



October 10, 2022

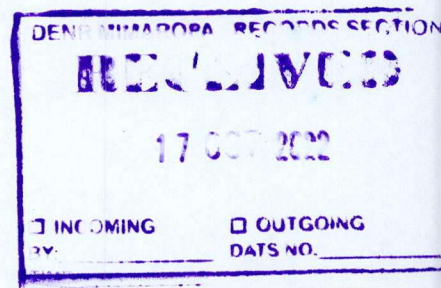
MEMORANDUM

FOR : Regional Executive Director
1515 L&S Bldg., Roxas Blvd
Ermita Manila

THRU : The Assistant Regional Director
for Technical Services

FROM : The PENR Officer
Odiongan, Romblon

SUBJECT : **COMPLETED STAFF WORK (CSW) ON THE OCCUPATION
OF GOV. JOSE R. RIANO WITH HIS PERMANENT
STRUCTURE ALLEGEDLY TO BE WITHIN THE
FORESHORE AREA SITUATED AT BRGY. LONOS,
ROMBLON, ROMBLON**



Respectfully indorsing is the Completed Staff Works (CSW), re: the above subject matter.

This is regarding the marble riprap which is constructed to protect against erosion due to the close proximity of Lot 2967 with the adjacent sea.

For your information and record


FOR. ARNOLDO A. BLAZA, JR


Copy furnished:

Atty. Francisco Benedicto
Brgy, Bagacay, Romblon, Romblon



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MEMORANDUM

FOR : PENR Officer

FROM : Land Management Inspector

SUBJECT : **COMPLETED STAFF WORK (CSW) ON THE OCCUPATION OF GOV. JOSE R. RIANO WITH HIS PERMANENT STRUCTURE ALLEGEDLY TO BE WITHIN THE FORESHORE AREA SITUATED AT BRGY. LONOS, ROMBLON, ROMBLON**



FACTUAL BACKGROUND

1. That the first letter where Atty. Francisco Benedicto, Jr. brought up the massive construction of a marble riprap in Sitio Binagong, Brgy. Lonos, Romblon, Romblon was last July of 2021;
2. That on August 21, 2022, a letter response from DENR PENRO Romblon informing Atty. Benedicto, Jr. on the ocular inspection conducted on August 3-6, 2021 where it was mentioned in the report that the marble riprap is well within the salvage zone;
3. That a request of survey authority by Annabelle C. Riano was forwarded in DENR PENRO Romblon dated October 25, 2021;
4. That on January 12, 2022, a response letter to the letter of Atty. Benedicto, Jr. regarding the non-issuance of Notice to Vacate against the marble riprap of Gov. Riano informing the attorney that the Notice to Vacate will only be issued upon the approval of the survey to be conducted since the survey will clearly define the position of the structures;
5. That on February 8, 2022 a letter response to the letter of Atty. Benedicto, Jr. dated January 23, 2022 reiterated to him that only through survey that we can definitely state that the marble riprap is outside the titled property;
6. That the survey authority requested by Annabelle C. Riano was approved on March 24, 2022;
7. That on September 9, 2022 a letter response in reference to the letter of Atty. Benedicto, Jr. dated March 4, 2022 informing him that on April 4-5, 2022 a survey team from the Regional Office conducted a demarcation survey in the vicinity of the marble riprap;

ACTION TAKEN

On November 2-5, 2021 a composite team was sent to conduct the ocular inspection headed by Regulation and Permitting Section LMO II Orlando S. Contaoi, together with the representatives from the Enforcement Section, Environmental Management Bureau, and Mines and Geoscience Bureau. The inspection started from Brgy. Cajimos to Brgy. Lonos.

FINDINGS

1. The Marble riprap is adjacent to Lot 2967 which is a titled property of the Hrs. of Anicito Mindo dated July 11, 1979 covering an area of 3, 167 square meters under;
2. That the marble riprap was constructed to protect Lot 2967 from further erosion;
3. That Lot 2967 was purchased by Gov. Jose R. Riano from Nelly Mindo Yap dated July 23, 2007;



Riprap was still being constructed in this picture during the conduct of inspection last November 2-5, 2021



LEGAL BASIS

DENR Administrative Order No. 2021-07 “GUIDELINES ON THE ESTABLISHMENT OF LEGAL EASEMENTS ALONG THE SEAS, RIVERS, LAKES, ESTEROS, AND CREEKS”

The provision of Section 2 of DAO No. 99-21 and Section 84 of DMC No. 2010-13 on the survey of legal easements shall be followed. All existing easements as identified in the old cadastral survey and those within forest lands and National Parks/Protected Areas shall be updated every ten (10) years and reflected or indicated in the corresponding map through dotted lines.

The lands formed from the forces of nature resulting in recession of the water level shall be preserved as easement and shall not be subjected to disposition until it is classified. On the other hand, lands submerged as a result of the sea level rise or subject of erosion shall be accordingly reduced in the map. **IF A PRIVATE OR TITLED PROPERTY LAND IS AFFECTED, NO NEW EASEMENT SHALL BE REQUIRED.**



COMMENTS/RECOMMENDATION

Upon verification of the undersigned the marble riprap was verified to be within the titled property identified as Lot 2967 Cad 311-D Romblon Cadastre. Due to gradual erosion the area of Lot 2967 which is 3, 167 square meters has been significantly reduced. Therefore, the construction of marble riprap to protect the titled property is urgently necessary.

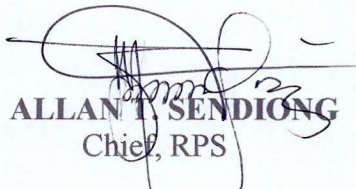
IN VIEW HEREOF, issuance of Notice to Vacate against the marble riprap will not be required until the recommendation from the survey team from the Regional Office who conducted the demarcation survey provides this office their recommendation. Adhering to the provision of DAO 2021-07, the original easement of the titled property should be retained. As such, if the structures are found to be within the titled property then issuance of Notice to Vacate is no longer required.

Prepared by:



ROMER F. GERVACIO

Attested by:



ALLAN T. SENDIONG
Chief, RPS

Noted by:



MALVIN R. ROCERO
Chief, ISD