF TREASURE POINT
VACATION CLUB AT SITIO TEBEY, BARANGAY SIBALTAN,
EL NIIDO, PALAWAN**



This pertains to the attended meeting relative to the issues and concerns raised by Tribong Nagkakaisang Tandulanen represented by APO Remedios Cabate-Cabral against the management of Treasure Point Vacation Club (TPVC) on the alleged excavating and cutting of trees within the easement as well as the construction of structures within the foreshore areas in front of their property located at Sitio Tebey, Barangay Sibaltan, El Nido, Palawan.

The meeting was attended by APO Remedios Cabate-Cabral, TPVC President Gemmalyn Crosby, Punong Barangay Arvin Gabayan, among others. During preliminaries, Punong Barangay Gabayan acknowledged the presence of the representatives of both parties to address the aforementioned issues and concerns. The activity was presided by CENRO Alan L. Valle; accordingly, the office initiated the meeting to determine the veracity of the report, settle the issues at hand, and impose an amicable settlement between both parties within this level, taking into consideration of the legal rights of both parties. During the meeting, the presiding officer mentioned that the meeting is the proper venue to present their arguments over the area applied by TPVC for Foreshore Lease Agreement (FLA). The claim of both parties will be respected, and any information, facts, and evidence will be considered and evaluated. The presiding officer mentioned that the CENR-Office had already conducted investigation and inspection of the area, but no structure, excavation and even cutting of trees had found in.

According to Ms. Cabral, the major concern of their complaint is for the TPVC to secure their Free Prior Inform Consent (FPIC) relating to their FLA application. The said issues raised to the higher office were based on the information relayed by her members specifically on the alleged developing and reclaiming of the subject area, cutting of coconut trees, and prohibiting



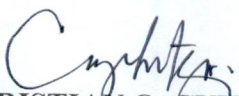
Republic of the Philippines
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5312 Taytay, Palawan

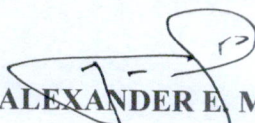
their members to fish within the coastal areas but she has no personal knowledge of the veracity of the reported issues and she has not even validated the truthfulness of the issues. On the contrary, Ms. Crosby clarified that they are willing to secure the required FPIC, thus, she suggested the team of APO Remedios-Cabral report only the true information against their company not to affect their reputation, complying with the mandatory requirements diligently for their proposed project. She added further that they have not preventing anybody to conduct fishing in the coastal area except those area within their titled property for security measure and for safety of the passers since there is an ongoing construction activities. On the other hand, the Barangay Chairman mentioned that they are patrolling in the area in coordination with the Philippine Coast Guard (PCG) and prohibited fishing activities within the designated Marine Protected Area (MPA) in the locality. As of now, they are securing their agreement for the foreshore lease, denying the allegation of developing and reclaiming the subject area and prohibiting their members to fish within the coastal areas. She added that during the construction of their project within private property, there are times that they prohibited some residents to go near the area to avoid untoward incidents because of falling debris which the corporation may be civilly liable. The presiding officer also clarified that the issue of the cutting of coconut trees is a concern of the Philippine Coconut Authority (PCA), hence, it should be raised to such agency.

In view of the above circumstances, and considering that TPVC President Gemmalyn Crosby agreed to secure the required FPIC prior to the implementation of their project, and since, the aforementioned issues and concerns have been properly addressed together with the team APO Remedios Cabate-Cabral, and in the presence of Punong Barangay Arvin Gabayan, the undersigned hereby recommend that the subject complaint of the latter be closed and issue a temporary permit in favour to TPVC in consonance with the relevant laws, rules and regulations.

Attached is the attendance sheet for the meeting.

For information, record, and further instruction.


CHRISTIAN O. CUYO


ALEXANDER E. MANCIO



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
5312 Taytay, Palawan

Photo Documentation



by the National Highway, Poblacion, Taytay, Palawan 5312
email ad: cenrotaytaypal@yahoo.com



Republic of the Philippines
Province of Palawan
Municipality of El Nido
Barangay Sibaltan



MINUTES ON THE MEETING HELD ON APRIL 19, 2022 AT BARAGAY HALL, BARANGAY
SIBALTAN, EL NIDO, PALAWAN.

Attendance:

HON. ARVIN Q. GABAYAN
MR. ALAN L. VALLE
MS. GEMMALYN B. CROSBY
APO REMEDIOS C. CABRAL
MR. NELSON BIENES
MR. CHRISTIAN CUYO
MR. FRANCIS JADE R. COMETA
MR. ALEXANDER E. MANCIO
MR. IAN MAHINAY
ELSEMEA GIMENA
JOSEPH LIZARDO

Punong Barangay
CENRO
President, Treasure Point Vacation Club, Inc.
Leader, Tagbanua Tandulanen
APO Sibaltan
FT-II
SRS I/MGB-MIMAROPA
SEMS
Engineer, Treasure Point Vacation Club, Inc.
Admin, Treasure Point Vacation Club, Inc.
Executive

Ang pagpupulong ay nagsimula sa ganap na ika-9:30 ng umaga sa pangunguna ng Punong Barangay, Hon. Arvin Q. Gabayan na sinimulan sa pamamagitan ng isang panalangin.

Ang layunin o agenda ng pagpupulong ay patungkol sa reklamo sa ipinaabot sa tanggapan ng CENRO ni APO Remedios Cabate-Cabral, leader ng Indigenous People-Tagbanua Tandulanen na ayon sa kanyang liham/reklamo ay dahil sa paghuhukay at pagputol ng puno sa easement at foreshore ng Treasure Point Vacation Club, Inc. na matatagpuan sa So. Tebey, Barangay Sibaltan, El Nido, Palawan.

Isa sa mga dumalo sa pagpupulong si Mr. Alan L. Valle, Community Environment and Natural Resources Officer, ayon sa kanya, unang-una ang Treasure Point Vacation Club, Inc. ay dumaan sa tamang proseso sa lahat ng kanilang gawain o development at mayroong mga legal na dokumento. Ang kanilang opisina ay hindi basta magbibigay ng permiso sa isang investor kung wala silang hawak na legal na mga dokumento.

Ayon kay Ms. Gemmalyn, Presidente ng Treasure Point Vacation Club, Inc., ang kanilang kompanya ay sumunod at dumaan sa legal na proseso. Wala umano silang nilalabag sa mga batas. At naidagdag ni Ms. Gemmalyn na walang katotohanan ang lahat ng ipinopost sa social media. Nais nya itong mabura dahil bukod sa walang katotohanan ay nasisira din ang imahe ng kanilang kompanya dahil sa mga maling impormasyon o aligasyon.

Ayon kay APO Remedios Cabate-Cabral ang kanyang reklamo ay hindi mismo sa kanya galing, ito ay galing sa mga concern citizens, na ganoon nga ang kanilang nakikita na ginagawa ng Treasure Point Vacation Club, Inc. Nabanggit ni APO Remedios na ayon sa mga tao ang mga dating puno na nakikita nila noon ay hindi na nila nakikita ngayon.

Ayon kay Ms. Gemmalyn ay wala silang pinuputol na mga puno at ang sinasabi nilang gigibain nilang bato sa bandang unahan ng Treasure point ay mariin na sinasabi ni Ms. Gemmalyn na hindi nila ito gigibain o titibagin dahil nakakatulong ito sa pagpapaganda ng kanilang view. At ang unahan ng kanilang pino-foreshore ay kanilang binabantayan dahil ito ay ideneklarang marine sanctuary.

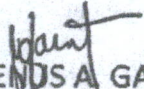
Ayon kay APO Remedios, kung ganoon ay walang katutuhanan ang mga balitang nakarating sa kanya at nagpapasalamat sya dahil ang kalikasan ay binabantayan at pinoprotektahan ng Treasure point.

Ayon kay Mr. Nelson Bienes ay nagpasalamat din sya sa Treasure Point sa kanilang pagpoprotekta sa kalikasan.

Dagdag ni CENRO kung sakaling puputol ng niyog ay kailangan pa din nilang kumuha ng permit mula sa PCA. Ang PSA ang magdedesisyon kung sila ay bibigyan ng permit para magputol ng puno ng niyog. At ang kanyang mga tao ay lagi umanong nagmomonitor sa ginagawang development ng Treasure point. Kung nakikita umano ng CENRO na ang Treasure point ay lumalabag sa batas pangkalikasan ay maari nilang ipatigil ang development at maaaring ang pati ang foreshore lease ay kanila ring ipatigil.

At ang dalawang panig ay wala nang naidagdag pa matapos na sila ay magkaintindihan.

Prepared by:


VENUS A. GACOT
Bgy. Secretary

Approved by:

HON. ARVIN Q. GABAYAN
Punong Barangay