



Republic of the Philippines  
Department of Environment and Natural Resources  
**MINES AND GEOSCIENCES BUREAU**  
**MIMAROPA Region**

7/F DENR Building, 1515 Roxas Boulevard, Ermita, Manila  
Telefax No. (+632) 536-0215 / (+632) 310-1369  
Email: region4b@mgb.gov.ph



29 October 2021

**MEMORANDUM**

**FOR :** The Regional Executive Director  
Department of Environment and Natural Resources  
MIMAROPA Region

**FROM :** The Regional Director  
This Office

**SUBJECT :** Mountain Quarry Operation of BCT Trading Construction  
within the Busuanga Pasture Reserve

This respectfully refers to the attached 26 October 2021 Memorandum-Report of CENRO - Coron regarding the above subject.

Please be informed that this Office issued Cease and Desist Orders dated 25 January 2021 and 28 October 2021 (copies attached) to BCT Trading and Construction (BCT) for conducting quarrying operation inside the Busuanga Pasture Reserve and without any mining permit and other clearances from the Department of Environment and Natural Resources (DENR).

In this regard, this Office respectfully requests for the DENR Legal Team to act on the case against BCT pursuant to the provisions of Proclamation No. 2013-663<sup>1</sup> and Republic Act No. 7942<sup>2</sup>.

For the Regional Executive Director's consideration and further action, please.

  
**GLENN MARCELO C. NOBLE**

Enc'l: as stated

**cc:** The Director  
Forest Management Bureau  
Visayas Ave., Diliman, Quezon City

The PENRO and Concurrent Acting PMRB Chairperson  
Provincial Environment and Natural Resource Office  
Department of Environment and Natural Resources  
Sta. Monica, Puerto Princesa City, Palawan

The CENRO - Coron  
Community Environment and Natural Resource Office  
Department of Environment and Natural Resources  
Calle Nueva, Coron Town Proper, Coron

<sup>1</sup> Repealing Proclamation No. 2057 and Transferring the Administration of the Busuanga Pasture Reserve to the Forest Management Bureau (FMB) of the Department of Environment and Natural Resources

<sup>2</sup> The Philippine Mining Act of 1995

**"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT  
IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE."**





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28 October 2021

**Mr. Tederico G. Tiotangco**  
President  
BCT Trading and Construction  
Coron, Palawan

**Dear Mr. T. G. Tiotangco:**

Please be informed that on 26 October 2021, CENRO – Coron confirmed that BCT Trading and Construction (BCT) has been conducting mountain quarry operations within the Busuanga Pasture Reserve for the Airport Expansion Project, in violation of the 25 January 2021 Cease and Desist Order (CDO) issued by this Office (copy attached).

This Office reiterates the said CDO or we shall be constrained to file appropriate charges against BCT for violation of the applicable provisions of Republic Act No. 7942<sup>1</sup>.

Please be guided accordingly.

Very truly yours,

  
**GLENN MARCELO C. NOBLE**  
Regional Director

Enc'l: As stated

cf. **The Regional Executive Director**  
Department of Environment and Natural Resources  
MIMAROPA Region

**The PENRO and Concurrent Acting PMRB Chairperson**  
Provincial Environment and Natural Resource Office  
Department of Environment and Natural Resources  
Sta. Monica, Puerto Princesa City, Palawan

**The Mayor – Coron**  
Office of the Mayor  
Coron, Palawan

**The Director**  
Forest Management Bureau  
Visayas Ave., Diliman, Quezon City

**The CENRO – Coron**  
Community Environment and Natural Resource Office  
Department of Environment and Natural Resources  
Calle Nueva, Coron Town Proper, Coron

**The Regional Director**  
Department of Public Works and Highways  
MIMAROPA Region  
EDSA, Diliman, Quezon City

<sup>1</sup> The Philippine Mining Act of 1995

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Email: region4b@mgb.gov.ph



25 January 2021

**MR. TEDERICO G. TIOTANGCO**

President  
BCT Construction  
Coron, Palawan

**Dear Mr. T. G. Tiotangco:**


This refers to the Memorandum Report dated 22 January 2021 of For. Ferdinand Gatchalian, OIC CENRO-Coron, re: **"8888 CITIZENS COMPLAINT RE: FOLLOW-UP COMPLAINT ON THE ALLEGED ILLEGAL QUARRYING IN THE MOUNTAINS OF CORON, PALAWAN"** which was received by this Office on 25 January 2021.

Based on the above, it was reported that BCT Construction (BCT) has been conducting quarrying operation inside the Busuanga Pasture Reserve, which is strictly prohibited to any form of disposition, exploration or exploitation pursuant to Proclamation No. 2013-663.

Furthermore, no mining permit and other clearances from the Department of Environment and Natural Resources (DENR) was issued for the quarrying operation of BCT intended for the construction of embankment of the proposed Busuanga Airport Expansion Project.

Hence, BCT is hereby ordered to immediately **CEASE AND DESIST** from conducting quarry activities in the area without the necessary mining permit. This is without prejudice to the filing of appropriate case(s) before a competent court, if found necessary.

Very truly yours,

  
**ROLAND A DE JESUS, CESO V**  
Regional Director

cc: **The DENR Action Center/Hotline**  
Visayas Ave. Diliman, Quezon City  
[denr@8888.gov.ph](mailto:denr@8888.gov.ph)  
Ticket Reference Number SMS-G-20210118-96-82

**The Regional Executive Director**  
DENR - MIMAROPA

**The Bureau of Animal Industry**  
Coron, Busuanga, Palawan

**THE PENRO and Concurrent PMRB Chairperson**  
Palawan

**THE MAYOR**  
Coron, Palawan

**The Director**  
Forest Management Bureau  
Visayas Ave. Diliman, Quezon City

**The Regional Director**  
EMB - MIMAROPA

**The Civil Aviation Authority of the Phil.**  
NAIA Rd, Pasay, 1300 Metro Manila

**The CENRO**  
Coron, Palawan

**"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT  
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012621-R04B-0202



26 Jan 2021





Republic of the Philippines  
Department of Environment and Natural Resources  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
MIMAROPA Region  
Coron, Palawan

October 26, 2021

**MEMORANDUM**

**FOR : THE PENRO AND CONCURRENT  
PMRB CHAIRPERSON**  
Provincial Mining Regulatory Board  
Sta. Monica Puerto Princesa, Palawan

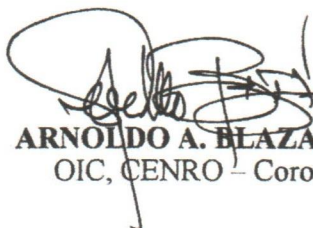
**FROM : THE CENRO**  
Coron, Palawan

**SUBJECT : INSPECTION REPORT ON THE ILLEGAL MOUNTAIN  
QUARRY ACTIVITIES WITHIN THE BUSUANGA PASTURE  
RESERVE (BPR) AT BRGY. DECALACHAO, CORON,  
PALAWAN**

Respectfully forwarded is the inspection report dated October 19, 2021, regarding the Illegal Mountain Quarry Activity of BCT Trading and Construction within the area covered by Busuanga Pasture Reserve (BPR) located at Brgy. Decalachao, Coron, Palawan.

Based on the field findings, the BCT Trading & Construction Inc. does not have any legal personality to conduct Quarry operation in the area and is recommended to cease and desist from further conducting the quarry operation in the area until such necessary Quarry permit and clearance from FMB-BPRMO is secured.

For your perusal and further action

  
**ARNOLDO A. BLAZA, JR.**  
OIC, CENRO - Coron

cc: **Regional Executive Director**  
Department of Environment and Natural Resources – MIMAROPA

**Regional Director**  
Mines and Geosciences Bureau – MIMAROPA

**Regional Director**  
Environmental Management Bureau - MIMAROPA







Republic of the Philippines  
Department of Environment and Natural Resources  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
MIMAROPA Region  
Coron, Palawan

October 25, 2021

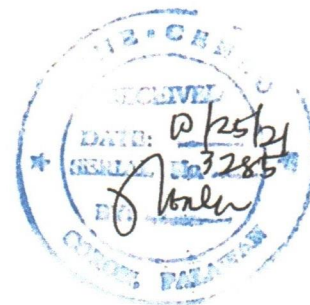
**MEMORANDUM**

**FOR :** The CENR Officer  
Coron, Palawan

**FROM :** THE UNDERSIGNED

**SUBJECT :** INSPECTION REPORT ON THE ILLEGAL MOUNTAIN  
QUARRY ACTIVITIES WITHIN THE BUSUANGA PASTURE  
RESERVE (BPR) AT BRGY. DECALACHAO, CORON,  
PALAWAN

**DOCUMENTS :** 1. Photo Documentation  
**ATTACHED** 2. Location Map of the Quarry Site  
3. Brgy. Resolution



Pursuant to the Travel Order No. 2021-10-14-244 dated October 14, 2021 the undersigned, together with the staffs of Busuanga Pasture Reserve Management Office (BPRMO) led by Richard John P. Galagate, Project Operations Control Officer, conducted an ocular inspection on October 14, 2021 regarding the abovementioned subject.

**Background Information**

On 1<sup>st</sup> day of October 2021, the undersigned received an information regarding the ongoing quarry operation from the BPRMO patrol staffs within the Busuanga Pasture Reserve (BPR) located at Brgy. Decalachao, Coron, Palawan.

As per records of this office and Provincial Mining Regulatory Board there exist no valid permit within the area covered by BPR at Brgy. Decalachao, Coron, Palawan

**Purpose and Scope**

The fieldwork aims to validate the veracity of the information relayed to the undersigned. The undertaking includes ocular inspection of the subject area and a dialogue or interview with the operators and Barangay Officials of Decalachao.

**Findings and Observation**

1. The inspection site is located beside the unnamed road going to Brgy. Decalachao. It is accessible by any land transport vehicle from the town proper of Coron via paved

Coron-Busuanga road and unnamed going to the inspection site. Travel time from town proper of Coron to the subject area is approximately 50-60 minutes.

2. On October 14, 2021, the inspection team proceeded to the subject area to conduct ocular inspection and traverse the area to calculate the total area that was excavated. The total area at the top of the mountain that was excavated was less than 1 ha (<1 ha) during the time of inspection.
3. During the ocular inspection, the team observed two (2) backhoe and three (3) 10 wheeler dump truck that was on operation at the time of inspection in the subject area in which instructed to stop operation upon the arrival of the inspection team.
4. The team interviewed the backhoe operator and asked for any legal documents such as Quarry Permit pertaining to their excavation in the area. Unfortunately, he refused to give any information regarding their operation and asked the team to speak with their supervisor in Civil Aviation Authority of the Philippines (CAAP) instead. The team instructed the operators and the drivers to stop from further excavation in the area and drive the equipment down the mountain.
5. After the ocular inspection, the team proceeded to Brgy. Decalachao to inform them regarding the inspection and also to gather information for the quarry activity. According to the Brgy. Captain, that the extracted materials in the operation was being utilized for the Airport Expansion Project. Furthermore, the Barangay presented a Barangay Resolution to the team (**Annex – A**). According to the Barangay Resolution No. 025-2020, the flattening of the mountain was for the site of high school expansion and other barangay infrastructure projects.
6. After the interview of Brgy. Decalachao, the team proceeded to CAAP to interview the supervisor that supervises the activities related to the project. According to Engr. Romar Aguirre, the one who facilitates the quarry operation was BCT Trading and Construction.
7. According to the Forest Management Bureau (FMB)-BPRMO, the quarry activity has no clearance from their office as the office that manages the Busuanga Pasture Reserve. The activities related to the expansion project was ordered to stop from further conducting their activities. According to PMRB – Palawan, the operation does not have a permit and the BCT will just submit their request to the PMRB.
8. As far the Environmental Management Bureau (EMB) is concerned, the quarry project is operating without an approved Environmental Compliance Certificate (ECC) issued by the EMB – MIMAROPA which in violation to PD 1586 “Operating a Project without an approved ECC”.
9. During the plotting of the area inspected to the Google Earth Pro application, it was found out that the quarry site is approximately 140 meters aerial distance from the highway going to the Brgy. Decalachao.
10. During the plotting of the area inspected to the ArcGIS software, it was found out that the subject area is within the area covered by the Busuanga Pasture Reserve (BPR).



## Comments and Recommendations

1. Based on the field findings and observations, the said extraction site was near the highway which is pursuant to Sec. 19.b. of Republic Act No. 7942 also known as "Philippine Mining Act of 1995" and Sec. 15.b.2. of DAO 2010-21 which provides that:

### **Section 19. Areas Closed to Mining Applications.**

*"b. Near or under public or private buildings, cemeteries, archeological and historic sites, bridges, highways, waterways, railroads, reservoirs, dams or other infrastructure projects, public or private works including plantations or valuable crops, except upon written consent of the government agency or private entity concerned"*

2. The BCT Trading and Construction has no legal personality to extract mountain quarry resources in the area covered by BPR in Brgy. Decalachao, Coron, Palawan.

BCT Trading & Construction should be reminded that extraction of mountain quarry resources is deemed illegal considering that the company has no legal Quarry permit to extract mountain quarry resources during the time of investigation and may constitute to *Theft of Minerals* pursuant to Section 103 of Republic Act No. 7942, otherwise known as the Philippine Mining Act of 1995, which provides that:

*"Section 103. Theft of Minerals. – Any person extracting minerals and disposing the same without a mining agreement, lease, permit, license, or steals minerals or ores or the products thereof from mines or mills or processing plants shall, upon conviction, be imprisoned from six (6) months to six (6) years or pay a fine from Ten thousand pesos (P10,000.00) to Twenty thousand pesos (P20,000.00), or both, at the discretion of the appropriate court. In addition, he shall be liable to pay damages and compensation for the minerals removed, extracted, and disposed of. In the case of associations, partnerships, or corporations, the president and each of the directors thereof shall be responsible for the acts committed by such association, corporation, or partnership."*

3. It is recommended that BCT Trading and Construction to cease and desist from further conducting quarry operation in the area until such necessary Quarry permit is secured from the PMRB and clearances from FMB-BPRMO. The quarry resources extracted in the subject area are categorized under illegally sourced minerals/mineral products. Definition of Illegally sourced mineral/mineral products are provided under Section 116, Chapter XII of DENR Administrative Order 2010-21 which states that:

*"Section 116 – Illegally sourced minerals/mineral products are those which are mined, extracted, removed and/or disposed of without the authority or permit under existing mining laws, rules and regulations."*

4. The BCT Trading & Construction can also independently apply for a quarry permit, as a private company pursuant to Section 71 of the same DAO:

*"Any Qualified Person may apply for a Quarry Permit with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for the extraction, removal and disposition of quarry resources covering an*

*area of not more than five (5) hectares, and a production rate of not more than fifty thousand (50,000) tons annually and/or whose project cost in not more than Ten Million Pesos (P10,000,000.00), for a term of five (5) years from the date of issuance thereof, renewable for like period but not to exceed a total term of twenty-five (25) years... "*

5. Barangay Council of Brgy. Decalachao is hereby reminded of the roles of the local government units in adopting adequate measures to protect the environment and conserve land, mineral, marine, forest, and other resources within their territorial jurisdiction subject to the provision of DAO 30 series of 1992 or The Guidelines for the Transfer and Implementation of DENR Functions Devolved to the Local Government Units. A joint monitoring activity by the DENR, Barangay Council of Decalachao, and PMRB-Coron is recommended to monitor all activities in the area that may pose danger to the environment and livelihood of the affected community.
6. Endorse this to the EMB MIMAROPA Regional Office so that they can issue Notice of Violation for operating a mountain quarry project without an approved ECC.

For the OIC-CENRO's information and further instruction.

Inspected by:

  
**EMMANUEL REY V. SUMANGIL**  
MGB Embedded Personnel

  
**ENGR. MARK ANGELO S. ROGEL**  
EMB Embedded Personnel



## PHOTO DOCUMENTATION



**Photo No. 1. Two (2) unit of Backhoe and One (1) no plate number truck within the subject area.**



**Photo No. 2. Another non plated 10 wheeler dump truck within the subject area during the inspection.**

FOR



**Photo No. 3. Another non plated 10 wheeler dump truck on the way to its dumping site.**







## APPENDIX - A

Republic of the Philippines  
Province of Palawan  
Municipality of Coron  
**BARANGAY DECALACHAO**

Excerpts from the minutes and proceedings of the regular session of Barangay Decalachao, Coron, Palawan held on August 19, 2020 at 9:00am at the Barangay Hall.

Present :	Hon. Franklin F. Usortacion	-	Punong Barangay/Presiding
	Hon. Ronle D. Calvo, Sr.	-	Kagawad
	Hon. Philip A. Dalanos	-	Kagawad
	Hon. Cristina R. Castro	-	Kagawad
	Hon. Erlito B. Labadan	-	Kagawad
	Hon. Felomino R. Ombahin, Jr.	-	Kagawad
	Hon. Angelo D. Torres	-	Kagawad
	Hon. Jonathan S. Roxas	-	Kagawad
	Hon. Janssen Jade G. Frias	-	SK Chairman
	Hon. Albert D. Torres	-	IPMR

### RESOLUTION No. 025-2020

**A RESOLUTION EARNESTLY REQUESTING THE HON. GOVERNOR OF PALAWAN JOSE CH ALVAREZ THROUGH THE PROVINCIAL MINING REGULATORY BOARD (PMRB), THE DEPT. OF NATURAL RESOURCES (DENR) AND ITS ATTACHED SECTORS SUCH AS BUREAU OF PASTURE RESERVE (BPR), FOREST MANAGEMENT BUREAU (FMB), THE MUNICIPAL GOVERNMENT OF CORON, PALAWAN, HON. MAYOR MARIO T. REYES, JR., VICE MAYOR ASEAN PALANCA AND SANGGUNIANG BAYAN MEMBERS TO HELP BARANGAY DECALACHAO TO FLATTEN THE MOUNTAINOUS AREA CLAIMED BY BARANGAY DECALACHAO FOR SITE OF HIGH SCHOOL EXPANSION AND OTHER BARANGAY INFRASTRUCTURE PROJECTS.**

WHEREAS, there is a certain area at Barangay Decalachao which has been claimed by the Barangay purposely for site/location of future expansion of Decalachao High School and other Barangay infrastructure projects;

WHEREAS, the area is mountainous and hilly and needs to be flattened in order to be used by the barangay;

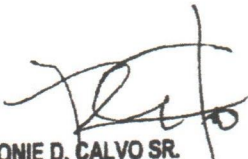
WHEREAS, mountain quarry materials has been extracted from the area when the Francisco Reyes Airport and the concreting of Decalachao Road has been constructed;


WHEREAS, the Barangay through its Punong Barangay has verbally requested the BCT Construction Company to flatten the area and has agreed to do so;


WHEREAS, the BCT Construction Company in relation to the request of Barangay has advised the Punong Barangay to coordinate with concerned Government Offices in-charge for such activities and programs;




ORME:

  
**RONIE D. CALVO SR.**  
Sangguniang Barangay Member

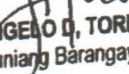
  
**CRISTINA R. CASTRO**  
Sangguniang Barangay Member


  
**FILOMENO R. OMBAHIN JR.**  
Sangguniang Barangay Member

  
**JONATHAN S. ROXAS**  
Sangguniang Barangay Member

  
**PHILIP A. DALONOS**  
Sangguniang Barangay Member

  
**ERLITO B. LABADAN**  
Sangguniang Barangay Member

  
**ANGELO D. TORRES**  
Sangguniang Barangay Member

  
**ALBERTO D. TORRES**  
IPMR Representative

SIGNED:

  
**FRANKLIN F. USORFACION**  
Punong Barangay

MALACANAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 663

REPEALING PROCLAMATION NO. 2057 AND TRANSFERRING THE ADMINISTRATION OF THE BUSUANGA PASTURE RESERVE TO THE FOREST MANAGEMENT BUREAU (FMB) OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)

**WHEREAS**, Proclamation No. 1387 (s. 1975) withdrew from any form of disposition, exploration or exploitation, and reserved as a pasture reserve a parcel of land of the public domain in Busuanga, Palawan;

**WHEREAS**, pursuant to Section 3 of Commonwealth Act (CA) No. 452, the Bureau of Forestry (presently the FMB of DENR) shall have jurisdiction and authority over the administration, protection, and management of pasture lands;

**WHEREAS**, Proclamation No. 2057 (s. 2010) authorized the Philippine Forest Corporation (PFC) to administer the development of the area covered by the Busuanga Pasture Reserve delineated by Proclamation No. 1387 (s. 1975);

**WHEREAS**, the Administrative Code of 1987 grants the President the continuing authority to reorganize the executive department.

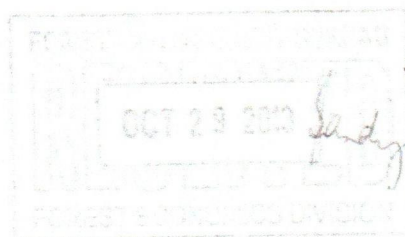
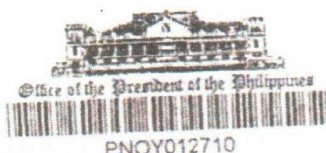
**NOW, THEREFORE, I, BENIGNO S. AQUINO III**, President of the Philippines, by virtue of the powers vested in me by law, do hereby repeal Proclamation No. 2057 (s. 2010) and transfer the administration of the area covered by the Busuanga Pasture Reserve to the Forest Management Bureau of the DENR.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

**DONE**, in the City of Manila, this 14th of October, in the year of our Lord, Two Thousand and Thirteen.

By the President:

**PAQUITO N. OCHOA, JR.**  
Executive Secretary



FL 12/13