



October 29, 2021

MEMORANDUM

FOR : The Regional Director
EMB MIMAROPA

FROM : Inspection Team

SUBJECT : **INVESTIGATION REPORT REGARDING THE COMPLAINT
RECEIVED FROM MR. JOEL CARVAJAL THROUGH SOCIAL
MEDIA PLATFORM**

In compliance with the directive from the Regional Director dated 27 October 2021, respectfully submitted is the investigation report on the complaint by Mr. Joel Carvajal posted via comments section in the Official Facebook Page of EMB MIMAROPA on 22 October 2021.

The nature of the complaint is relative to the cutting of coconut trees along the beach area of White Beach, San Isidro, Puerto Galera, Oriental Mindoro. On 28 October 2021, PEMU-Oriental Mindoro headed by Chief Ederlita U. Labre, together with EMS II Adz Hazen M. Dimapilis, proceeded to the area to conduct an investigation in coordination with MENRO-Puerto Galera.

Investigation revealed the following findings and observations at the area:

1. The cutting of coconut trees along the coastal area of White Beach, San Isidro, Puerto Galera was done on 22 October 2021 located at 13°30'17" N and 120°54'7" E under the WGS 1984 Geographic Coordinate System.
2. According to MENRO Staff Nimfa R. Emam, the said activity was part of the Construction of Sewerage and Wastewater Facility and Boardwalk funded by the Department of Tourism/Tourism Infrastructure and Enterprise Zone Authority (TIEZA). She added that the cutting of coconut trees has a Permit to Cut Coconut Trees issued by the Philippine Coconut Authority on 19 February 2021 (*See attached document*). The said project was under Marcbilt Construction Inc./Efren Ramirez Construction and General Services Corp., a contractor of DPWH Region IV-B.
3. Based on the issued permit, there was a total of seventy-four (74) coconut trees to be cut at the area. Meanwhile, the contractor did not conduct information dissemination to the residents, prompting questions on the nature of the activity from individuals including Mr. Carvajal.
4. A pending application for Environmental Compliance Certificate (ECC) was applied to this Office.

5. Accordingly, a Notice of Violation (NOV) was already issued to the project dated 28 October 2021 for implementing without securing first an ECC (*See attached document*).

Attached are copy of Permit to Cut Coconut Trees, received copy of NOV, and geo-tagged photos during the conduct of investigation.

For information, record, and further instruction/s.

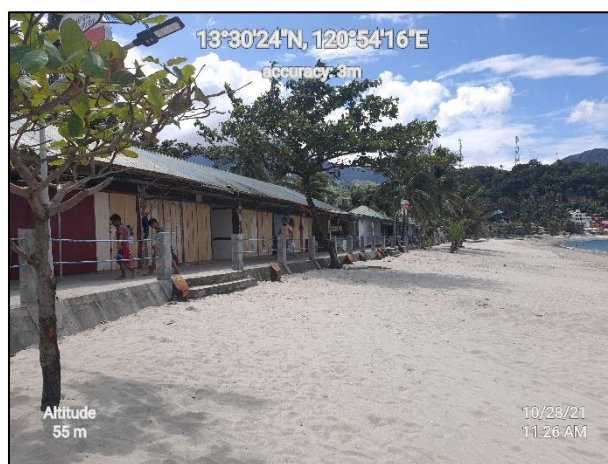

EDERLITA U. LABRE


ADZ HAZEN M. DIMAPILIS



IIS No. R4B-2021-013901

Conduct Of Investigation on the cutting of coconut trees at the beach area of White Beach, San Isidro, Puerto Galera, Oriental Mindoro on October 28, 2021



The Philippine Coconut Authority
Province of **ORIENTAL MINDORO**

PERMIT TO CUT COCONUT TREES

PTC NO. 15604

Date Issued: **FEBRUARY 19, 2021**

In reference to letter Application No. 57007 dated **FEBRUARY 16, 2021** permit is hereby granted **MUNICIPALITY OF PUERTO GALERA** of **POBLACION, PUERTO GALERA, ORIENTAL MINDORO**
(Name of Applicant) (Address)

after submitting all supporting documents required and in view of the favourable findings/recommendations of _____ details of which are as follows:

(Name of Agriculturist)

No. of trees approved for cutting : **74**
Ground for issuance of PTC : **NO LONGER ECONOMICALLY PRODUCTIVE**
Estimated volume (in bd. ft) : **11.100**
Area/Locality : **SAN ISIDRO, PUERTO GALERA, ORIENTAL MINDORO**
Official receipt no. : **4530476**
Amount and Date paid : **P 11,600.00 FEBRUARY 16, 2021**

If ground for cutting is for conversion : **N/A**
DAR Conversion Order No. : _____ Dated : **N/A**

This PERMIT is issued in accordance with the provisions of RA 8048 as amended and its Implementing Rules and Regulations promulgated by the Philippine Coconut Authority (PCA). Any violation or non-compliance with these established rules and regulations shall be ground for cancellation of this Permit and prosecution of violators by appropriate court.

This PERMIT is valid **FEBRUARY 24, 2021** (**5** days) from the date of issue and must
(Period of Effectivity)

bear the official dry seal of the Authority. Any alterations or erasures will render this Permit invalid. Photocopies are not acceptable unless validated by PCA officials concerned.

Recommending approval:

Signature over printed name/designation
(RA 8048 Focal Person/Regular Agriculturist/DC/RM)

Approved: **ENGR. CELSO F. MALIWANAG**

Signature over printed name/designation
(DC/RM/Administrator)
(PCA Official dry seal)

cc: (certified true copies)

- ☐ Barangay Chairman
- ☐ CFO
- ☐ LCIDC
- ☐ Municipal Treasurer
- ☐ MARO
- ☐ Tenant (if applicable)

Original copies:

- Original - white - applicant (To be attached to Transport Permit)
- Duplicate original - blue - Region
- Duplicate original - pink - Province
- Duplicate original - yellow - Central office

Note: This Permit to Cut Coconut Trees is issued and filed at the PCA Provincial/Regional/Central offices. Original copy/duplicate of this document shall be presented to PCA/deputized law enforcement personnel during inspection.



Republic of the Philippines
PHILIPPINE COCONUT AUTHORITY
PCA - CALAPAN
(Provincial Office/Municipal Stations)

PCA FORM NO. AF-8048
Revised September 1996

APPLICATION FOR PERMIT TO CUT COCONUT TREES

NAME OF APPLICANT <u>Municipality of Puerto Galera</u>		STATUS	APPLICATION NUMBER <u>004 57007</u>
ADDRESS <u>Puerto Galera, Oriental Mindoro</u>		AGE	DATE OF FILING <u>February 16, 2021</u>
<input type="checkbox"/> LAND OWNER <input type="checkbox"/> OWNER OF LAND/PROPERTY THAT IS ENDANGERED BY COCONUT TREES IN ADJACENT LAND/FARM			
<input type="checkbox"/> DULY AUTHORIZED REPRESENTATIVE Applicant is my duly authorized representative per attached Special Power of Attorney. PRINTED NAME & SIGNATURE OF LANDOWNER		<input type="checkbox"/> TENANT/ TILLER/ FARMWORKER Authority is hereby given to the applicant per attached Special Power of Attorney PRINTED NAME & SIGNATURE OF LANDOWNER	
LOCATION (Sitio, Barangay, Municipality, Province) <u>Purok 2, Barangay San Isidro, Puerto Galera, Oriental Mindoro</u>		PROOF OF LAND OWNERSHIP SUBMITTED: (certified true copy of any of these) <input type="checkbox"/> Certificate of Title <input type="checkbox"/> Tenancy/Leasehold Agreement <input checked="" type="checkbox"/> Tax Declaration <input type="checkbox"/> Transfer Certificate from DAR <input type="checkbox"/> Notarized Deed of Conveyance / Mortgage <input type="checkbox"/> Deed of Sale <input type="checkbox"/> Others (specify) _____	
TOTAL COCONUT LAND AREA APPLIED FOR CUTTING <u>(74) 1.14</u>	NO. OF COCONUT TREES APPLIED FOR CUTTING <u>74</u>		
REASON FOR CUTTING <input type="checkbox"/> The tree is sixty (60) years old. <input type="checkbox"/> The tree is no longer economically productive. <input type="checkbox"/> The tree is disease infested. <input type="checkbox"/> The tree is damaged by typhoon or lightning. <input type="checkbox"/> The agricultural land devoted to coconut production shall have been converted in accordance with law into residential, commercial or industrial areas. <input type="checkbox"/> The land devoted to coconut production shall be converted into other agricultural uses or other agricultural-related activities in pursuance to a conversion duly applied for by the owner and approved by the proper authorities. <input type="checkbox"/> The tree would cause hazard to life and property.		IDENTIFICATION DOCUMENT ATTACHED: (xerox copy of any of these) <input type="checkbox"/> Community/Residence Certificate <input type="checkbox"/> Voter's I.D. <input type="checkbox"/> Drivers License <input type="checkbox"/> Barangay I.D. / Certificate <input checked="" type="checkbox"/> Others (specify) <u>PASSPORT</u>	
DATE RECEIVED: <u>02/17/2021</u>		I hereby certify to the best of my knowledge that the information stated herein are true and correct in compliance with the rules and regulations promulgated by the Philippine Coconut Authority (PCA) under the Administrative Order No. 01, Series of 1995. <u>ROCKY D. ILACAN</u> PRINTED NAME & SIGNATURE OF APPLICANT	
RECEIVED BY: <u>MARK JOSEPA G. MABINO</u>			

Note: This application for Permit to Cut Coconut Trees is issued and filed at the PCA Provincial/Regional Office.

File: a:\form disk\af8048.xls\doc



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
1515 L & S Building, Roxas Boulevard, Ermita, Manila

PRIVATE LAND TIMBER PERMIT
NO. DENR MIMAROPA REGION-2021- 023

Pursuant to P.D. 705, as amended, and existing forestry laws, rules and regulations, a **Private Land Timber Permit** is hereby granted to:

LGU OF PUERTO GALERA
REPRESENTED BY MUNICIPAL MAYOR ROCKY D. ILAGAN
Brgy. San Isidro, Puerto Galera, Oriental Mindoro

subject to the following conditions:

1. Only four (4) trees of various species inspected/verified by CENRO Socorro, Oriental Mindoro to be within TCT No. 064-2013002120 shall be authorized to be cut, as specified below:

SPECIES	NO. OF TREES INVENTORIED	GROSS VOLUME (cu.m.)	NET VOLUME (cu.m.)
Alim	1	0.06	0.04
Tibig	1	1.54	1.08
Mangga	2	1.00	0.70
TOTAL	4	2.60	1.82

2. Issues that will arise from the tree cutting should be addressed directly by the permittee;
3. The trees requested to be cut and parts thereof belong to the applicant subject to payment of forest charges for naturally grown trees. In case of the need to transport these, necessary transport documents shall be secured from the local DENR Office.
4. Prior to tree cutting operations, placard or signboard measuring 4' x 8' shall be installed in a conspicuous place within the cutting area to inform the public that the tree cutting is authorized by the DENR. Such notice of particulars shall include the name of permittee, purpose of the activity and the number of trees to be cut;
5. Consistent with Memorandum Order No. 2012-02 dated 05 November 2012 known as "Uniform Replacement Ratio for Cut or Relocated Trees", the permittee is required to replace each tree to be cut with one hundred (100) seedlings, strictly of indigenous species for naturally grown trees and fifty (50) seedlings, preferably of indigenous species for planted trees with at least one (1) meter in height to be donated by the permittee to the CENRO concerned in support to the National Greening Program (NGP) and Climate Change initiatives of the Government;
6. The tree cutting operations shall, at all times, be under the direct supervision of the PENRO Oriental Mindoro or her duly authorized representative(s).
7. The permittee shall be required to undertake measures during and after tree cutting operations to mitigate the possible impacts of the said activity to the locality and the environment; and
8. Violation of any of the terms and conditions of the permit shall be sufficient ground for the termination/cancellation of this permit, subject to due process without prejudice to the imposition of appropriate penalties pursuant to existing regulations, and one strike policy to concerned DENR official(s) and/or personnel(s).

This permit is effective on the date of issue and expires fifty (50) days from issuance hereof or as soon as the authorized number of trees had already been cut, whichever comes first.

Issued this **MAR 18 2021**, at DENR MIMAROPA Region, Roxas Boulevard, Ermita, Manila.



By the Authority of the Secretary:
Maria Lourdes G. Ferrer
MARIA LOURDES G. FERRER, CESO III
Regional Executive Director



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

March 23, 2021

LGU OF PUERTO GALERA

Represented by Municipal Mayor Rocky D. Ilagan
Brgy. San Isidro, Puerto Galera, Oriental Mindoro

Dear Hon. Mayor Ilagan,

Greetings in the name of Public Service!

This has reference to your approved **Private Land Timber Permit (PLTP No. DENR MIMAROPA REGION-2021-023)** to cut and utilize two (2) naturally grown tree species and two (2) planted tree species issued by the Regional Executive Director Maria Lourdes G. Ferrer, CESO III located in Barangay San Isidro, Puerto Galera, Oriental Mindoro for the proposed construction of a building for Sewage Treatment Facility.

Per stipulated in the permit under condition Item No. 5, you are required to replace each tree to be cut with one hundred (100) seedlings for naturally grown trees and fifty (50) seedlings for planted trees or a total of **three hundred (300) seedlings**, strictly of indigenous species (Bangkal, Katmon, Narra, etc.) of atleast one meter in height to be delivered to this Office in support to the National Greening Program (NGP) and Climate Change initiatives of the government. Also, under condition item no. 3, you are obliged to pay forest charges based on the computed volume amounting to **Php 800.00** pursuant to Republic Act (RA) No. 7161.

In this regard, you are requested to come to our Office to receive the copy.

Further, please observe and comply strictly other conditions as stated in the said permit.

Thank you very much.

Respectfully yours,


ANASTACIO A. SANTOS, RPF, MPA
OIC- CENRO

Tracking Number-RPS-2021-1176

Pasi II, Socorro, Oriental Mindoro 5207
Tel No. (043) 285 - 7068
Email: cenrosocorro@denr.gov.ph



Department of Environment and Natural Resources
Environmental Management Bureau
MIMAROPA Region



Mr. EFREN RAMIREZ
Managing Head
SAN ISIDRO SEWERAGE TREATMENT PLANT
Brgy. San Isidro, Puerto Galera, Oriental Mindoro

October 28, 2021

NOTICE OF VIOLATION

Notice is hereby served upon you for undertaking the **San Isidro Sewerage Treatment Plant** located at Brgy. San Isidro, Puerto Galera, Oriental Mindoro in violation of Section 4 of Presidential Decree No. 1586, otherwise known as the "Philippine Environmental Impact Statement System" based on report of inspection by this Office on 28 May 2021.

ACT CONSTITUTING VIOLATION

Findings	Governing Law, Rules and Regulations
Constructing/Operating a domestic wastewater treatment plant of more than 3,000 m ³ without securing an Environmental Compliance Certificate (ECC). EMB MC 2014-005 provides that domestic wastewater treatment facility, including septage treatment facility, with a capacity of equal or greater than 30 m ³ should secure an ECC prior to implementation.	Section 4 of PD 1586 states that "no person partnership or corporation shall undertake or operate any environmentally critical project or operate in an environmentally critical area without first securing an Environmental Compliance Certificate".

In view of the foregoing, Respondent is hereby directed to submit with the Environmental Management Bureau - MIMAROPA Region (EMB-MIMAROPA) satellite office, at 6th Floor, DENR by the Bay Bldg., 1515 Roxas Blvd., Ermita, Manila, a notarized position paper within **ten (10) days** upon receipt hereof, why no penalties in an amount not to exceed **FIFTY THOUSAND PESOS (P50,000.00)** should be imposed against you pursuant to Section 9 of P.D. 1586 and Section 16b, Article IV of DENR Administrative Order No. 2003-30.

Failure on your part to comply with this directive within the aforesaid period shall be considered as a waiver of your right to be heard and present evidence on your behalf. Thereafter, this Office shall decide on the matter based on the evidence on record.

The **Chief, Provincial Environmental Monitoring Unit-Oriental Mindoro** or her duly authorized representative is directed to serve this order within seventy-two (72) hours from receipt hereof. A report shall likewise be submitted to the undersigned within forty-eight (48) hours upon execution thereof stating the proceedings taken therein.

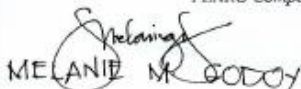

JOE AMIL M. SALINO
Regional Director

Copy furnished:

Provincial Environmental Monitoring Unit-Oriental Mindoro
PENRO Compound, Suqui, Calapan, Oriental Mindoro

R4B-2021-007096




MELANIE M. GODOY

OCTOBER 28, 2021

09369287622

godoy.melanie30@gmail.com

PENRO Compound, Brgy. Suqui, Calapan City, Oriental Mindoro
Satellite Office, 6th Floor DENR by the Bay Bldg., 1515 Roxas Blvd., Ermita, Manila
Regional Director's Office (02) 536-9786; Administrative and Finance Division Telefax No. (02) 400-5960
Environmental Monitoring and Enforcement Division (02) 521-8904; Clearance and Permitting Division Telefax. (02) 400-5960
e-mail address: embmimaropa@emb.gov.ph
website: www.mimaropa.emb.gov.ph

PENRO Compound, Brgy. Suqui, Calapan City, Oriental Mindoro
Regional Satellite Office: 6th Floor DENR by the Bay Bldg., 1515 Roxas Blvd., Ermita, Manila
Office of the Regional Director: (02) 8536 9786; Administrative and Finance Division: (02) 8536 9786
Environmental Management and Enforcement Division: (02) 8633 2587; Clearance and Permitting Division: (02) 8633 2587
Records Management Unit: (02) 8633 8900
E-mail Address: embmimaropa@emb.gov.ph
Website: www.mimaropa.emb.gov.ph



Department of Environment and Natural Resources
Environmental Management Bureau
MIMAROPA Region



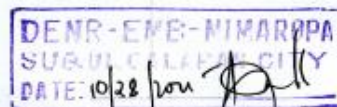
27 October 2021

MEMORANDUM

FOR : PEMU, ORIENTAL MINDORO
EMB MIMAROPA

FROM : THE REGIONAL DIRECTOR
EMB MIMAROPA REGION

SUBJECT : DIRECTIVE TO CONDUCT INVESTIGATION ON A COMPLAINT
RECEIVED FROM MR. JOEL CARVAJAL



This has reference to a complaint posted via the comments section by Mr. Joel Carvajal in our official Facebook page (EMB MIMAROPA) on 22 October 2021 at 1:23AM, relative to apparent cutting of coconut trees located at White Beach, Puerto Galera, Oriental Mindoro. A copy of the complaint is attached herewith for your ready reference.

You are hereby directed to conduct an immediate investigation on the abovementioned complaint in coordination with DENR MIMAROPA since the issue is relative to tree cutting. Please include in your report if there are other environmental laws within our jurisdiction that has been violated.

The investigation report with your recommendations shall be submitted to this Office within 48 hours from conduct of investigation.

For immediate action.


JOE AMOR M. SALINO



Digitally signed
by EMB-
MIMAROPA
REGION OFFICE
OF THE
REGIONAL
DIRECTOR
Date: 2021.10.27
16:26:10 +08'00'

Copy Furnished:

The Regional Executive Director
DENR MIMAROPA

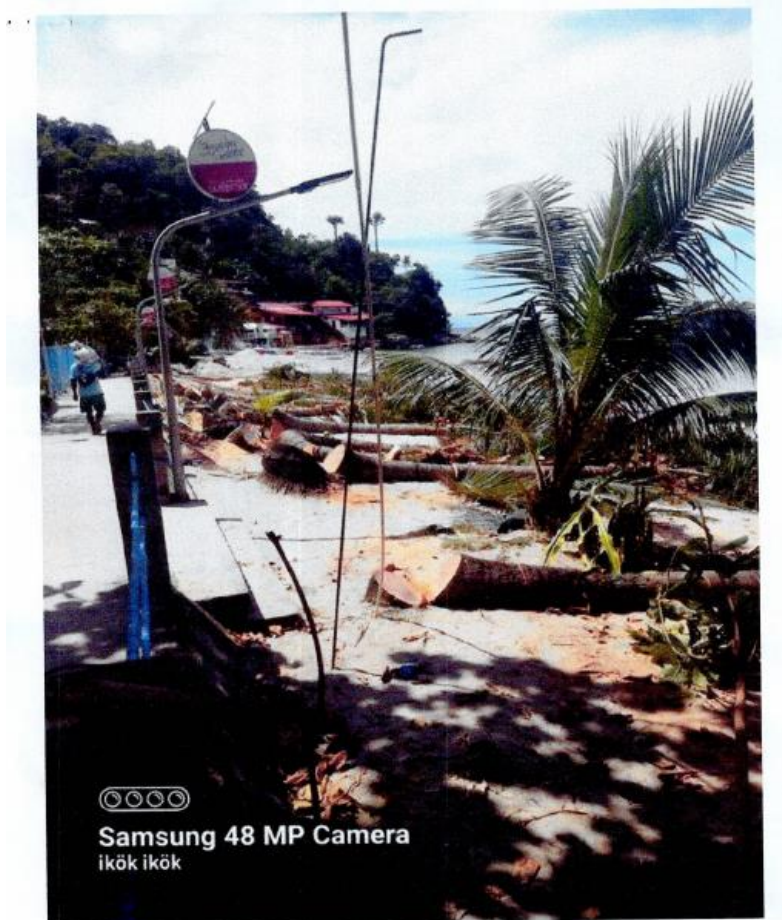
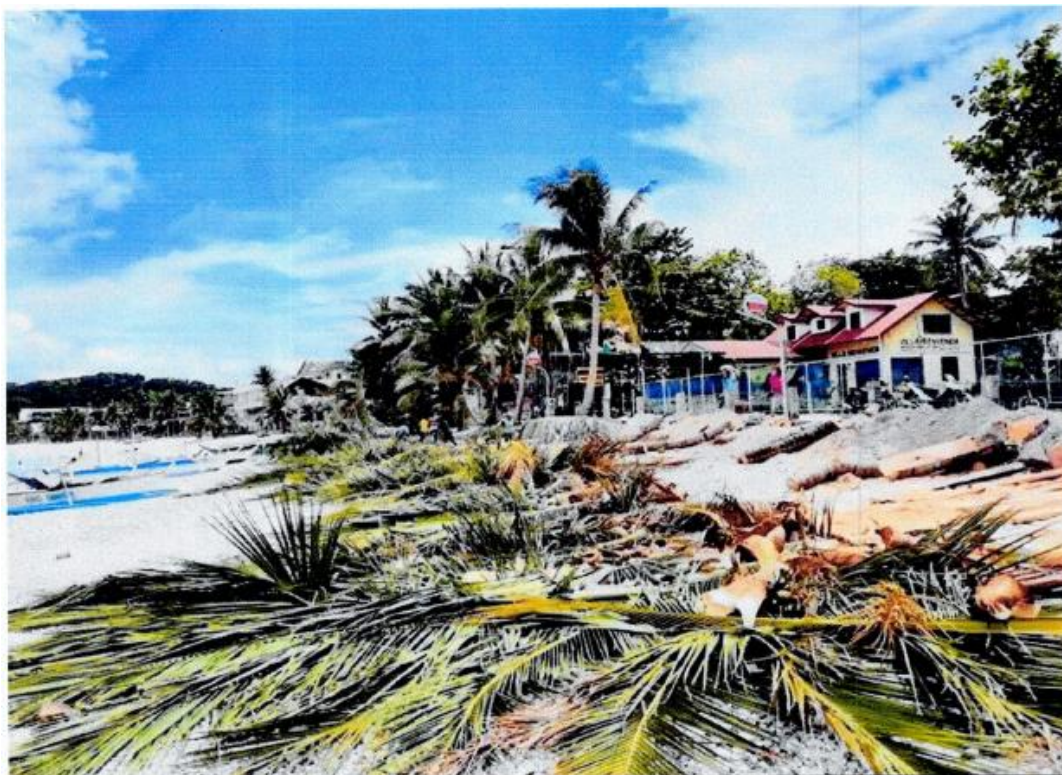


R4B-2021-013901

PENRO Compound, Brgy. Suqui, Calapan City, Oriental Mindoro
Regional Satellite Office: 6th Floor DENR by the Bay Bldg., 1515 Roxas Blvd., Ermita, Manila
Office of the Regional Director: (02) 8536 9786; Administrative and Finance Division: (02) 8536 9786
Environmental Management and Enforcement Division: (02) 8633 2587; Clearance and Permitting Division: (02) 8633 2587
Records Management Unit: (02) 8633 8900
E-mail Address: embmimaropa@emb.gov.ph

PENRO Compound, Brgy. Suqui, Calapan City, Oriental Mindoro
Regional Satellite Office: 6th Floor DENR by the Bay Bldg., 1515 Roxas Blvd., Ermita, Manila
Office of the Regional Director: (02) 8536 9786; Administrative and Finance Division: (02) 8536 9786
Environmental Management and Enforcement Division: (02) 8633 2587; Clearance and Permitting Division: (02) 8633 2587
Records Management Unit: (02) 8633 8900
E-mail Address: embmimaropa@emb.gov.ph
Website: www.mimaropa.emb.gov.ph





PENRO Compound, Brgy. Suqui, Calapan City, Oriental Mindoro
 Regional Satellite Office: 6th Floor DENR by the Bay Bldg., 1515 Roxas Blvd., Ermita, Manila
 Office of the Regional Director: (02) 8536 9786; Administrative and Finance Division: (02) 8536 9786
 Environmental Management and Enforcement Division: (02) 8633 2587; Clearance and Permitting Division: (02) 8633 2587
 Records Management Unit: (02) 8633 8900
 E-mail Address: embmimaropa@emb.gov.ph
 Website: www.mimaropa.emb.gov.ph