



Republic of the Philippines  
Department of Environment and Natural Resources  
**Provincial Environment and Natural Resources Office**  
**MIMAROPA Region**  
Bgy. Sta. Monica, Puerto Princesa City, Palawan  
E-mail: penropalawan@denr.gov.ph  
Telfax No. (048) 433-5638

Region

September 19, 2022

**MEMORANDUM**

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

**THRU :** The ARD for Technical Services

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

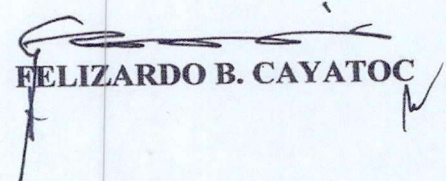
**SUBJECT :** **PROGRESS REPORT ON THE INVENTORY AND  
COMPLIANCE MONITORING OF COMMERCIAL  
ESTABLISHMENTS AND HOUSEHOLDS ISSUED WITH  
NOTICES TO VACATE (NTV) IN EL NIDO, PALAWAN AS  
PART OF THE GREEN ECONOMY MODEL (GEM) PROJECT**




Forwarded is the memorandum dated August 31, 2022 of CENRO Taytay along with the above-mentioned subject.

This serves as our milestone activity in the conduct of inventory of business establishments and households built within easement zone and compliance monitoring of business establishments and households issued with NTVs under Rehabilitation/Clean-Up of Ecotourism Areas.

For information and record.

  
FELIZARDO B. CAYATOC



DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**  
By   
Date: 21-SEP 2022 CN 2022-2456





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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

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

August 31, 2022

**MEMORANDUM**

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

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

**SUBJECT :** **PROGRESS REPORT ON THE INVENTORY AND COMPLIANCE MONITORING OF COMMERCIAL ESTABLISHMENTS AND HOUSEHOLDS ISSUED WITH NOTICES TO VACATE (NTV) IN EI NIDO, PALAWAN AS PART OF THE GREEN ECONOMY MODEL (GEM) PROJECT**

DENR PENRO  
PALAWAN RECORDS  
RECEIVED

BY: *[Signature]*  
DATE: 09-13-2022 22-8293

Respectfully forwarded is the memorandum dated August 24, 2022 of Inventory and Compliance Monitoring Team of the Technical Working Group on GEM relative to the above subject. This serves as our milestone activity on the conduct of inventory of business establishments and households built within easement zone and compliance monitoring of business establishments and households issued with NTVs under Rehabilitation/Clean-Up of Ecotourism Areas.

Please acknowledge the receipt hereof. Thank you.

*[Signature]*  
ALAN VALLE

DENR CENRO  
TAYTAY, PALAWAN  
RELEASED

BY: *[Signature]*  
DATE: SEP 12 2022 2611





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  
Contact number: 09265059335 (Globe) / 09121713889 (Smart)  
Email: cenrotaytay@denr.gov.ph

August 24, 2022

**DENR CENRO  
TAYTAY, PALAWAN  
RECEIVED**  
BY: *[Signature]*  
DATE: *8-24-22* *466*

MEMORANDUM

FOR : The Community Environment and  
Natural Resources Officer /  
Chairperson, Green Economy Model

THROUGH : Protected Area Superintendent  
El Nido-Taytay Managed Resource Protected Area /  
Vice Chairperson, Green Economy Model

FROM : Inventory and Compliance Monitoring Team

SUBJECT : **PROGRESS REPORT ON THE INVENTORY AND  
COMPLIANCE MONITORING OF COMMERCIAL  
ESTABLISHMENTS AND HOUSEHOLDS ISSUED WITH  
NOTICES TO VACATE (NTV) IN EL NIDO, PALAWAN AS  
PART OF THE GREEN ECONOMY MODEL (GEM) PROJECT**

This pertains to the target activity on the conduct of compliance monitoring on the delineated easement and inventory of affected establishments under the Enforcement of Laws and Regulations of the GEM Project under SAA No. CO-R4B-101-2021-07-514. Please be informed that the Inventory and Compliance and Monitoring Team had already conducted compliance monitoring activities of establishments and households issued with NTVs in Barangay Bucana, Buena Suerte, Corong-corong, Maligaya and Magana and inventory of structures within the legal easements of eight (8) barangays of the municipality namely Villa Libertad, Pasadeña, Teneguiban, Sibaltan, Manlag, Bagong Bayan, Aberawan and Bebeladan El Nido, Palawan. Hereunder is the summary of the households and establishments monitored by the team with the status of their compliances during the monitoring period:

Table 1. Compliance monitoring results for Commercial Establishments with NTV.

Barangay	No. of NTV issued based on master-list	Actual number monitored	Commercial Establishments		Remarks
			Non-Compliant	Compliant	
Bucana	23	23	10	13	
Buena Suerte	30	30	12	18	
Corong-corong	85	82	81	1	Two (2) establishments were Not Found; 1 establishment (El Nido View Deck) was delisted and transferred to Maligaya
Maligaya	4	6	6	0	1 boarding house added to establishments from household; 1 establishment located within the barangay but was listed in Bgy. Corong-corong was also added.
Masagana	15	15	2	13	



Table 2. Compliance monitoring results for Households with NTV.

Barangay	No. of NTV issued based on master-list	Actual number monitored	Households		Remarks
			Non-Compliant	Compliant	
Bucana	359	On- going	Data cleansing and encoding still on-going		
Buena Suerte	141	141	132	3	6 Households were Not Found
Corong-corong	154	152	87	32	33 Households were Not Found
Maligaya	13	18	18	-	
Masagana	20	9	6	-	Three (3) households were Not Found

Based on the monitoring conducted, out of the 157 NTVs issued for commercial establishments in five (5) barangays, only 45 establishments were found to be compliant, 111 were non-compliant and two (2) establishments were not found during the monitoring. These establishments were issued NTV for illegally encroaching easement areas and for occupying timberland areas without tenurial instruments. On the level of compliance, most of establishments particularly in Barangay Corong-corong are title holder, thus manifested '**no violation**'.

Moreover, other commercial establishments listed had already submitted an appeal for consideration of their issued NTVs weeks after they received the said Notice but to date, they have not yet receive a response yet. There are also some establishments initiated demolitions of the portions of their property near the beach although they did not receive any NTV from the Office. Further, establishments in the urban barangays that initiated demolition of the portions of their property that falls within the marks of 3-meter easement previously established by Task Force El Nido Challenge were considered "**compliant**" especially those within the alienable and disposable land and title holders. Those establishments within timberland areas yet titled property were considered '**non- compliant**' per Rule 24.4 of DENR Administrative Order No. 2019-05 dated May 30, 2019.

On the other hand, only 35 out of the 328 households in the master list were compliant, 243 were non-compliant and 42 households were not found during the monitoring. Some households have initiated self-demolition while others particularly those previously living on stilt houses at Sitio Takasan, Bgy. Corong-corong received financial assistance from the LGU and relocated in Sitio Bubulungan which is still a timberland area.

Also, majority of the households issued with NTVs are not bonafide residents of their respective barangay. Some are leasing for a rent-to-own property and during the onset of the pandemic, these NTV recipients had already vacated the area.

Further, the table below is the results of the inventory of commercial establishments and households in eight (8) barangays covered by the project.



Unfortunately, there were four (4) structures that cannot be identified due to most of the inventoried establishments were closed during the time of monitoring hence the very limited data collected besides that some of the caretakers interviewed have no knowledge on the data needed by the team and that the team were using the old inventory form.

Further, among the 38 inventoried houses, at least two (2) have titles, five (5) have tax declarations only and one (1) cadastral as basis for their occupation. Based on the data

Table 3. Inventory of commercial establishments and households in eight (8) barangays

Barangay	Commercial Establishments	Households	Remarks
Aberawan	2	13	Final report will be submitted once the photo documentation is finalized.
Bagong Bayan	0	19	
Bebeladan	7	265	Initial inventory was conducted on November-December, 2021 but not yet final because the barangay is not yet demarcated. The delineation and demarcation team will be deployed in the barangay on the first week of September for the delineation activities.
Manlag	10	58	The delineation and demarcation activity was already completed but the encoding and inventory in Sitio Pikong-pikong is still on going.
Pasadena	14	38	
Sibaltan	19	52	
Teneguiban	28	220	Initial inventory was conducted but not yet final because not all areas in the said barangay were demarcated especially areas in Sitios Sabang, Ligad, Catoldan, Diapila and Cagbuli and islands like Brother and Daracuton
Villa Libertad	8	0	

**Aberawan**

Most of the households inventoried in Aberawan are made of light materials and built within the mangrove areas. Some of these are accessible by boat; some are abandoned while some are residing in a titled property allegedly owned by Ms. Felicitas Velano. It was also noted that the subject lot was already subdivided as evident by the *mojons*. Further, only two (2) commercial establishments were recorded during the monitoring, one is the El Nido Beach Camp and Resort owned by Ms. Jenefer Tadalán and is operational since March 2022 and the other establishments/cottages are owned by the Ayala Corporation.

**Bagong Bayan**

Out of the 19 inventoried houses, none have secured any documents as basis for their occupation and none of the household owners have secured easement clearance from the DENR. Only three (3) have sanitation facilities made of concrete. Majority of the households are getting source of water supply from surface water while others are from the local water distributor. Most of the households were built with light materials. It was also noted that some households were built and submerged in the water during high tide.

**Pasadena**

Among the 14 establishments inventoried, three (3) properties were owned by Ayala Group of Companies and/or Ten Knots, Philippines, Inc. (TKPI) such as El Nido cove and its amenities Resort. Additionally, four (4) structures are owned by Tony Frey namely Kalasangan resort, rest house, cottages and beach bar. There are three (3) structures owned by private personnel which two (2) are just fenced and one (1) is an abandoned native hut.



Unfortunately, there were four (4) structures that cannot be identified due to most of the inventoried establishments were closed during the time of monitoring hence the very limited data collected besides that some of the caretakers interviewed have no knowledge on the data needed by the team and that the team were using the old inventory form.

Further, among the 38 inventoried houses, at least two (2) have titles, five (5) have tax declarations only and one (1) cadastral as basis for their occupation. Based on the data collected, none of the household owners have secured easement clearance and most have deep wells and septic tanks. Also, eight (8) of these structures are just fenced property. In addition, 11 structures were found already abandoned especially in Sitio Calampinay were most of the household received an NTV's. There is a one (1) household who refused to cooperate, with no concrete reason and that is Mr. Aram Dela Cruz. There were also four (4) inventoried structures whose owners were not identified. Additionally, one (1) concrete bridge structure is within the property of Royal Premiere.

#### **Sibaltan**

A total of 19 establishments were inventoried, five are government facilities specifically the Philippine Coast Guard station with wharf, Sibaltan cemetery, and chapel and the Balay Cuyunun which is a project of the Municipal Tourism Office of El Nido. Out of the affected establishments, only the Kite Surfing and Roselyn Homestay were operational during the time of monitoring and that at least seven (7) have respective titles and two (2) have tax declarations. It was also disclosed that the accommodation of Mr. Alejo Acosta is just a family vacation house.

Further, among the 52 inventoried houses, at least seven (7) have titles, seven (7) have tax declarations only and four (4) have barangay certifications as basis for their occupation. Based on the data collected, none of the household owners have secured easement clearance and most have deep wells and septic tanks. Also, seven (7) of these structures are already abandoned including the boarding house of Ms. Elena Palma while four (4) structures inventoried are only perimeter fences and no house built yet. There were also four (4) inventoried structures whose owners were not identified.

#### **Villa Libertad**

A total of eight (8) structures were inventoried, four (4) of which belongs to Lio Tourism Estate (LTE), three (3) to Lio Airport and one (1) fish landing facility owned by private individual. The structures of LTE and Lio Airport are outside El Nido-Taytay Managed Resource Protected Area (ENTMRPA) and within titled/alienable and disposable lands except that of the wharf. The structures inventoried are not designed for accommodation and do not generate wastewater hence other permits/clearances do not apply (i.e. DOT accreditation, PAMB and other EMB permits).

Further, no household inventoried for the stretch of the beach of Villa Libertad. The easement in the mangrove/riverine areas in the barangay where there are informal settlers was not yet delineated and inventoried in this phase of the project.

Of the five (5) barangays that were completed, some of the issues and concerns encountered during the monitoring and inventory were:

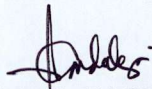


1. Most of the inventoried establishments were closed during the time of monitoring hence there were very limited data collected besides that some of the caretakers interviewed have no knowledge on the data needed by the team;
2. Some of the caretakers/guards did not disclose any information about the area like who owns the structures, name of the structures, among others. Thus, the team resorted to made interview with the adjacent property to get the needed information; and
3. Some structures have titles and/or basis of occupation within the area and there are some occupants that were hostiles. Consequently, the team was hesitant to continue the interviews and inspection.

In view of the foregoing, the undersigned recommends the following:

1. Specific clarification should be laid down on the legal easement to be imposed within the four (4) urban barangays whether it is 40m instead of 3m easement as established by El Nido Task Force considering that the previous NTVs issued to them does not expressly provided as to the distant of legal easement to be complied with.
2. Re-delineation and re-demarcation of 40meter easement should be done after the Protected Area Suitability Assessment (PASA) particularly in urban barangays considering that it is still a protected area;
3. Since most of the violations are the Presidential Decree 705, PD 1067 and RA 11038, issuance of Show Cause Order for non-compliant establishments and households and structures falls within 40m legal easement per Rule 24.4 of DENR Administrative Order No. 2019-05 is necessary; and
4. A legal opinion should be provided for those patented area within timberland, easement zones and protected area.

For information, review and further instruction.

  
**LUCILA G. CANDELEJA**  
Forest Technician II