



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)

DENR MIMAROPA RECORDS SECTION	
RECEIVED	
BY:	
DATE:	
TIME:	

March 28, 2023

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR MIMAROPA Region  
1515 DENR By the Bay Building, Roxas Boulevard,  
Barangay 668, Ermita, Manila

**THRU :** The OIC, ARD for Technical Services

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

**SUBJECT :** COMPLIANCE MONITORING REPORT ON FOREST LAND  
USE AGREEMENT FOR TOURISM (FLAGT) PURPOSE AT  
CADLAO ISLAND, BARANGAY BUENA SUERTE, EL NIDO,  
PALAWAN

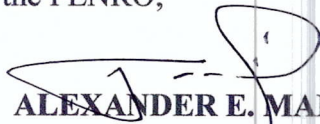
Respectfully forwarded is the memorandum of CENRO Taytay, Palawan dated March 14, 2023 relative the above subject.

Per memorandum, CENRO Taytay conducted the compliance monitoring activity on February 1, 2023 on Forest Land Use Agreement for Tourism (FLAGT) with FLAGT No. DENR 4B-MIMAROPA-12302030-0010 located at Cadlao Island, Brgy. Buena Suerte, El Nido, Palawan.

The proponent paid the Annual Government Share (AGS) for CY 2023 dated December 1, 2022 with O.R. No. 6391160 F amounting to Php48,090.00.


For information and further instruction.

For the PENRO;

  
**ALEXANDER E. MANCIO**  
SvEMS/ Executive Assistant of PENRO Palawan  
In Charge, Office of the PENRO

Copy Furnished:  
CENRO Taytay, Palawan  
<cenrotaytay@denr.gov.ph>  
KVE/MES Doc. No. 2023-2327

Emailed dtd 03/31/23 @ 8:33am

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**  
By:   
Date: 30 MAR 2023 CN 23-807





Republic of the Philippines  
Department of Environment and Natural Resources  
Region IV- MIMAROPA  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
5312 Taytay, Palawan  
by the National Highway, Poblacion, Taytay, Palawan  
emailad:cenrotaytay@denr.gov.ph  
Contact Nos: 0912-171-8899 (Land Line) 0926-505-9335 (TM)

**PALAWAN RECORDS  
RECEIVED**

March 14, 2023

MEMORANDUM

BY: [Signature]  
DATE: 03-15-2023 CN 23-2327

FOR : The Provincial and Natural Resources Officer-Palawan

FROM : The Community Environment and Natural Resources Officer

SUBJECT : **ACCOMPLISHMENT REPORT ON ACTIVITY PER WFP**  
**Compliance Monitoring of Approved Forest Land Use Agreement**  
**for Tourism (FLAgT) purposes of Ten Knots Philippines,**  
**Incorporated in Cadlao Island in Bgy. Buena Suerte, El Nido,**  
**Palawan**

<b>Activity:</b> Compliance monitoring of tenure or permit holder				
<b>Performance Indicator:</b> Monitoring report with recommendation/endorsed to the Regional Office through the PENRO (FLAgT=8, SIFMA=1, and SAPA=2				
<b>Frequency of submission:</b> 2 FLAgT for 1 <sup>st</sup> Quarter; 3 FLAgT and 1 SAPA for 2nd Quarter; and 3 FLAgT, 1 SIFMA, and 1 SAPA for third Quarter				
<b>Current submission:</b> Memorandum dated February 27, 2023 of the Compliance Monitoring Team led by the Unit Chief, Forester II Donna C. Tabernilla received as CN 1505 in the Edats with the recommendations.				
<b>Attachment:</b> photo documentation, and the accomplished Compliance Monitoring Sheet for Forestry Tenure (FLAgT)				
<b>Gender and Development (GaD) data</b>	Male = 1 Female – 2 LGBTQ+=0 Prefer not to say = 0 Note: The team was joined, however, by the CENRO, and two representatives of Regional Office who were male and female.			
<b>Age Grouping</b>	60 and above	18-59	17 and below	TOTAL
	1	5	0	6
<b>Environmental Management System (EMS Compliance)</b>	✓ Compliant to 5S organization techniques (SORT – keep only necessary items, SET IN ORDER – arrange items to promote efficient workflow, SHINE – clean the work area so it is neat and tidy, STANDARDIZE, and SUSTAIN – maintain and review standard) ✓ No single-use plastic waste during the whole activity			
<b>Recommendations</b>	The team recommends the following to wit: 1. In-depth investigation, discussion, careful review, and intervention of DENR higher officials on the overlapping of FLAgT area to the patented lots. 2. The team solicited legal advice on whether the claim of Ten Knots Philippines Inc. over the area covered with the sketch map signed and approved by then PASu Loreto D. Rodriguez, Forester Gaudencio B. Valdeztamon, CENRO Samuel F. Cirilo and PENRO Virgilio B. Tiongson has merit to prove that their claim is the same to their actual occupied FLAgT area. 3. Copy furnished to this Office the result of the investigation, ground verification, and relocation survey conducted last March 2, 2022.			

**DENR CENRO  
TAYTAY, PALAWAN  
RELEASED**

BY: [Signature]  
DATE: MAR 14 2023 CN 1007

This is our **Means of Verification (MoV)** on the activity. Please confirm your receipt hereof. Thank you.

**CONRADO M. CORPUZ**





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


February 27, 2023

**MEMORANDUM**

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

**FROM :** Compliance Monitoring Team

**SUBJECT :** **COMPLIANCE MONITORING ON FOREST LAND USE AGREEMENT FOR TOURISM (FLAGT) PURPOSE IN CADLAO ISLAND, BARANGAY BUENA SUERTE, EL NIDO, PALAWAN**

**DENR CENRO  
TAYTAY, PALAWAN  
RECEIVED**  
BY:   
DATE: 3-6-23 CN NDT

This pertains to the target for monitoring and evaluation of the implementation of ENR programs and projects including compliance with the existing policies and agreements under formulation and monitoring of ENR sector policies, plans, programs, and projects including the monitoring of existing Forest Land Use Agreement For Tourism (FLAgT) Purposes of this Office.

In view hereof, please be informed that on February 1, 2023 the CENRO Taytay personnel monitored and evaluated the performance of Ten Knots Philippines Incorporated together with its representatives based on the terms and conditions stipulated in the agreement and performance evaluation sheet for forestry tenure at Cadlao Island, Barangay Buena Suerte, El Nido, Palawan. Hereunder are the findings and observations of the team, as follows:

1. That pursuant to DENR Administrative Order No. 2004-28 dated August 25, 2004 and other related laws and regulations, the Forest Land Use Agreement for Tourism (FLAgT) No. 12302030-0010 (Bathing Establishment) was approved and awarded to Ten Knots Philippines Inc. on December 27, 2005 to be expired on December 30, 2030 covering an area of 32, 060 square meters located at Cadlao Island, Barangay Buena Suerte, El Nido, Palawan.
2. That holder is compliant in paying the annual government share. Based on records, the corporation paid the rental fee for Calendar Year 2023 dated December 1, 2022 with OR No. 6391160 F amounting to 48,090.00 Pesos.
3. That as per memorandum of the Regional Executive Director dated July 27, 2021, this Office was instructed to implement the New Government Share of FLAgT No. DENR IV-MIMAROPA-12302030-0010 is 28,052,500.00 based on the re-evaluated user's fee in accordance with DAO 2004-28.
4. That as per memorandum from the Office of Secretary dated March 4, 2022 all DENR Offices were directed to apply the previous appraisal value or rate in the collection of fees and charges and refrain from using the re-evaluated/re-appraised value or rate for the tenurials instruments holders involved in tourism/ecotourism development projects and other tourism-dependent business affected by the COVID-19 Pandemic.
5. The management made no attempt to introduce any development/improvements since its FLAgT was approved. They have no pending applications for Environmental Compliance Certificate (ECC) or other necessary permits, hence, it is ground for cancellation as stipulated in Section 17. 2.3 of DAO 2004-28.



6. That the approved area had already been delineated, monuments and other landmarks were marked indicating corners and outlines along the boundaries, however, based on the various inspection conducted, the approved FLAgT area falls within the patented lots of Mr. Roel Tampe and Baberly Gomez.
7. That a series of investigations, site inspections, and verification were conducted to resolve the issues and concerns over the approved FLAgT area, to wit,
  - On March 2, 2022, a team composed of Regional, PENRO and CENRO personnel led by Engineer Donna Belle Luengo conducted an investigation, ground verification, and relocation survey over the FLAgT area, however, the result has not yet been forwarded to this Office.
  - On February 28-March 1, 2023, a team from PENRO and CENRO personnel led by Special Investigator Karla Kristine V. Aballa conducted the investigation re:cancellation of patented lots with Katibayan ng Orihinal na Titulo Blg. 2015000225 in the name of Baberlyn D. Gomez, KOT BLG. 2015000222 and KOT BLG. 2015000223 both in the name of Noel Tampe. As of todate, no report has been submitted yet.

In view of the above findings and circumstances, the Compliance Monitoring Team respectfully recommends the following to wit;

1. In-depth investigation, discussion, careful review, and intervention of DENR higher officials on the overlapping of FLAgT area to the patented lots.
2. The team solicited legal advice on whether the claim of Ten Knots Philippines Inc. over the area covered with the sketch map signed and approved by then PASu Loreto D. Rodriguez, Forester Gaudencio B. Valdeztamon, CENRO Samuel F. Cirilo and PENRO Virgilio B. Tiongson has merit to prove that their claim is the same to their actual occupied FLAgT area.
3. Copy furnished to this Office the result of the investigation, ground verification, and relocation survey conducted last March 2, 2022.

Attached herewith are the accomplished performance evaluation form for forestry tenure, map, and photo documentation of the monitoring activity.

For information and further instruction.

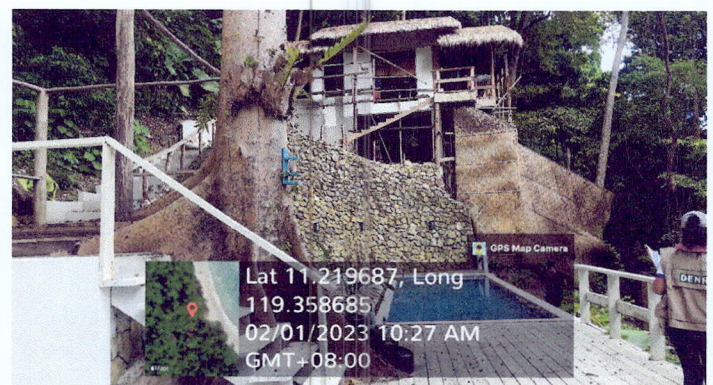
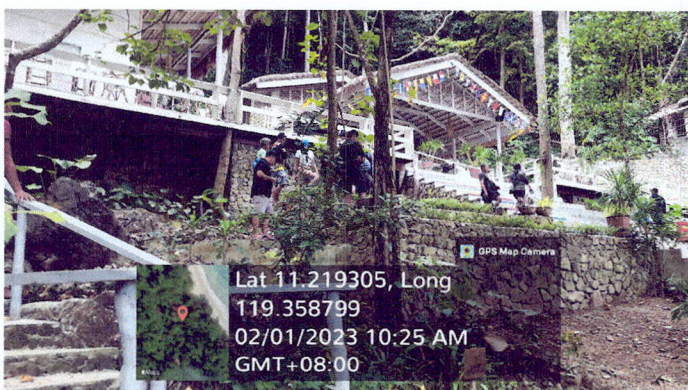
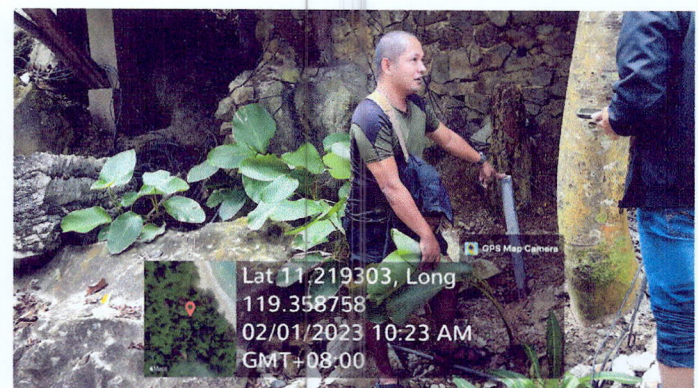
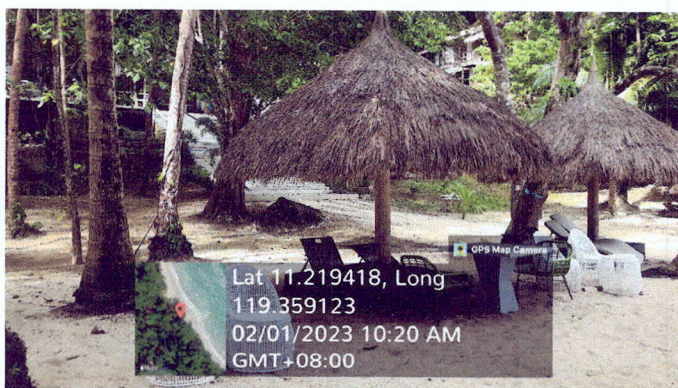
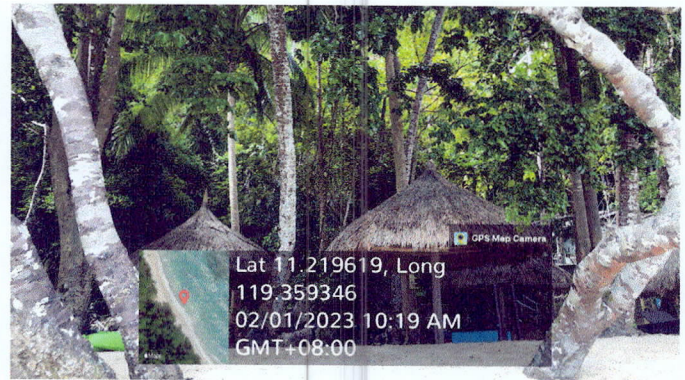
  
**FOR. RICHARD M. PARINAS**  
Forest Ranger

  
**ELVIR G. BASE**  
Land Management Officer II

  
**FOR. DONNA C. TABERNILLA**  
Forester II/ Chief, Compliance & Monitoring Unit



## PHOTO DOCUMENTATION





COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (FLAgT)

Monitoring Date: February 1, 2023	Monitoring Time: 10:15 A.M.
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A. BASIC INFORMATION:

Name of Company: Ten Knots Philippines Incorporated (TKPI)	
Location of Area (Sitio, Brgy, Mun): Cadlao Island, Buena Suerte, El Nido	Area in Sq. Meter: 3.206 hectares
Business Address: (email, messenger acct. & contact number) mlaririt@tenknots.com	
Amount of Annual Government Share: 48,090.00	Date Paid/OR No. 12/01/2022/6391160
Year of last evaluation (Per Section 16 of DAO 2002-28): 2022	
Nature of Land-use (Per Section 4 of DAO 2004-28: Bathing Establishment	
Tenure Instrument Number: DENR 4B-MIMAROPA-12302030-0010	Date of Issuance: 12/27/2005
Kind of Tenure Instrument: FLAgT	Expiry Date: 12/30/2030
Contact Person/Designation: Mariglo Laririt, Executive Director	
Name of Pollution Control Officer (PCO): None	
PCO Accreditation No.	Effectivity:
Contact No.	Email:

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

Conditions	Yes	No	Remarks
1. NCIP/Cert. of Pre-Condition/ Date Issued		/	
2. Free and Prior Informed Consent/ Date Issued		/	
1. Compliant to ECC – PD 1586, Philippine Environmental Impact Assessment/ DAO 2003-30	/		No structures introduced within the approved FLAgT Area
2. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/ DAO 1992-29	/		
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 to RA 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)		/	
a) Within 3 meters in Urban Areas			
b) Within 20 meters in Agricultural (A&D) Areas			
c) Within 40 meters in Timberland Areas			



C. 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 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?	NO	
14.4. The holder utilized the area only for the purpose for which the FLAgT was granted. If the area was utilized for other purpose/s other than what was approved, is prior approval secured from the Secretary of his 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?	NO	
14.9. The holder are willing to surrender to the RED of 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 coastal area adjoining or flowing through the area or to prohibit or interfere with the passage of people along such streams, creeks or rivers or banks thereof? Or to impeded the flow and ebb of the tide to and from the interior of the swamps?	YES	

D. IMPROVEMENTS INTRODUCED:

Type of Improvement Introduced	Approximate Value of Improvement	STATUS (permanent or temporary)	REMARKS
A. Current Year 2023			
1. Land	No Data		
2. Buildings	No Data		
3. Infra/Machineries	No Data		
4. Plantation	N/A		
5. Other Improvements	N/A		



D. IMPROVEMENTS INTRODUCED:			
Type of Improvement Introduced	Approximate Value of Improvement	STATUS (permanent or temporary)	REMARKS
B. Previous Years (2022)			
1. Land	No Data		
2. Buildings	No Data		
3. Infra/Machineries	No Data		
4. Plantation	N/A		
5. Other Improvements	N/A		

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




Particulars	Amount	Official Receipt No.	Date Issued	Remarks (Indicate if updated or not)
Government Share/Rental	48,090.00	6391160 F	December 1, 2022	Updated
Performance Bond				
Forest Charges				
Surcharges				

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

Regular patrolling.
G. FINDINGS AND RECOMMENDATIONS
The Claims and Conflict over FLAgT No. DENR 4B-MIMAROPA-12302030-0010 and patented lots with Katibayan ng Orihinal na Titulo Blg. 2015000225 in the name of Baberlyn D. Gomez, KOT BLG. 2015000222 and KOT BLG. 2015000223 both in the name of Noel Tampe is still in the process of discussion, investigation, and meticulous review of this Office with the intervention of higher Officials.

E. 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
DONNA C. TABERNILLA	Forester II/Chief, Compliance and Monitoring	
ELVIE G. BASE	Land Management Officer II	
RICHARD M. PARIÑAS	Forest Ranger	

F. ATTACHMENT/S  
(See attached photo or geo-tagged/map/and other documentations)

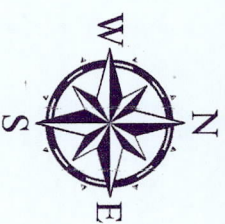
SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of February 2023 at Poblacion, Taytay, Palawan.

CONRADO M. CORPUZ

CHRO

Authorized Person to Administer Oath





MAP SHOWING THE LOCATION OF  
FLAG NO.12302030-0010,  
CADLAO ISLAND,  
BUENA SUERTE, EL NIDO, PALAWAN

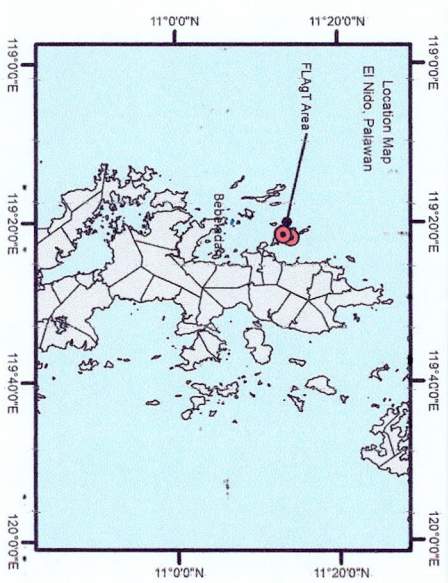


Projection: Universal Transverse Mercator Z50N  
Datum: WGS 1984

SCALE: 1:5,000

### Legend

- Structures/Facilities
- AREA OF FLAG NO. 12302030-0010



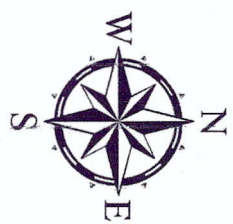
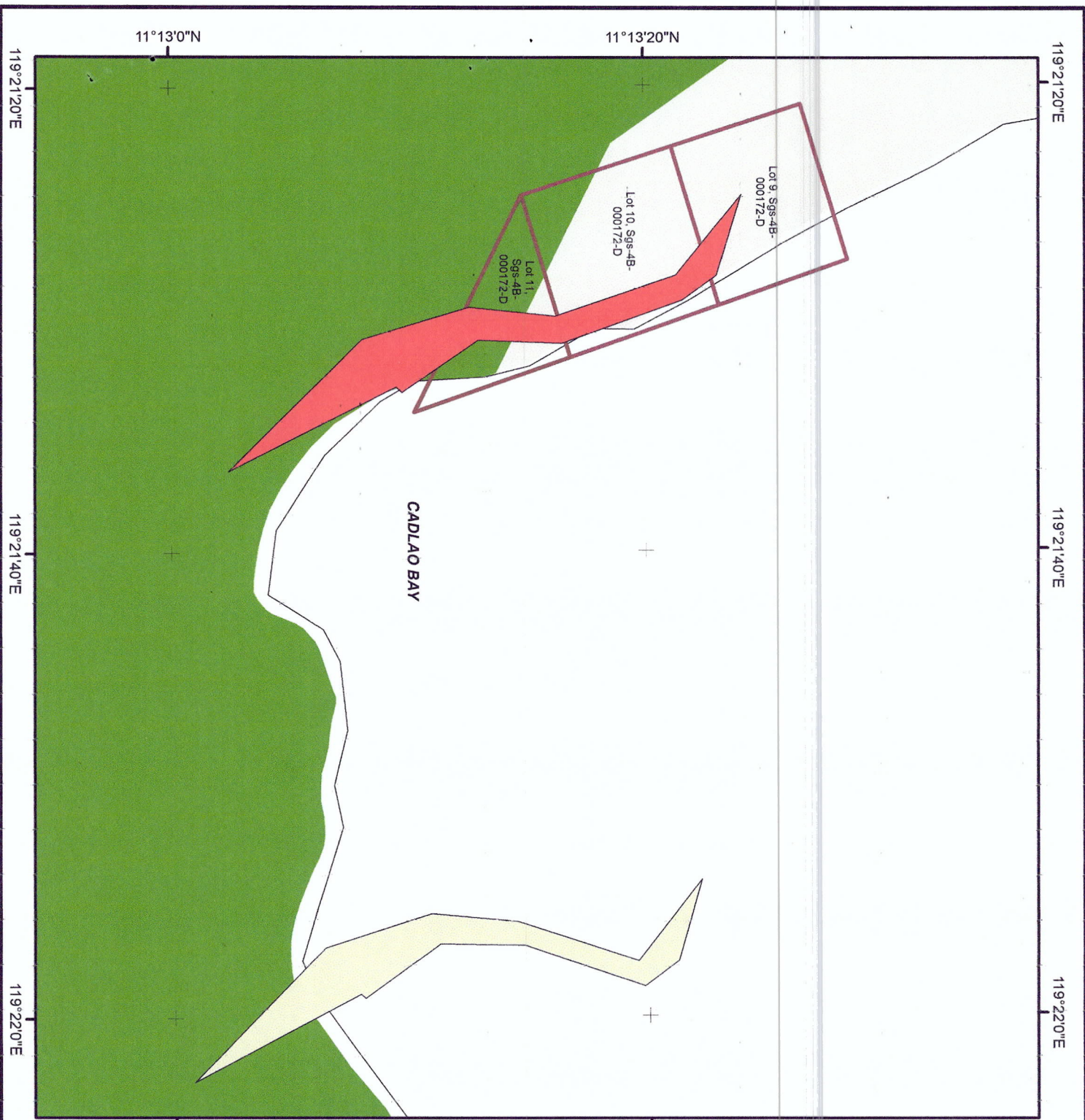
Prepared by:  
*Donna C. Tabernilla*  
**DONNA C. TABERNILLA**  
Forester III/Chief, Monitoring Unit



Data Source: CENRO Taytay-El Nido, Palawan

Source: Esri, Maxar, GeoEye, Earthstar  
Geographics, CNES/Airbus DS, USDA, USGS, Aer Community



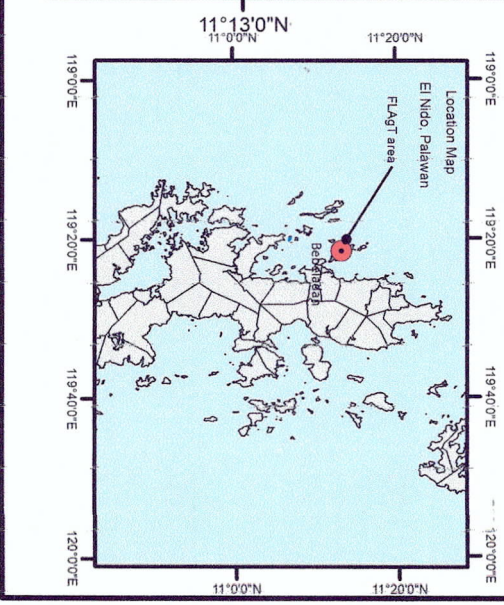


**MAP SHOWING THE LOCATION OF  
FLAGT NO.12302030-0010,  
CADLAO ISLAND,  
BUENA SUERTE, EL NIDO, PALAWAN**



Projection: Universal Transverse Mercator Z50N  
Datum: WGS 1984  
SCALE: 1:7,000

Legend	
<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span>	ACTUAL OCCUPATION OF FLAGT AREA
<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span>	FLAGT BASED ON THE APPROVED TD
<span style="display:inline-block; width:15px; height:15px; background-color:lightgray; border:1px solid black;"></span>	PATENTED LOTS
LC STATUS	
<span style="display:inline-block; width:15px; height:15px; background-color:lightgreen;"></span>	Alienable & Disposable
<span style="display:inline-block; width:15px; height:15px; background-color:green;"></span>	Forestland
<span style="display:inline-block; width:15px; height:15px; background-color:olive;"></span>	UPF





ACCOUNTABLE FORM No. 51-C  
Revised January, 1992

(TRIPLICATE)



Official Receipt  
of the  
Republic of the Philippines

Nº 6391160 F

Date DEC 01 2022

Agency DENR-CENRO TAYTAY, PALAWAN Fund

Payor T. P. P. Philippines Inc.

Nature of Collection	Account Code	Amount
Amo. Govt. Gas		P 4,000.00
TLAgt No. DENR-W-		
MINARCA 15-15-2018-0000		
(Boring Rd.)		
(Barbar Island, Cebu City)		
11. 11. 2018		
(in 19 2018)		
TOTAL		P 4,000.00

Amount in Words Forty Eight Thousand

<input type="checkbox"/> Cash	Drawee Bank	Number	Date
<input type="checkbox"/> Check			
<input type="checkbox"/> Money Order			

Received the amount stated above.

MARY ANN D. BULAGAN  
Forest Collecting Officer VSCDO

NOTE: Write the number and date of this receipt on the back of check or money order received.