



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

June 14, 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 : EVALUATION REPORT ON FORESTLAND USE
AGREEMENT FOR TOURISM PURPOSES (FLAGT) AREA
AWARDED TO CORAL BAY MARINE RESORT, INC.
SITUATED IN POPOTOTAN ISLAND, BARANGAY
MAGLALAMBAY, BUSUANGA, PALAWAN

Respectfully forwarded is the memorandum of CENRO Coron, Palawan dated May 31, 2023 relative the above subject.

Per memorandum, CENRO Coron conducted the compliance monitoring activity on May 23, 2023 on Forest Land Use Agreement for Tourism Purposes (FLAgT) awarded to Coral Bay Marine Resort, Inc. with FLAgT No. DENR IV-MIMAROPA-11302030-0006 located at Popototan Island, Brgy. Maglalambay, Busuanga, Palawan.

The proponent has not yet paid the Annual Government Share (AGS) since 2018.

For information and further instruction.

Copy Furnished:
CENRO Coron, Palawan
<cenrocoron@denr.gov.ph>
KVE/MES Doc. No. 2023-5099

FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED

By
Date: 19 JUN 2023 2023-1668



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office
Barangay 5, Calamianes Island, Coron, Palawan
Telephone No. +63 917 504 2633
E-mail: cenrocoron@denr.gov.ph Website: www.denr.gov.ph

May 31, 2022 ✓


MEMORANDUM

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

FROM : The OIC, Community Environment and Natural Resources Officer
Coron, Palawan

SUBJECT : **EVALUATION REPORT ON FORESTLAND USE AGREEMENT FOR TOURISM PURPOSES (FLAg-T) AREA AWARDED TO CORAL BAY MARINE RESORT, INC. SITUATED IN POPOTOTAN ISLAND, BARANGAY MAGLALAMBAY, BUSUANGA, PALAWAN**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

BY: 
DATE: June 8, 2023 23:5099

Respectfully forwarding herewith is the abovementioned subject target under Tenurial Instrument monitoring and evaluation in CENRO Coron.

This serve as one of the **means of verification** of this Office.

For information and record.


RODNEY G. VERIAN





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Province of Palawan
Email Address: cenro_coron@yahoo.com

MEMORANDUM

FOR : **RODNEY G. VERIAN**
OIC-CENRO
Coron, Palawan

THRU : **QUERUBIN G. QUINTANA**
Forester II/ OIC-Chief, MES

FROM : **UNDERSIGNED PERSONNEL**

SUBJECT : **EVALUATION REPORT ON FOREST LAND USE AGREEMENT
FOR TOURISM PURPOSES (FLAg-T) AREA AWARDED TO
CORAL BAY MARINE RESORT, INC. SITUATED IN POPOTOTAN
ISLAND, BARANGAY MAGLALAMBAY, BUSUANGA, PALAWAN**

DATE : **MAY 29, 2023**



Respectfully submitted the monitoring and evaluation report on Forest Land-Use Agreement for Tourism Purposes (FLAg-T) area for bathing establishment of Coral Bay Marine Resort, Inc.

Hereunder are the salient information gathered during the conduct of ground inspection to wit:

BACKGROUND INFORMATION

Name of Proponent: Coral Bay Marine Resort, Inc.
Business Address: N/A
Location: Popototan Island, Barangay Maglalambay, Busuanga, Palawan
Total covered area: 10,000 square meters
FLAg-T No: DENR IV-MIMAROPA-11302030-0006
Date Issued: November 23, 2005
Date Expired: November 30, 2030
Annual Government Share: Php. 1,125. 00 (Unpaid)

INTRODUCTION

The monitoring and evaluation team headed by Chief, Compliance and Monitoring Unit (CMU) Mr. Mark Glenn Managdag, conducted monitoring and ground inspection on the bathing establishment of Manguenyegey, Inc. on May 23, 2023, located at Popototan Island, Barangay Maglalambay, Busuanga, Palawan. The weather and the sea were in favorable condition when the team conducted the monitoring and evaluation activity in the area.

FINDINGS/OBSERVATIONS

The island resort is still not operational and neither improvements nor development were observed within the premises of the area. The cottages, buildings and other structures are in deteriorating state and no renovations and repair were done. There was no staff found in the area aside from the caretaker which also act as guard of the area.

It was reported by the caretaker that the resort is under the new owner and management named Luxpros, Inc.

Office records showed that the last payment of annual government share is dated February 17, 2017.

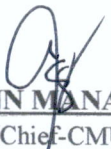
The office already released a letter to the FLAg-T holder to immediately settle their financial obligations to the government amounting to Php. 12, 468.71 of payment with corresponding penalty from 2018 to 2023 to avoid cancellation of their tenurial instrument.

RECOMMENDATIONS

The monitoring and inspection team recommended that the proponent should settle their Annual rental/government share together with penalties accumulated. It is also requested that the office should issue a show cause order to the proponent why should the Agreement not be cancelled due to abandonment of the FLAg-T area.

Attached are the geo-tagged photos during the conduct of monitoring and evaluation activity, and the copy of GIS generated map.

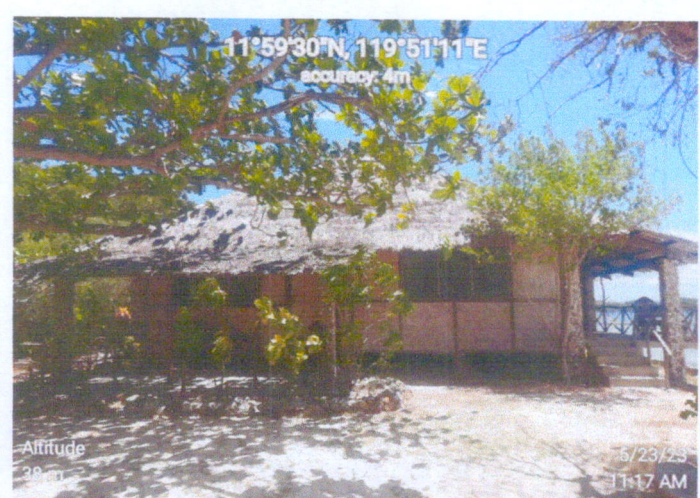
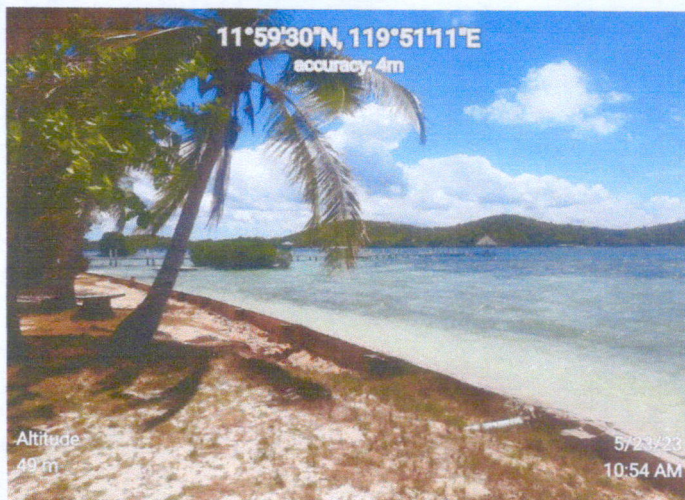
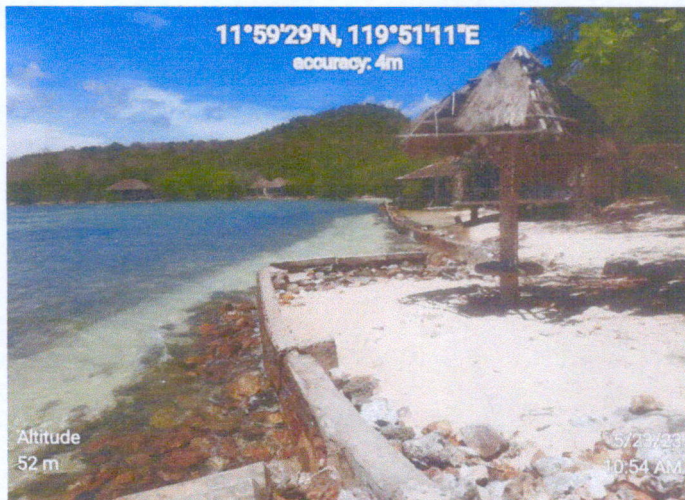
For information, record and further instructions.


MARK GLENN MANAGDAG
ECOMS II/Chief-CMU


NIKKI RIPALDA
Forest Technician I


RENIEL OLIVER M. FUENTES
Forest Technician I

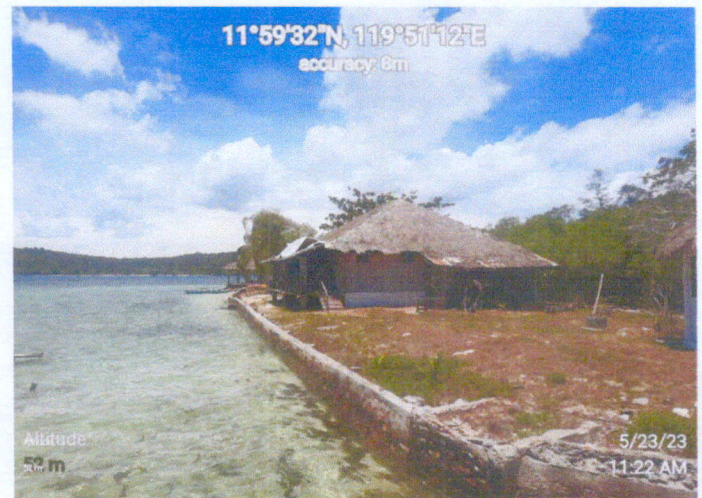
PHOTO DOCUMENTATION



Cottages and other structures made from light and semi-permanent construction materials were observed during the conduct of monitoring and evaluation activity

[Signature]

PHOTO DOCUMENTATION



The team conducted interview of the caretaker/staff of the property during monitoring and evaluation

plf

COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (FLAgT)

Monitoring Date: May 24, 2023	Monitoring Time:
A. BASIC INFORMATION:	
Name of Company: CORAL BAY MARINE RESORT INC.	
Location of Area (Site, Brgy, Mun): Popototan Island, Brgy. Maglambay, Busuanga, Palawan	Area in Sq. Meter: 10,000
Business Address: (email, messenger acct. & contact number) N/A	
Amount of Annual Government Share: N/A	Date Paid/OR No.: N/A
Year of last revaluation (Per Section of 16 DAO 2002-28): N/A	
Nature of Land-use (Per Section 4 of DAO 2004-28): For Tourism Purposes	
Tenure Instrument Number: DENR IV-MIMAROPA-11302030-0006	Date of Issuance: 11/23/2005
Kind of Tenure Instrument: FLAGT	Expiry Date: 11/30/2030
Contact Person/Designation:	
Name of Pollution Control Officer (PCO): N/A	
PCO Accreditation No. N/A	Effectivity: N/A
Contact No.	Email: N/A

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

Conditions	Yes	No	Remarks
1. NCIP/Cert of Pre Condition/Date Issued	/		RIV-CNO-08-02-0073/Feb. 13, 2009
2. Free and Prior Informed Consent/Date Issued			
1. Compliant to ECC - PD 1586, Philippine Environmental Impact Assessment / DAO 2003-30	/		ECC-4B-034-PAL-402-2003
2. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/ DAO 1992- 29			The FLAgT area is not operational since 2018. Area was abandoned, all buildings are dilapidated.
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 R A 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			

D. 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 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?	Yes	
14.4. The holder utilized the area only for the purpose for which the FLAgT was granted. If the area was utilized for other purposes/s other than what was approved, is prior approval secured from the Secretary of his/her 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?	N/A	
14.9. The holder are willing to surrender to the RED or 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	Yes	
14.12 Did the FLAgT holder submit the Annual Report as to its compliance to the Site Management Plan?	No	Not operational
14.13 Is the Annual Government Share paid on or before March 31 pursuant to DAO 2021-02 which amended Section 16 of DAO 2004-28 and Section 18 of DAO 2004-59	No	Not operational

G. 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				Non-payment of government share since 2018
Performance Bond	N/A	N/A	N/A	
Forest Charges	N/A	N/A	N/A	
Surcharges	N/A	N/A	N/A	

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

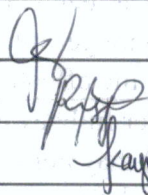
Not operational since 2018

I. FINDINGS AND RECOMMENDATIONS

The resort is not open, and the structures need to be completely renovated. since 2018, not paying an annual government contribution. The team have talk to Ms. Wendy Abria, caretaker of the report, she mentioned that resort were allegedly sold to another investor.
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J. DETAILS AND SIGNATURE OF MONITORING TEAM:

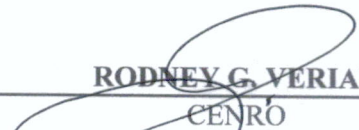
WE HEREBY CERTIFY to the correctness of the data and information as contained herein to the best of our knowledge and belief.

Name	Position/Designation/Office	Signature
FOR. MARK GLENN T. MANAGDAG	ECOMS II/Team Leader	
RENIEL OLIVER T. FUENTES	Forest Technician I/Member	
NIKKI E. RIPALDA	Forest Technician I/Member	

J. ATTACHMENT/S

(See attached photo or geo-tagged/map/and other documentations)

SUBSCRIBED AND SWORN to before me this _____ day of _____ 2022 at _____


RODNEY G. VERIAN
CENRO
Authorized Person to Administer Oath

D. IMPROVEMENTS INTRODUCED:

Type of Improvement Introduced	Approximate Value of Improvement	STATUS (permanent of temporary)	REMARKS
A. Current Year 20			
1. Land			No improvement since 2018. Non-operational, dilapidated buildings.
2. Buildings			
3. Infra/Machineries			
4. Plantation			
5. Other Improvements			
B. Previous Years ()			
1. Land			No improvement since 2018. Non-operational, dilapidated buildings.
2. Buildings			
3. Infra/Machineries			
4. Plantation			
5. Other Improvements			