

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE 4 307 2022

Bgy. Sta. Monica, Puerto Princesa City, Palawar Telfax No. (048) 434-8791

Email Add:

J INCOMING

OUTGOING

MEATROPA RECORDS SECTION

September 20, 2022

MEMORANDUM

FOR

The Regional Executive Director

Denr-Mimaropa, 1515 L & S Bldg.

Roxas Blvd., Ermita, Manila

ATTENTION

The OIC-Assistant Regional Director for Technical Services

The OIC-Chief, Surveys and Mapping Division

FROM

The Provincial of Environment and

Natural Resources Officer

SUBJECT

REQUEST FOR TECHNICAL CONFERENCE ON THE

RESULT OF THE 02 MARCH 2022 SURVEY

Forwarded is the memorandum from CENRO Taytay, Palawan dated August 22, 2022 along with the letter of Angara Abello Concepcion Regala & Cruz Law Offices dated July 28, 2022 requesting for technical conference on the result of survey conducted last March 2, 2022 of Ten Knots Philippines Inc. FLAgT.

For information and record.

Reference No: 2022-7983 TSD/RPS/SMU DENR-PALAWAY
PENRO-RECORDS
RELEASED

By
Date 2 & SEP 2022CN 22- 2497



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

August 22, 2022

DENR PENRO

ANGARA ABELLO CONCEPCION REGALA & CRUZ LAW OFFICES

24/F ACCRALAW Tower, Second Avenue corner 30th Street, Crescent Park West, Bonifacio Global City 1635 Taguig, Metro Manila, Philippines

Sir/Madam,

Environmental Greetings!

This is to acknowledge your letter dated 28 July 2022 to this Office regarding the request for Technical Conference on the results of the 02 March 2022 Survey of Ten Knots Philippines, Inc.

Please be informed that said request was already forwarded to the Regional Office for their approval.

Thank you.

Sincerely,

Community Environment and Natural Resources Officer

Cc: PAMO-ENTMRPA

DENR CENRO TAYTAY, PALAWAN RELEASED

DATE

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August 22, 2022

MEMORANDUM

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FOR

The Regional Executive Director

MIMAROPA Region

1515 L & S Building, Roxas Blvd., Ermita, Manila

THRU

The Provincial Environment and Natural Resources Officer-Palawan

Sta. Monica, Puerto Princesa City

FROM:

The Community Environment and Natural Resources Officer

This jurisdiction

SUBJECT

REQUEST FOR TECHNICAL CONFERENCE ON THE RESULT

OF THE 02 MARCH 2022 SURVEY

Respectfully forwarded is the letter dated 28 July 2022 of Angara Abello Concepcion Regala & Cruz Law Offices requesting the above subject for Ten Knots Philippines, Inc.

For his information and record.

Cc: PAMO-ENTMRPA



ANGARA ABELLO CONCEPCION REGALA & CRUZ

INCHIO K. LEE

ILE PATRICLA S. REYES RODOLFO

SISA ANGELA G. VELARDE

ILA S. AGOTECAL VOLCESI ATAN

LARGO V. SOLENIG JR.

E EDLARDO T. GENILO

CONG JOSE GERAPOO T. PAZ

ZA K-PRISTINA Z. GAPCIA ANGEL

AABIE G. ANTURES GERALDST ULE T. FERRER ONZALES MASSINA O. RECTO P PLAZA GUNZALES IN

28 July 2022

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ACCRALAW®

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MARA S. MONTEGREVO-CURATAN

ZYRA G. MONTEFORCA



DENR REGION IV - MIMAROPA DENR by the Bay, 1515 L&S Bldg. Roxas Boulevard, Manila mimaroparegion@denr.gov.ph

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Sta. Monica, Puerto Princesa City, Palawan penropalawan@denr.gov.ph

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

National Highway, Poblacion Taytay, Palawan 5312 cenrotaytay@denr.gov.ph

EL NIDO-TAYTAY MANAGED RESOURCES PROTECTED AREA

Calle Real, Brgy. Masagana, El Nido, Palawan 5313

denrpao_elnidopal@yahoo.com entmrpa@gmail.com

Attention:

Hon. Lormelyn E. Claudio Regional Executive Director

Mr. Felizardo B. Cayatoc PENRO

Fner. Alan L. Valle CENRO

Ms. Mildred A. Suza

Protected Area Superintendent

Re:

Request for Technical Conference on the Results of the 2 March 2022 Survey

Gentlemen/Mesdames:

On behalf of Ten Knots Phils., Inc. ("TKPI"), we write to formally request anew for the conduct of a technical conference regarding the results of the joint survey held on 2 March 2022 in relation to TKPI's Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").

As background, the Department of Environment and Natural Resources ("DENR") awarded TKPI with the FLAGT covering 3.206 hectares of forest land located at Cadlao Island, Brgy. Buena Suerte, El Nido. The FLAGT was issued on 27 December 2005 and is valid until 30 December 2030. As early as 1998, TKPI has been in open and continuous possession of the areas covered by the FLAGT pursuant to a Special Use Permit issued by the DENR Provincial Environment and Natural Resources Office ("PENRO") on 23 September 1998.

In 2017, TKPI discovered that on 27 April 2015, the Registry of Deeds of Palawan issued Original Certificates of Titles ("OCTs") in the names of Baberlyn D. Gomez ("Mrs. Gomez") and Noel Tampe ("Mr. Tampe") with a total area of 10.6 hectares, purportedly pursuant to agricultural Free Patent Applications. The technical descriptions of the parcels of land covered by the OCTs show that they are identical to lots already delineated through a cadastral survey, particularly Cad 1037-D.

On 27 October 2021, the DENR conducted an actual ground survey to confirm the metes and bounds of the area covered by the Company's FLAGT. That survey confirmed that areas claimed by Spouses Gomez overlapped with TKPI's FLAGT. Moreover, that survey also confirmed that the OCTs are timberland, which are not alienable and disposable land of the public domain susceptible of private acquisition through a free patent application.

On 13 January 2022, a technical conference was held, which was attended by the DENR Regional Office, Community Environment and Natural Resources Office ("CENRO"), and TKPI. TKPI raised the erroneous titling of the areas claimed by Spouses Gomez and the overlap with TKPI's FLAGT. The CENRO thus committed that a reversion case will be filed against Spouses Gomez and a final survey will be conducted.

On 2 March 2022, a team composed of personnel from the DENR Regional Office, the CENRO, the DENR's geodetic engineer, and the Protected Area Officer of El Nido conducted a survey, which was also attended by TKPI's representative and Israel Gomez. However, the survey focused on the survey points of TKPI's FLAGT and teft out the areas that overlap with Mrs. Gomez's and Mr. Tampe's OCTs.

Despite TKPI's multiple attempts to follow up on the results of the 2 March 2022 survey, it has yet to be informed of the same.1

In the meantime, TKPI requests for guidance on the implementation of its FLACT in light of the 2 March 2022 survey. TKPI maintains its position that its FLACT should be respected until 30 December 2030.

Letters dated 26 April 2022 and 28 June 2022 addressed to DENR Regional Executive Director Learnelyn E. Claudio.

We understand that the technical conference with the DENR is necessary for a definitive resolution of the pending issues discussed above. Accordingly, TKPI reiterates its request for a technical conference on the results of the 2 March 2022 survey.

We will make ourselves available to meet with you at your most convenient date and time.

Respectfully,

ANGARA ABELLO CONCEPCION REGALA & CRUZ

By:

SALVADOR L. PEÑA

CHRYSILLA CARISSA P. BAUTISTA

CHRISTOPHER LOUIE D. OCAMPO

MIGUEL RIÇO E. DE GUZMAN

MARIBEL NICOLE D. LOPEZ



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Thank you.

Sincerely,

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Cc: PAMO-ENTMRPA

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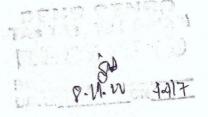
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ANGARA ABELLO CONCEPCION REGALA & CRUZ

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28 July 2022

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