



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**

**MAY 17 2023**

☐ INCOMING ☐ OUTGOING

TIME:

DATS NO.

May 3, 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 ON ESPERANZA DELMO  
BUTIKOFER WITH FLAGT NO. 07-2010 LOCATED AT  
ALBAGUEN ISLAND, BARANGAY PORT BARTON, SAN  
VICENTE, PALAWAN

Respectfully forwarded is the memorandum of CENRO Roxas, Palawan dated April 13, 2023 relative the above subject.

Per memorandum, CENRO Roxas conducted the compliance monitoring activity on March 14, 2023 on Forest Land Use Agreement for Tourism Purposes (FLAgT) awarded to Esperanza Delmo Butikofer with FLAgT No. 07-2010 located at Albaguen Island, Brgy. Port Barton, San Vicente, Palawan.

The proponent has paid their Annual Government Share (AGS) for CY 2023 amounting to Php150,000.00 with O.R. No. 7126733-E dated January 24, 2023.

For information and further instruction.

Copy Furnished:  
CENRO Roxas, Palawan  
<cenroroxaspalawan@denr.gov.ph>  
KVE/MES Doc. No. 2023-3782

  
**FELIZARDO B. CAYATOC**

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**

By

Date: 04 MAY 2023

23-1227



Republic of the Philippines  
Department of Environment and Natural Resources  
**Region IV- MIMAROPA**  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
Barangay III (Poblacion), Roxas, Palawan  
Contact No. 09171606578 / 09175028647  
Email address: [cenroroxaspalawan@denr.gov.ph](mailto:cenroroxaspalawan@denr.gov.ph)

April 13, 2023

**MEMORANDUM**

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

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

**SUBJECT** : **COMPLIANCE MONITORING ON ESPERANZA DELMO  
BUTIKOFER WITH FLAGT NO. 07-2010 LOCATED AT  
ALBAGUEN ISLAND, BARANGAY PORT BARTON, SAN  
VICENTE, PALAWAN**

DENR-ROXAS  
PALAWAN RECORDS  
RECEIVED

BY: [Signature]  
DATE: APR 13 2023 DN 23-3782

Respectfully forwarded is the report relative to the above subject.

Pleased be informed that on March 14, 2023 our Office conducted Compliance Monitoring of with FLAGT No. 07-2010 located at Albaguen Island, Barangay Port Barton, San Vicente, Palawan

Based on the said report, the holder opened to the public only for a few months after their approval but closed again up to this date, we recommend to show cause the proponent as to why no sanction be imposed against the FLAgT holder. Further, they are compliant to all other conditions stipulated in the contract except to the aforementioned violation.

For record and further instruction, if there is any.

[Signature]  
PABLO L. CRUZ A

DENR-CENRO ROXAS  
RELEASED  
DATE: APR 19 2023

BY: [Signature]  
DOC NO. 2023-04-0600





Republic of the Philippines  
Department of Environment and Natural Resources  
**Region IV- MIMAROPA**  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
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Contact No. 09171606578 / 09175028647  
Email address: [cenroroxaspalawan@denr.gov.ph](mailto:cenroroxaspalawan@denr.gov.ph)



March 21, 2023

**MEMORANDUM**

**FOR :** The Community Environment and Natural Resources Officer

**FROM :** The Compliance Monitoring Team  
Roxas, Palawan

**SUBJECT :** **COMPLIANCE MONITORING ON EPERANZA DELMO BUTIKOFER WITH FLAGT NO. 07-2010 LOCATED AT ALBAGUEN ISLAND, BARANGAY PORT BARTON, SAN VICENTE, PALAWAN**

Please be informed that on March 14, 2023 the undersigned team together with Forest Protection Officer Jerick Ron M. Seño conducted Compliance Monitoring of FLAgT No. 07-2010 awarded to Esperanza Delmo Butikofer located at Albaguen Island, Barangay Port Barton, San Vicente, Palawan.

The following are the finding and recommendations of the team:

1. Violation of paragraph c, XXI of the FLAgT Agreement which states:

*"Abandonment of FLAgT area or failure to utilize the same for the purpose it was granted with the prescribed period of six (6) months without justifiable cause"*


They opened to the public only for a few months but closed again up to this date. We recommend to show cause Mrs. Esperanza Butikofer why their FLAgT should not be cancelled or terminated.

2. In terms of their compliance with their CDMP, the proponent is compliant only with their plan on installation of Solar Panels, installation of wireless hotspots within the premises and payment of annual government share. However, they failed to implement their indicated plans in order to utilize the area for the purpose for which the FLAgT was granted.
3. Lastly, they are compliant to other conditions stipulated in the contract except to the above mentioned violations.

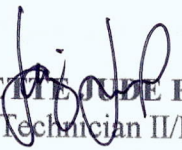
Attached is the Compliance Monitoring Sheet for Forestry Tenure (FLAgT).

For information and record.

  
**RIZZA A. AMOGUES**  
Forest Technician I/RPS Staff

  
**LEMUEL L. BACALLA**  
Forest Ranger/ Patrol Sector IV

  
**MARIA ANGELICA D. DAGOT**  
Credit Officer/PSU Staff

  
**ANNJELE M. JUDE F. QUEZADA**  
Forest Technician II/MES Staff



**COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (FLAgT)**

Monitoring Date: March 14, 2023	Monitoring Time: 4:00 P.M.
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**A. BASIC INFORMATION:**

Name of Company: Esperanza Delmo Butikofer	
Location of Area (Sitio, Bgy., Mun.): Albague Island, Barangay Port Barton, San Vicente, Palawan	Area in Sq. Meter: 20,000
Business Address: (email, messenger acct. & contact number ): sherlypataweg123@gmail.com / 0929-547-7786	
Amount of Annual Government Share: Php 150,000.00	Date Paid/OR No.: Jan. 24, 2023/7126733-E
Year of last revaluation (Per Section 16 DAO 2002-28): None	
Nature of Land-use (Per Section 4 of DAO 2004-28): Tourism	
Tenure Instrument Number: FLAgT No. 07-2010	Date of Issuance: April 16, 2010
Kind of Tenure Instrument: FLAgT	Expire Date: April 16, 2035
Contact Person/Designation: Sherly Pataweg / Manager	
Name of Pollution Control Officer (PCO): Sherly D. Pataweg	
PCO Accreditation No.: 2022-R4B-00735	Effectivity: October 24, 2023
Contact No.: 0929-547-7786	Email: sherlypataweg123@gmail.com

**B. COMPLIANCE TO EXISTING ENR LAWS, RULES AND REGULATION**

Conditions	Yes	No	Remarks
1. NCIP/Cert of Pre Condition/Date Issued		√	Not Applicable
2. Free and Prior Informed Consent/Date Issued		√	Not Applicable
3. Compliant to ECC-PD 1586, Philippine Environmental Impact Assessment/DAO 2003-30	√		
4. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/DAO 1992-29	√		
5. Compliant to RA 8749, Clean Air Act of 1999/DAO 2000-81	√		
6. Compliant to RA 9003, Ecological Solid Waste Management Act of 2000/DAO 2001-34	√		
7. Compliant to RA 9275-Clean Water Act of 2004/DAO 2003-10	√		
8. Compliant to PD 705, Forestry Reform Code of the Philippines	√		
9. Compliant to water Code of the Philippine/Article No. 51-PD 1067 (No Permanent Structure within Easement Zone) a.) Within 3 meters in Urban Areas b.) Within 20 meter in Agricultural (A&D) Areas c.) Within 40 meters in Timberland Areas		√	One building is within the demarcated easement. The holder was advised to remove the said structure.



C. IMPROVEMENTS INTRODUCED

Type of Improvement Introduced	Approximate Value of Improvement	STATUS (Permanent or Temporary)	REMARKS
Current Year <u>2023</u>			
1. Land	NONE		
2. Buildings	NONE		
3. Infra/Machineries	NONE		
4. Plantation	NONE		
5. Other Improvements	NONE		
Previous Years ( <u>2010-2022</u> )			
1. Land	₱ 500,000	Permanent	Rip Rap and Pathway
2. Buildings	₱ 2,000,000	Permanent	
3. Infra/Machineries	₱ 1,000,000	Temporary	Solar Panels, Generator
	₱ 32,000	Permanent	Septic Tanks
4. Plantation	₱ 200,000	Permanent	Mahogany & Coconut
5. Other Improvements	NONE		

D. COMPLIANCE PURSUANCE PURSUANT TO DENR ADMINISTRATIVE ORDER NO. 2004-28

Term 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 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?	No	The area was opened to the public for a few months after the approval of their FLAgT but was closed again and up



		to this date they are not operational
14.5. In all instance, cutting of trees within the FLAgT area shall be subject to prior clearance by the DENR in accordance with existing rules and regulation. If there are cutting of trees, is prior clearance secured from DENR Secretary of his duly authorized representative?	No	No cutting of trees
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 change 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 provider for in PD 705, as amended? If so, did the proponent immediately informed the RED or his/her duly authorized representative?	No	No changes in the management ownership
14.9. The holder are willing to surrender to 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 affectivity 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 constructing 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	
14.12. Did the FLAgT holder submit the Annual Report as to its compliance to the Site Management Plan?	Yes	
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?	Yes	

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

Particulars	Amount	Official Receipt No.	Date Issued	Remarks (Indicate if updated or not)
Government Share/Rental	150,000.00	7126733-E	01/24/2023	Updated. (old rate)
Performance Bond	300,000.00	2999627-R	4/23/2010	
Forest Charges	N/A	N/A	N/A	N/A



Surcharges	N/A	N/A	N/A	N/A
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**F. Other Environmental, Social activities by the holder (e.g tree planting, coastal clean-up, gift giving etc)**

Coastal clean-up, Gardening and Planting
<i>*Nothing Follows</i>

**J. FINDINGS AND RECOMMENDATION**

<p>1. Violation of paragraph c, XXI of the FLaGT Agreement which states:  <i>“Abandonment of FLaGT area or <b>failure to utilize the same for the purpose it was granted with the prescribed period of six (6) months without justifiable cause”</b></i>  They opened to the public only for a few months but closed again up to this date. We recommend to show cause Mrs. Esperanza Butikofer why their FLaGT should not be cancelled or terminated.</p>
<p>2. In terms of their compliance with their CDMP, the proponent is compliant only with their plan on installation of Solar Panels, installation of wireless hotspots within the premises and payment of annual government share. However, they failed to implement their indicated plans in order to utilize the area for the purpose for which the FLaGT was granted.</p>
<p>3. Compliant to the terms and conditions as stipulated in the approved FLaGT except for the abovementioned violations.</p>
<i>*Nothing Follows</i>

**H. 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
LEMUEL L. BACALLA	Forest Ranger/ Patrol Sector IV DENRO CENRO ROXAS, PALAWAN	
RIZZA A. AMOGUES	Forest Technician I/ RPS Staff DENR CENRO ROXAS, PALAWAN	
MARIA ANGELICA D. DAGOT	Credit Officer/ PSU Staff DENR CENRO ROXAS, PALAWAN	
ANNJELETTE JUDE F. QUEZADA	Forest Technician II/ MES Staff DENR CENRO ROXAS, PALAWAN	

**I. ATTACHMENT/S**

(See attached photo or geo-tagged.)

SUBSCRIBED AND SWORN to before me this **March 20, 2023** at DENR CENRO Roxas, Palawan.



**PABLO L. CRUZ**  
CENRO

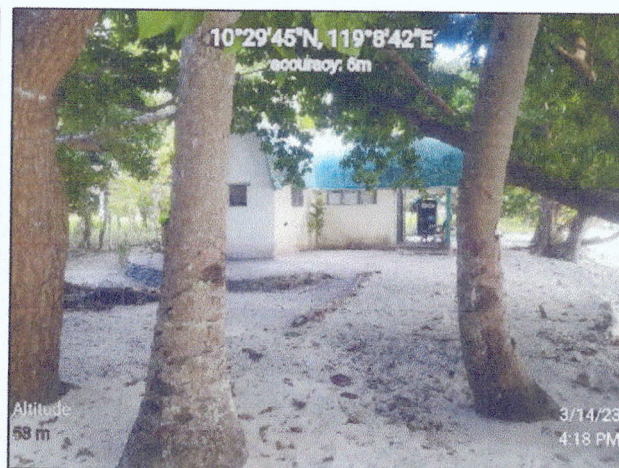
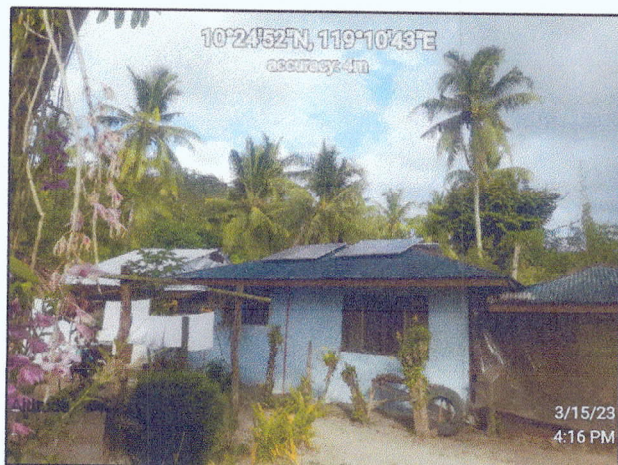
Authorized Person to Administer Oath





Republic of the Philippines  
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Contact No. 09171606578 / 09175028647  
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**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY AT  
ESPERANZA DELMO BUTIKOFER WITH FLAGT NO. 07-2010**







**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY AT  
ESPERANZA DELMO BUTIKOFER WITH FLAGT NO. 07-2010**







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**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY AT  
ESPERANZA DELMO BUTIKOFER WITH FLAGT NO. 07-2010**







**BANK OF THE  
PHILIPPINE ISLANDS**  
PUERTO PRINCESA RIZAL BRANCH  
BPI BUILDING RIZAL STREET  
PUERTO PRINCESA CITY

PESOS

PAY TO THE ORDER OF \*\*\*DENR-CENRO-ROXAS, PALAWAN\*\*\*

ACCOUNT No.  
008871-8888-18

MANAGER'S CHECK



480

CHECK No.  
0000011558

DATE JANUARY 20, 2023  
\*\*\*150,000.00\*\*\*

BSTN  
35004  
0024  
11558

I/We allow the electronic clearing of this check and hereby waive the presentation for payment of this original to Bank of the Philippine Islands

AUTHORIZED SIGNATURE(S)

Single signature authorized for amounts up to P500,000.00

AUTHORIZED SIGNATURE(S)

⑈0000011558⑈35004⑈0024⑈008871888818⑈000

Official Receipt of the Republic of the Philippines			
N <sup>o</sup> 7126733 E			
Date 1/24/2023			
Agency DENR - CENRO ROXAS, PAL.		Fund	
Payor Esperanza Delmo Butikofer			
Nature of Collection	Account Code	Amount	
Annual Govt. Share		P 150,000.-	
FLAGT No. 07-2010			
CY 2023			
TOTAL		P 150,000.-	
Amount in Words One hundred fifty thousand			
pesos only.			
<input type="checkbox"/> Cash	Drawee Bank	Number	Date
<input checked="" type="checkbox"/> Check	BPI-Rizal	11558	1/20/2023
<input type="checkbox"/> Money Order			
Received the amount stated above.			
 Collecting Officer			
NOTE: Write the number and date of this receipt on the back of check or money order received.			