



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

DENR MIMAROPA
RECORDS SECTION
RECEIVED

MAY 17 2023

☐ INCOMING ☐ OUTGOING
BY: _____ DATE: _____
TIME: _____

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 PALAWAN COVE
CORPORATION WITH FLAGT NO. 01-2012 LOCATED AT
SITIO DAPLAC, BARANGAY POBLACION, 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 23, 2023 on Forest Land Use Agreement for Tourism Purposes (FLAgT) awarded to Palawan Cove Corporation with FLAgT No. 01-2012 located at So. Daplac, Brgy. Poblacion, San Vicente, Palawan.

The proponent has paid their Annual Government Share (AGS) for CY 2023 amounting to Php900,000.00 with O.R. No. 7126842-E dated March 2, 2023.

For information and further instruction.

Copy Furnished:
CENRO Roxas, Palawan
<cenroroxaspalawan@denr.gov.ph>
KVE/MES Doc. No. 2023-3771

FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED

By: _____
Date: **04 MAY 2023** 23-1228



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

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 PALAWAN COVE
CORPORATION WITH FLAGT NO. 01-2012 LOCATED AT
SITIO DAPLAC, BARANGAY POBLACION, SAN VICENTE,
PALAWAN**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

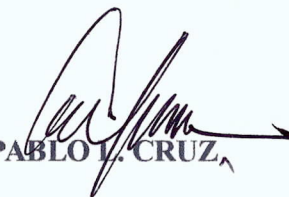
BY: 
DATE: 04/15/2023 23:3771

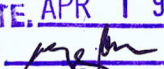
Respectfully forwarded is the report relative to the above subject.

Pleased be informed that on March 23, 2023 our Office conducted Compliance Monitoring of with FLAGT No. 01-2012 located at Sitio Daplac, Barangay Poblacion, San Vicente, Palawan

Based on the said report, the holder did not open to the public since its approval in 2012 which in violation of Paragraph c, XXI of the FLAGT agreement. Accordingly, they prioritize the reforestation and coral rehabilitation of the area. However, we still recommend to send a show cause order to the proponent as to why no sanction shall be instituted against them.

For record and further instruction.


PABLO L. CRUZ,

**DENR-CENRO ROXAS
RELEASED**
DATE: APR 19 2023
BY: 
DOC. NO. 2023-04-0604



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

March 27, 2023

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer

FROM : The Compliance Monitoring Team
Roxas, Palawan

SUBJECT : **COMPLIANCE MONITORING ON PALAWAN COVE CORPORATION WITH FLAGT NO. 01-2012 LOCATED AT SO. DAPLAC, BOAYAN ISLAND, BARANGAY POBLACION, SAN VICENTE, PALAWAN**



Please be informed that on March 23, 2023 the undersigned team together with Forest Protection Officer Jerick Ron M. Seño conducted Compliance Monitoring of FLAgT No. 01-2012 awarded to Palawan Cove Corporation located at So. Daplac, Boayan Island, Barangay Poblacion, 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 did not open to the public since the approval of their FLAgT on February 27, 2012. We recommend to show cause Palawan Cove Corporation why their FLAgT should not be cancelled or terminated.

2. Based on the interview with Mr. William Espina, they prioritized the rehabilitation of the area especially on reforestation and coral rehabilitation as part of preparation before opening to the public. Their efforts have undoubtedly succeeded as their forested area have improved significantly as well as their marine ecosystem that is undeniable rich and diverse.

There is also available materials for construction of glamping tent with approved necessary permits awaiting for construction.

It is recommended that the Palawan Cove Corporation should update their CDMP accordingly.



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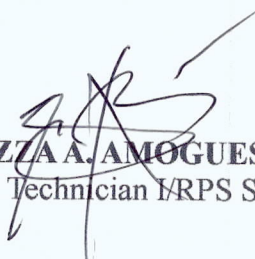
3. Lastly, they are compliant to other conditions stipulated in the contract except to the above mentioned violations.

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

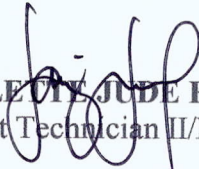
For information and record.


MERMA J. SADDIN
Forest Ranger/MES Staff


JETER E. MANLIGUEZ
Forest Ranger/ Patrol Sector III


RIZZA A. AMOGUES
Forest Technician I/RPS Staff


MARIA ANGELICA D. DAGOT
Credit Officer/PSU Staff


ANNJELE D. JUDE F. QUEZADA
Forest Technician II/MES Staff

COMPLIANCE MONITORING SHEET FOR FORESTRY TENURE (FLAgT)

Monitoring Date: March 23, 2023	Monitoring Time: 11:00 A.M.
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A. BASIC INFORMATION:

Name of Company: Palawan Cove Corporation	
Location of Area (Sitio, Bgy., Mun.) So. Daplac, Boayan Island, Barangay Poblacion, San Vicente, Palawan	Area in Sq. Meter: 240,000
Business Address: (email, messenger acct. & contact number) m_yobib@yahoo.com / 09178164886	
Amount of Annual Government Share: ₱ 900,000.00	Date Paid/OR No.: March 02, 2023 (O.R. No. 7126842-E)
Year of last revaluation (Per Section 16 DAO 2002-28): None	
Nature of Land-use (Per Section 4 of DAO 2004-28): Tourism Purposes	
Tenure Instrument Number: FLAgT NO. 01-2012	Date of Issuance: February 27, 2012
Kind of Tenure Instrument: Forest Land Use Agreement for Tourism	Expire Date: February 27, 2037
Contact Person/Designation: William Espina/ Liason Officer	
Name of Pollution Control Officer (PCO): None	
PCO Accreditation No.: N/A	Effectivity: N/A
Contact No.: N/A	Email: N/A

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
1. Compliant to ECC-PD 1586, Philippine Environmental Impact Assessment/DAO 2003-30	√		
2. Compliant to RA 6969, Toxic and Hazardous Waste Act of 1999/DAO 1992-29	√		Not Yet Operational
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			Not Yet Operational
5. Compliant to RA 9275-Clean Water Act of 2004/DAO 2003-10			Not Yet Operational
6. Compliant to PD 705, Forestry Reform Code of the Philippines	√		
7. 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		√	The holder was already informed. The holder stated that the Guesthouse is temporary and will be removed according to Site Development Plan. Furthermore, the said structure was damaged by Typhoon Odette.

C. IMPROVEMENTS INTRODUCED

Type of Improvement Introduced	Approximate Value of Improvement	STATUS (Permanent or Temporary)	REMARKS
Current Year <u>2023</u>			
1. Land	0.00		No improvements made.
2. Buildings	0.00		No improvements made.
3. Infra/Machineries	0.00		No improvements made.
4. Plantation	0.00		No improvements made.
5. Other Improvements	0.00		No improvements made.
Previous Years (<u>2012-2022</u>)			
1. Land			
2. Buildings	Php 1,195,000.00	Permanent and Temporary	The Main House and Guesthouse is permanent, (subject for demolition since it was damaged by the Typhoon Odette and is within the 40 meter easement zone) the rest are temporary.
3. Infra/Machineries	Php 62,500.00	Temporary	Solar and Generator set with Batteries
4. Plantation	Php 300,000.00	Annual and Perennial	Vetiver, Cashew, Mahogany, Narra and Ipil Plantation
5. Other Improvements			

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 is not open to the public.
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	No	No cutting of trees.

regulation. If there are cutting of trees, is prior clearance secured from DENR Secretary of his duly authorized representative?		
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.)?		Not yet operational
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	There is no change of 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	Php 900,000.00	7126842-E	03/02/2023	Updated
Performance Bond	Php 1,800,000.00	7776405 V	05/12/2012	Updated
Forest Charges	N/A	N/A	N/A	N/A
Surcharges	N/A	N/A	N/A	N/A

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

Reforestation thru tree planting activity (continuous).
Coral Rehabilitation (continuous).
Local employment.
Protection of marine biodiversity.

J. FINDINGS AND RECOMMENDATION

- 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"
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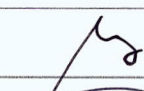
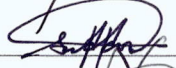
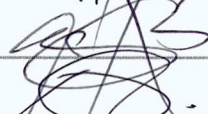
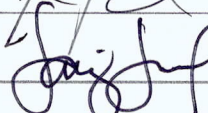
There is also available materials for construction of glamping tent with approved necessary permits awaiting for construction.

It is recommended that the Palawan Cove Corporation should update their CDMP accordingly.

3. Compliant to the terms and conditions as stipulated in the approved FLAgT except for the abovementioned violations.

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
JETER MANLIGUEZ	Forest Ranger/Patrol Sector Representative DENR CENRO ROXAS, PALAWAN	
MERMA J. SADDIN	Forest Ranger/MES Staff DENR CENRO ROXAS, PALAWAN	
RIZZA AMOGUEZ	Forest Technician I/ RPS Staff DENR CENRO ROXAS, PALAWAN	
MARIA ANGELICA B. DELA PEÑA	Credit Officer/ PSU Staff DENR CENRO ROXAS, PALAWAN	
ANNJELETTE JUDE F. QUEZADA	Forest Technician II/MES Staff DENRO CENRO ROXAS, PALAWAN	

I. ATTACHMENT/S

(See attached photo or geo-tagged)

SUBSCRIBED AND SWORN to before me this March 27, 2023 at DENR CENRO Roxas, Palawan.

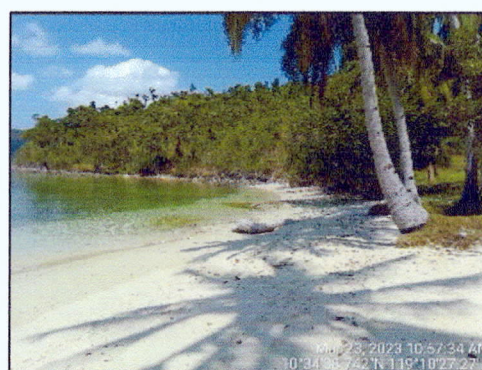
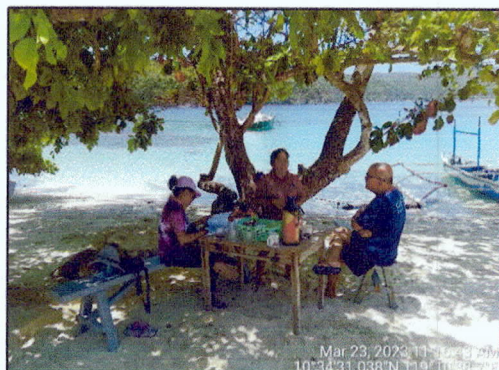

PABLO L. CRUZ
CENRO

Authorized Person to Administer Oath



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
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**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY
AT PALAWAN COVE CORPORATION WITH FLAGT NO. 01-2012**





Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
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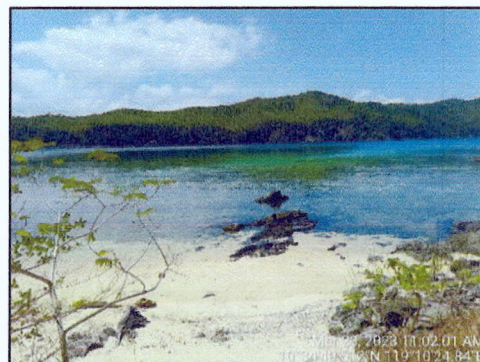
**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY
AT PALAWAN COVE CORPORATION WITH FLAGT NO. 01-2012**





Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
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**PHOTO DOCUMENTATION ON THE COMPLIANCE MONITORING ACTIVITY
AT PALAWAN COVE CORPORATION WITH FLAGT NO. 01-2012**





Official Receipt
of the
Republic of the Philippines

Nº 7126842 E

Date 4/2/2003

Agency DENR - Bureau of Forest Management

Fund

Payor DENR - Bureau of Forest Management

Nature of Collection	Account Code	Amount
Account Govt. Serv.		P 900,000.-
Trans. by DL 2003		
CA 2003		
TOTAL		P 900,000.-

Amount in Words Nine hundred thousand

☐ Cash

Drawee
Bank

Number

Date

☐ Check

☐ 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.