

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



May 5, 2023

MEMORANDUM

FOR

The Undersecretary

Field Operations for Luzon and Visayas and Environment

THRU

The Regional Executive Director DENR – MIMAROPA Region Roxas Boulevard, Barangay 668,

Ermita, Manila

FROM

The Provincial Environment and

Natural Resources Officer

SUBJECT

REQUEST FOR LAND COVER OF THE AREA WITHIN NCIP

ISSUED CERTIFICATE OF ANCESTRAL LAND TITLE (CALT)

NO. RO4-ELN-1222-000313 OF DALISAM-GOMEZ FAMILY

Forwarded is the Memorandum dated April 28, 2023 from CENRO – Taytay, Palawan submitting the report of LMO III David F. Dalino relative to the above-cited subject.

Report disclosed that Emmanuel Bero is a holder of Free Patent Application No. 045312-1024 applied on April 2, 2008 covering Lot No. 870, Cad 1037-D, surveyed as mangrove consisting of 332,701 square meters situated at Sitio Kawa-kawa, Barangay Corong-corong, El Nido, Palawan. However, there are no records showing that patent covering the aforesaid lot has been issued in favor of the Emmanuel Bero.

Moreover, an existing case folder was found showing that Lot No. 870, Cad 1037-D is also covered by a claims and conflict case involving Israel Gomez versus Roy Bero. The case remains pending and unresolved.

Further, an Environmental Compliance Certificate (ECC) No. R4B-1803-0002 has been granted to Mr. Israel Gomez for Villa Israel Eco-Park Project located in Barangay Corongcorong, El Nido, Palawan on March 10, 2018 by the EMB MIMAROPA OIC-Regional Director Maria Socorro A. Abu.

For information, record and further instruction.

For the PENR Officer:

OIC-Chief, Technical Services Division

In-Charge, Office of the PENRO

TSD/File *kkva Doc. Ref. No. 2023-3928

PENRO-RECORDS

RELEAS ED

By 123-1253



2023-1619 Request for the land cover of the area within NCIP issued Certificate of Ancestral Land Title (CALT) No. RO4-ELN-1222-000313 of Dalisam Gomez Family

R4B CENRO Taytay <cenrotaytay@denr.gov.ph> To: R4B PENRO Palawan <penropalawan@denr.gov.ph> Tue, May 2, 2023 at 9:50 AM

URGENT FOR PENRO ZALDY. SIT, ITO PO ANG DOCS NA ITINAWAG NINYO, CONSISTING THE REPORTO OF LMO III DALINO, ENDO MEMO OF CENRO CONRAD, AND THE ECC ISSUEDTO VILL ISRAEL ECO-PARK. HINDI PA PO NAMIN NAIPADALA DIRECT TO USEC CUNA AS WE WAIT FOR HIS EMAIL ADDRESS. THANK YOU SIR!

2023-1619 Request for the land cover of the area within NCIP issued Certificate of Ancestral Land Title (CALT) No. 🔁 RO4-ELN-1222-000313 of Dalisam Gomez Family.pdf 9039K

DENR PENRO PALAWAN RECORDS





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: 0917-501-0503 GLOBE 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

April 28, 2023

MEMORANDUM

FOR

The Provincial Environment and

Natural Resources Officer

Puerto Princesa City

FROM

The Community Environment and

Natural Resources Officer

SUBJECT

REQUEST FOR THE LAND COVER OF THE AREA WITHIN

NCIP ISSUED CERTIFICATE OF ANCESTRAL LAND TITLE (CALT) NO. RO4-ELN-1222-000313) OF DALISAM-GOMEZ

FAMILY

This is in compliance with your verbal instruction regarding the annotated instruction on the copy of Memorandum dated April 4, 2023 of USEC for Operations for Luzon and Visayas and Environment, Atty. Juan Miguel T. Cuna CESO I for the Hon. DENR Secretary on the basis of the result of our Memorandum dated April 3, 2023 in relation to the above subject.

Hereunder the details of the Bero patent application, divulging information based on existing records are hereby stated as follows:

- That a certain Emmanuel Bero has applied to this office dated April 2, 2008 for a Free Patent Application bearing No. 045312-1024 covering Lot No. 870, Cad 1037-D, surveyed for mangroves consisting of 332,701 square meters situated at So. Kawakawa, Bgy. Corong-corong, El Nido, Palawan. However, no records showing that patent covering the said lot has been issued in favour of the applicant, Emmanuel Bero.
- That an existing case folder was found showing to have claims and conflict with "Gomez, Israel D. –versus- Bero, Roy" which stated August 5, 2008 involving same parcel of land identified as Lot No. 870, Cad 1037-D. The case still remains pending and unresolved.

Likewise in coordination with the EMB-Provincial Environment Management Office (PEMO), Environmental Compliance Certificate (ECC) No. R4B-1803-0002 was granted to the proponent, Mr. Israel D. Gomez for the Villa Israel Eco-Park Project located at Bgy. Corongcorong, El Nido, Palawan on March 10, 2018 by the EMB MIMAROPA OIC-Regional Director Maria Socorro A. Abu.

Attached herewith the Memorandum dated April 27, 2023 of LMO III David Dalino and copy of the above stated ECC.

For his information, record and further instruction.

PELEASED

CONRARO M. CORPUZ

DOCUMENT ACTION INFORMATION FORM

Doc.	Ref.	No.:	2023-2770	
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Date and Time received:

04/27/2023 04:02:43 PM

From: David F. Dalino

Document Type:

Memorandums

CENRO-Taytay, Palawan

Subject: Memo/re: Request for the Land Cover of the area within NCIP issued Certificate of Ancestral Land Title(CALT) No.

RO4-ELN-1222-000313 of Dalisam-Gomez Family

Attachment(s): No attachment	(s)				Earmarked As:
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Action Recommended/Require	ed:		Processing Time:		Remarks:
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Printed on 04/27/2023 4:02:50PM Received at: OFFICE OF THE CENR(Received by: ALLADO, JEANETTE

DEAR PALAWAN DOCUMENT ACTION TRACKING SYSTEM v2



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

By the National Highway, Poblacion, Taytay, Palawan 5312 Mobile: 0917-501-0503 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

April 27, 2023

MEMORANDUM

FOR

The Community Environment and

Natural Resources

FROM

Land Management Officer III

27.23 27

SUBJECT

REQUEST FOR THE LAND COVER OF THE AREA WITHIN NCIP ISSUED CERTIFICATE OF ANCESTRAL LAND TITLE (CALT) NO. RO4-ELN-1222-000313 OF DALISAM-GOMEZ

FAMILY

This has reference with your verbal instruction today to comply with the surfacing instructions annotated on the copy of the memorandum (hereto-attached) dated April 4, 2023 of USEC for Operations for Luzon and Visayas and Environment, Atty. Juan Miguel T. Cuna CESO I for the Hon. DENR Secretary on the basis of the result of your memo dated April 3, 2023 in relation to the above subject.

In compliance to thereto specific instruction on the details of the Bero patent application, divulging information based on existing records are hereby stated as follows:

- a. That a certain Emmanuel Bero has applied to this office dated April 2, 2008 for a Free Patent Application bearing No. 045312-1024, covering Lot No. 870, Cad 1037-D, surveyed as mangroves, consisting 332,701 square meters, situated at So. Kawa-kawa, Bgy. Corong-corong, El Nido, Palawan. However, no records showing that patent covering the said lot has been issued in favor of the applicant, Emmanuel Bero.
- b. That an existing case folder was found showing to have claims and conflict with "Gomez, Israel D. -versus- Bero, Roy" which started August 5, 2008, involving same parcel of land identified as Lot No. 870, Cad 1037-D. The case still remain pending and unresolved.

With the perceived issues considering the time of which the above stated circumstances/event occurs as against the time of the recent issuance of Certificate of Ancestral Land Title dated December 22, 2022 through the filing of application dated June 1, 2012 of Israel D. Gomez can be considered lawful.

For your information and appropriate action.

DAVID F. DALINO



Republic of the Philippines Department of Environment and Natural Resources

Region IV – MIMAROPA COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

By the National Highway, Poblacion, Taytay, Palawan 5312 Mobile: 0917-501-0503 TM 0912-171-3889 TNT Email: cenrotaytay@denr.gov.ph

April 27, 2023

MEMORANDUM

FOR

The Community Environment and

Natural Resources

FROM

Land Management Officer III

SUBJECT

REQUEST FOR THE LAND COVER OF THE AREA WITHIN NCIP ISSUED CERTIFICATE OF ANCESTRAL LAND TITLE (CALT) NO. RO4-ELN-1222-000313 OF DALISAM-GOMEZ

FAMILY

This has reference with your verbal instruction today to comply with the surfacing instructions annotated on the copy of the memorandum (hereto-attached) dated April 4, 2023 of USEC for Operations for Luzon and Visayas and Environment, Atty. Juan Miguel T. Cuna CESO I for the Hon. DENR Secretary on the basis of the result of your memo dated April 3, 2023 in relation to the above subject.

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For your information and appropriate action.

DAVID F. DALINO

by the National Highway, Poblacion, Taytay, Palawan 5312 emailadd: cenrotaytaypal@yahoo.com.ph



Republic of the Philippines Department of Environment and Natural Resources

Viseyes Avenue, Diliman, Quezon City 1116 Tel Nos. 9296626 to 29 ; 9296633 to 35 Website http://www.denr.gov.ph/ Emailweb@denrgov.ph

MEMORANDUM FOR THE SECRETARY

THRU

THE UNDERSECRETARY AND CHIEF OF STAFF

FROM

THE UNDERSECRETARY

Field Operations for Luzon and Visayas and Environment

SUBJECT

REQUEST FOR THE LAND COVER OF THE AREA WITHIN NCIP ISSUED CERTIFICATE OF ANCESTRAL LAND TITLE (CALT) NO.R04-ELN-1222-000313 OF DALISAM-GOMEZ

FAMILY

DATE

APR 0 : 2023

Respectfully submitted is a copy of the memorandum of CLNRO Conrido M. Corpus of Taytay-El Nido. Palawan regarding his initial findings on the land cover status of the subject NCIP-issued CALT to Dalisam-Gomez family, containing 33 2701 hectares.

Reports show that the area of subject CALT is a mangrove area and is within the Li-

Records also show that the area of subject CALT is identical to the area of Lot 8 0. Cad 1037-D, a parcel of land covered by agricultural patent application of Emmanuel D. Be of

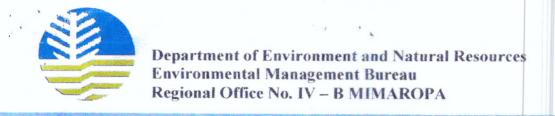
Per ground verification, an establishment named Villa Israel Eco-park owned by israel Gomez is situated in a portion of the subject property. Mr. Gomez has a pending application for Special Use Agreement for Protected Area.

Por the Monorable Secretary's information,

ou the det

ATTY

TIY JUAN MIGUEL T. CUNA. CES



ENVIRONMENTAL COMPLIANCE CERTIFICATE

(Issued under Presidential decree 1586)

ECC-R4B-1803-0002

THIS IS TO CERTIFY THAT THE PROPONENT, MR. ISRAEL D. GOMEZ, is granted this Environmental Compliance Certificate (ECC), for the VILLA ISRAEL ECO-PARK PROJECT located at So. Maremegmeg, Brgy. Corong - Corong, El Nido, Palawan by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau, Region IV- MIMAROPA.

This Certification is being issued for the Project, with the following details:

PROJECT DESCRIPTION

The ECC covers the Villa Israel Eco-park Project located at So. Maremegmeg, Brgy. Corong - Corong, El Nido, Palawan having a total land area of 45,000 square meters (4.5 Hectares {Portion of Lot 870, El Nido Cadastre 1037-D}) with a total floor area of 11, 956 square meters covered by Certificate of Ancestral Land Title (CALT) application and Tax Declaration No. 008-0493.

Project's facilities and structures enumerated to wit:

Existing:

- 1. Eighteen (18) Units of Mangrove Villas (Cottages Native Materials)
- 2. One (1) Unit Restaurant
- 3. One (1) Lobby/Reception Area
- 4. Office Building
- 5. Ecological Trail/Road
- 6. Parking Area
- 7. Washing/Changing Area
- 8. Drainage System
- 9. Two (2) Units Public Washrooms/Toilets

Additional:

- 1. Two (2) Units of Six (6) Storey Building (14-Rooms / floor)
- 2. Two (2) Units Swimming Pool
- 3. Commercial Strip
- 4. Solid Waste Management Facility/MRF
- 5. Waste Water Treatment Facility

The project shall operate and maintain its facilities and amenities as contained in the previously submitted EIA Documents and Environmental Performance Report and Management Plan (EPRMP).

This certification is issued in compliance to the requirements of Presidential Decree No. 1586, in accordance to DENR Administrative Order No. 2003-30. The Bureau, however, is not precluded from reevaluating, adding, removing, and correcting any deficiencies or errors that may be found after issuance of this Certificate.

This is to certify, further, that in issuing this CERTIFICATE, it should be understood that the same is a PLANNING TOOL and NOT A PERMIT. It is expected that the proponent will diligently secure pertinent PERMITS/CLEARANCES from all concerned government agencies prior to the start/implementation of the Project. Furthermore, the DENR/EMB will be monitoring the Project periodically to ensure compliance with the stipulations cited in the attached conditions and restrictions which are made as integral part of this ECC.

Issued at EMB MIMAROPA Region this PAP 20 2018

Recommending Approval:

Approved:

BUENA FE A. RIOFLORIDO

Chief, Clearance & Permitting Division

MARIA SOCORRO A. ABU

OIC, Regional Director

SWORN STATEMENT OF OWNER/PROPONENT

I, ISRAEL D. GOMEZ, representative of the Villa Israel Eco-park Project located at So. Maremegmeg, Brgy. Corong - Corong, El Nido, Palawan takes full responsibility in complying with all conditions contained in this Environmental Compliance Certificate (ECC)

ISRAEL D. SOMEZ
Proponent Representative

Subscribed and sworn before me this _______, the above-named affiant taking oath presenting _______ at ______

Page No. 13, Book No. 4 Series of 2018 Notary Public

ATTY, PRIMEND C LAUGAS

MOTARY PUBLIC

FOR THE CITY OF PUENTO PRINCES A

AND IN THE PROVINCE OF PALAWAY

COMM. REG. NO. NPL # 2017-35

1/0/ID UNTIL DEC 31, 2016

PTR NO. 4550623. 3/15017

ISP NO. 1067728. 3/15017

MCLE FXEMPT GOVERNING

REARD GLOER NO. 1 SERIES OF 2000

I. CONDITIONS

ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures and monitoring requirements, contained in Environmental Performance Report and Management Plan (EPRMP) for the Villa Israel Ecopark Project, particularly in the Environmental Management Plan/ Environmental Monitoring Plan, including any modifications and/or additional information as approved by the EMB, shall be instituted to minimize any adverse impact of the project to the environment throughout its implementation, which shall include among others to wit:

- 1. That the proponent shall ensure that the project implementation shall **NOT START** unless all required/clearances from the concerned government agencies are secured. EMB shall be advised when all the permits/clearances are secured and when will be the actual date of project implementation;
- That the proponent shall establish green buffer zones and tree planting within and along the periphery of the project site to help attenuate noise levels, abate heat and absorb some pollutant emissions;
- 3. That the proponent shall establish a reforestation and carbon sink program using endemic/indigenous species to mitigate greenhouse gas (GHG) emissions of the project in line with the DENR's thrust for GHG emissions reduction programs and National Greening Program. The program shall be submitted to EMB-4B (MIMAROPA Region) six (6) months prior to the project implementation;
- 4. That the proponent shall strictly manage all external, traffic problems, excessive surface runoff, dust, soil erosion, accidental spillage and health hazards identified in the Environmental Performance Report and Management Plan (EPRMP) and, in case of emergency episodes, appropriate response activities shall be immediately undertaken for the protection of the workers/ personnel, host and nearby communities and the receiving environment;
- 5. That the proponent shall conduct an effective Information, Education and Communication (IEC) Program to inform and educate all stakeholders, especially its contractors, workers, and local residents about the mitigating measures embodied in its EPRMP, the conditions stipulated in this Certificate and the environmental and human safety features of the project for greater awareness, understanding and sustained acceptance of the project. The program shall be submitted to EMB-4B (MIMAROPA Region) on an annual basis;
- That the solid waste management scheme as provided in the Environmental Management Plan (EMP) shall be continuously implemented from the start of the project operation;
- 7. That preservation and easement retention of natural drainage/waterways shall be undertaken and should conform with the provisions of the DENR Administrative Order No. 97-05 (Procedures in the Retention of Areas within certain distances along the Banks of Rivers, Streams, and Shores of Seas, Lakes and Oceans for Environmental Protection). If disturbed, rehabilitation measures of the damaged drainage system shall be immediately implemented.
- 8. The proponent shall Install adequate and properly maintain effective Water Pollution Control Facility, to ensure maximum efficiency at all times in order to conform to the prescribed DENR standards;

GENERAL CONDITIONS

Further administrative conditions for the grant of this Certificate shall be strictly complied:

- 10. That the proponent shall religiously comply with the applicable provisions of P.D. 1586 (Philippine Environmental Impact Statement System), R.A. 9275 (Philippine Clean Water Act of 2004), R.A. 9003 (Ecological and Solid Waste Management Act of 2000), R.A. 6969 (Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990) and R.A. 8749 (Philippine Clean Air Act of 1999) and the Sanitation Code of the Philippines (P.D. 856);
- 11. That the proponent shall set-up a competent Environmental Unit (EU) with a Pollution Control Officer, within sixty (60) days from issuance of this Certificate and shall be duly accredited by this Office in accordance with DAO No. 02, series of 2014 (Revised Guidelines for Pollution Officer Accreditation). The Environmental Unit (EU) shall competently handle the environment-related aspects of the project. In addition to the monitoring requirements as specified in the Environmental Management Plan/Environmental Monitoring Plan, the EU shall have the following responsibilities:
 - Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the Environmental Performance Report and Management Plan (EPRMP);
 - 11.2 Recommend revisions to the EMP/EMoP, whenever necessary subject to the approval of EMB-4B (MIMAROPA Region);
 - Ensure that data gathered during monitoring activities are properly documented, assessed, evaluated and reported to EMB-4B (MIMAROPA Region) in accordance with the standard formats;
 - Ensure that monitoring and submissions of reports to EMB-4B (MIMAROPA Region) are carried out as required;
 - 11.5 Regular submission of a semi-annual ECC Compliance Monitoring Report (on or before January 15 and July 15 of each year the project is operational) provided with supporting documents and in accordance with the prescribed format stipulated in the Implementing Rules and Regulations of P.D. 1586;
 - Submit a quarterly monitoring report using the prescribed format of the Self-Monitoring Report (SMR) pursuant to DAO 2003-27;
 - 11.7 Submit an Abandonment Plan two (2) months prior to the abandonment activities. It shall include rehabilitation measures/clean-up, costs, remediation of areas possibly contaminated with toxic/hazardous substances and presentation of options on proposed alternative projects in the area;
- 12. That health and sanitation practices shall be observed in all phases of the project and safety & personal protection equipment/devices shall always employees/workers within the premises of the project site to prevent health and occupational hazards;
- 13. That a billboard containing this message: "Notice to the Public, This Villa Israel Ecopark Project of ISRAEL D. GOMEZ has been issued an Environmental Compliance Certificate (ECC R4B 1803 0002) by the Department of Environment and Natural Resources Environmental Management Bureau MIMAROPA Region on MAR 22 2018," shall be installed at all entry and exit points and in the perimeter of the project site facing the road to inform the general public within thirty (30) days from receipt of the ECC;

15. That any authorized DENR-EMB personnel, with proper identification card and travel/mission order, shall be allowed unconditional access to conduct an on-the-spot inspection and monitoring to the project without the need for prior notice to the proponent to oversee compliance to the ECC.

II. RESTRICTIONS

- 1. That no other activities should be undertaken other than what was stipulated in the Environmental Performance Report and Management Plan (EPRMP). Should there be an expansion of the project beyond the project description, construction of other structures beyond those stated in the Environmental Performance Report and (EPRMP); or any change in the activity or location, shall be made subject to a new Environmental Impact Assessment (EIA) requirements;
- 2. That all appropriate construction, operational and resource-use permits/clearances from other national and local government agencies concerned (i.e. PMRB, PNP, LGUs, DPWH, DOH, NWRB, HLURB, MGB, DA, DAR, DOLE, DTI, etc.) shall be secured pertaining to the implementation of the project. Likewise, the proponent shall notify this Office of the reckoning date of project operation;
- 3. That in case of transfer of ownership/management of this project, these same conditions and restrictions shall apply and the transferee shall be required to notify this Office concerned within fifteen (15) days as regards to the transfer of ownership/management;
- 4. That the proponent shall plant an equivalent area of the project with appropriate tree species and shall coordinate with PENRO/CENRO concerned for area identification within thirty (30) days prior to project implementation. And status of compliance shall be included in the semi-annual submission of CMR; and
- 5. That the proponent (ISRAEL D. GOMEZ) shall be accountable for and failure to state material information in the submitted documents.

The conditions stipulated in this Certificate shall be deemed final within fifteen (15) days from receipt hereof and all conditions and restrictions set forth above shall be complied with by the herein grantee. This ECC is deemed expired if not implemented within five (5) years from the date of issuance and the proponent shall have to apply for a new ECC if it intends to pursue the project.

Non-compliance with any of the provisions of this certificate shall be a sufficient cause for the cancellation or suspension of this certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (PhP50,000.00) for every violation thereof.

PROJECT ASSESSMENT PLANNING TOOL

For the assistance of the Proponent and the Government agencies concerned in the management of the Project and for better coordination in mitigation of the impacts of the Project on its surrounding areas and the environment, and by way of recommendation, forwarding these recommendations to the parties and authorities concerned for appropriate action.

Regulatory Conditions			
The proponent shall comply with, but not limited to the following:			
1.1 P.D. 856 or the Sanitation Code of the Philippines;1.2 P.D. 442 or the Labor Code of the Philippines including occupational health and safety;			
1.3 R.A. 6541 or the National Building Code of the Philippines including adequate storm drainage system and other flood control measures and compliance to the Fire Safety and Emergency	Municipal Planning & Dev`t. Office/Building Official/BFP/LGU Concerned		
Preparedness; 1.4 P.D. 705 & DAO 97-05; and 1.5 DAO 2007-17 (Rules and Regulations	DENR Agency concerned		
Governing Special Uses within Protected Areas)	DENR Agency concerned		
Environmental Planning Recommendations for the Proponent			
 Close monitoring of the project should be undertaken by the proponent to maintain a high level of safety and efficiency at all phases of the project and to immediately address any environmental hazard that may take place. 	Proponent		

For dissemination and proper action of the parties concerned.

BUENA FE A. RIOF LORIDO Chief, Clearance and Permitting Division and OIC, EIA Section

in Concurrent Capacity

MARIA SOCORRO A. ABU OIC, Regional Director