



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 22, 2022

MEMORANDUM

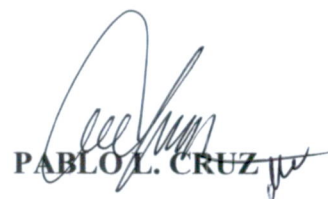
FOR : The PENRO
Sta. Monica, Puerto Princesa City, Palawan

FROM : The CENRO
Roxas, Palawan

SUBJECT : **REPORT ON THE ILLEGAL EXTRACTION OF SILICA SAND IN
BRGY 3, MUNICIPALITY OF ROXAS, PALAWAN**

Respectfully forwarding the memorandum report of our MGB Embedded Personnel dated 19 April 2022 regarding the above-cited subject.


For your information, record and further instruction.


PABLO L. CRUZ

Cc: **The Regional Director**
Mines and Geosciences Bureau – MIMAROPA Region

The Regional Executive Director
Department of Environment and Natural Resources – MIMAROPA Region

The Provincial Mining and Regulatory Board

DENR-CENRO ROXAS
RELEASED
DATE: 22 APR 2022
BY: 
DOC. NO. 2022-04-0569



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April 19, 2022

MEMORANDUM

FOR : The CENR Officer
Community Environment and Natural Resources Office
Roxas, Palawan

FROM : The Undersigned

SUBJECT : **REPORT ON THE ILLEGAL EXTRACTION OF SILICA SAND IN BRGY 3, MUNICIPALITY OF ROXAS, PALAWAN**



Background Information

On the 17th April, 2022, the Undersigned together with PMRB personnel, Mr. Felipe Evio Jr., and Mr. Boboy Savilla Vicera, conducted mining monitoring activities in Brgy. 3, Municipality of Roxas, Palawan.

Findings and Observation

1. Due to the rampant illegal mining activities in the Municipality of Roxas, the undersigned together with the PMRB personnel decided to conduct mining monitoring activities.
2. Several residents have posted marketing ads selling sand and gravel materials on the Facebook group 'Roxas We Buy Site'. It is within the jurisdiction of the undersigned to investigate and monitor these activities if such materials came from a valid quarry operation.
3. Upon arriving on Brgy. 3 Purok Mabuhay, the undersigned noticed a small-scale hollow blocks production. (Annex 1)



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4. Mr. Francisco Refil, introduced himself as the proprietor of the Hollow Blocks production business. Mr. Refil also presented supporting documentation on the legality of his operation. (Annex 2)
5. Mr. Refil extracts sand materials within his vicinity and utilizes it for his hollow blocks production. (Photo 1a and 1b)
6. No extraction permit was presented by Mr. Refil.
7. Mr. Refil has a previous record of noncompliance of the environmental law, particularly RA 7942. Attached in the annex is the agreement between Mr. Evio and Mr. Refil, stating that the latter will cease his extraction of sand and gravel within his fish pond. (Annex 3)
8. Attached in the photo documentation is a screenshot from the video documentation of Mr. Evio taken on July 5, 2019, regarding the extraction of Mr. Refil. (Photo 2)

FINDINGS AND RECOMMENDATIONS

1. Although Barangay and Municipal Permits were secured by the proprietor, No Extraction permits were obtained by Mr. Refil.
2. Based on the field findings, Francisco Refil was found to be in violation of Section 103 of RA 7942, otherwise known as the Philippine Mining Act of 1995, which provides:

Section 103. Theft of Minerals – Any person extracting minerals and disposing the same without a mining agreement, lease, permit, or 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 to pay a fine from Ten thousand pesos (P 10,000.00) to Twenty thousand pesos (P 20,000.00), or both at the discretion of the appropriate court. In addition, he shall be liable to pay damages and compensation for the materials removed, extracted, and disposed of.

A Cease and Desist Order must be issued to affect the same



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-
3. Strict implementation of environmental laws must be incessantly observed by the LGU.

For the CENRO'S consideration and further instruction

DOMINIK L. ECHANO
Science Research Specialist



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PHOTO DOCUMENTATION



1.a and 1.b Documented sacks of sand within the vicinity of Mr. Refil

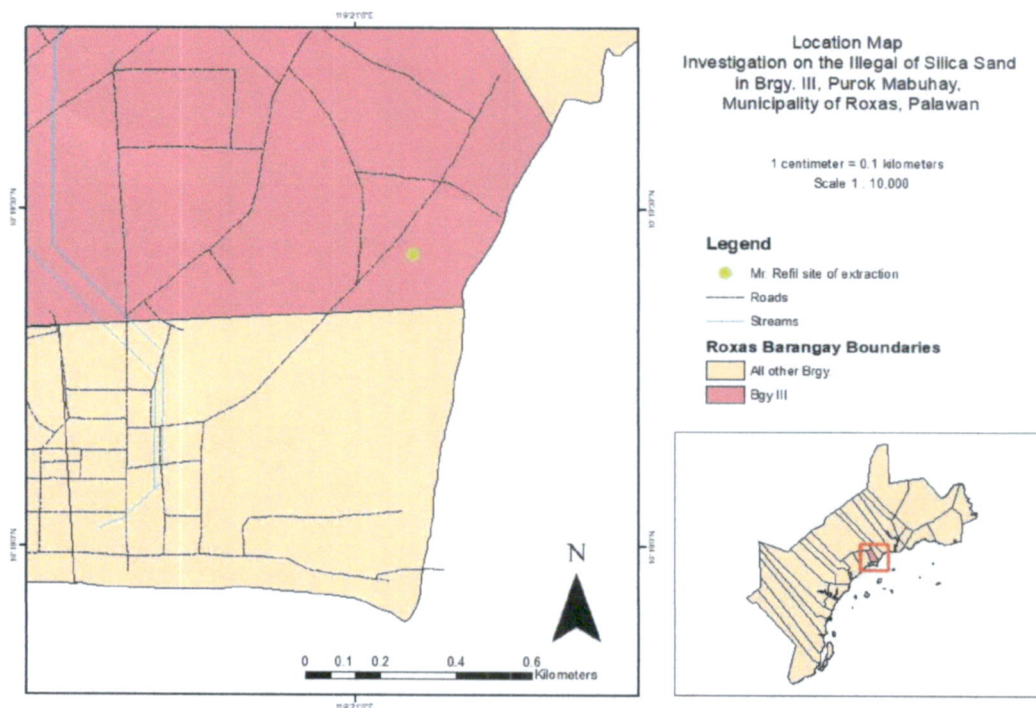


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Photo 2. Screen shot from the video documentation of Mr. Evio on the extraction activity of Mr. Refil

ANNEX



Annex 1. Location Map



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2022

Republic of the Philippines
PROVINCE OF PALAWAN
MUNICIPALITY OF ROXAS
OFFICE OF THE MUNICIPAL MAYOR
MAYOR'S PERMIT

RENEW Permit No.: 22-1391
Date: 01/26/2022

PERMIT to establish, operate or engage in business indicated herein is granted to:

Registered Owner: REFIL, FRANCISCO

Postal Address: BRGY III, ROXAS, PALAWAN Nationality: FILIPINO

Business Name: FRANS TRADING

Business Address: BRGY III, ROXAS, PALAWAN Type of Ownership: Single Prop.

Kind/ Description/ Coverage of Business: HOLLOWBLOCKS MAKER

The PERMIT issued herein is subjected to the conditions set forth in the application. Any violation and / or non-compliance with the provisions of existing MUNICIPAL ORDINANCE, rules and regulations is sufficient cause for the REVOCATION or CANCELLATION of this PERMIT. Likewise, this permit shall be posted conspicuously, together with the corresponding official receipts at the place where the business is being conducted / operated.

Permit Fee:	2000	License Fee:	998.25
Paid Under O.R. No.:	0880130	Paid Under O.R. No.:	0880130
Issued On:	01/26/22	Issued On:	01/26/22

At Roxas, Palawan

THIS PERMIT IS NON-TRANSFERABLE, not valid without the corresponding Official Receipts and Expires on DECEMBER 31, 2022

Dennis M. Sabando
DENNIS M. SABANDO
Municipal Mayor

"Not Valid Without the Official Seal"

Note: This Mayor's Permit is issued solely for the establishment of business stipulated herein, and does not warrant nor guarantee that the Permittee has complied or exempted in securing other permits/ clearance that other agencies or department will require in line with their regulatory functions/ authority.

Annex 2. Mayor's Permit registered to Mr. Francisco Refil.



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BARANGAY 3 POBLACION
Roxas, Palawan

Republic of the Philippines
Province of Palawan
Municipality of Roxas
OFFICE OF THE SANGGUNIANG BARANGAY
Barangay 3

JESUS V. MIRAFLORES JR.
Punong Barangay
09208531658

LOIDA M. SEBIDO
Committee on Social Welfare, Women, Solo-Parent and family, Livelihood and Talipapa
09284987111

ELAINE R. FAYLA
Committee on Appropriations, ways and Means housing, Land Utilization and Resettlement
09305846264

GILDA C. MABERIT
Committee on Nutrition, Health and Sanitation, Tourism, Cultural Heritage and Population
0902514160

ROSA ANN P. ARZAGA
Committee on Education and Children Affairs
BCPC/ GAD/ VAWC Officers
09121215992

LEONILLO A. BOSAS
Committee on Public Work/ Infrastructure Development, Transportation and Communication
09505108819

MERILYN S. PEREZ
Committee on Peace and Order and Public Safety, PWD and Senior Citizen Affairs
09090098131

RONALD C. MIRAFLORES
Committee on Environmental Protection, Natural and Aquatic Resources and Agriculture
09216495298

JAY F. ZAPANTA
Committee on Youth and Sports Development, Games and Amusement
09955162061

RODELIA D. NANGIT
Barangay Secretary
09129328196

LORNA C. MAGBANUA
Barangay Treasurer
09097855285

KASUNDUAN

Ang pamunuan ng Provincial Mining Regulatory Board (PMRB) sa katauhan ni G. Felipe N. Evio empleyado nang nasabing pamunuan ay nagtungo sa pamahalaan ng nasabing Barangay upang maipaabot ang problema patungkol po kay G. Francisco Refil na kasalukuyang naninirahan sa Purok Mabuhay ng nasabing Barangay. Ang reklamo po ay patungkol sa patuloy na pagkuha nya ng gravel and sand sa kanyang fish pond. Ang paghaharap ngayon sa pamunuan ng Barangay ng dalawang panig ay upang maayos ang nasabing usapin.

Araw ng Bylines July 12, 2019 ganap na ikaawa ng hapon ay nagkaharap ang mga empleyado ng nasabing pamunuan sa pangunguna ni G. Felipe Evio at si G. Francisco Refil sa pamahalaan ng nasabing Barangay upang mapag-usapan ang nasabing problema. Bahagi ng napag kasunduan na ako si G. Francisco Refil ay nangangako na hindi na ulit kukuha ng gravel and sand sa sakop ng aking fish pond dahil ito ay isang paglabag sa batas Resolution of PMRB Resolution of 2010, Section 3 and declaration of Policy R.A 7949.

Patunay nito ang aming mga lagda sa harap ng Punong Barangay ngayong ika - 12 ng Hulyo, 2019.

FRANCISCO REFIL
Nangangako

FELIPE N. EVIO JR.
PMRB-Representative

NILAGDAAN sa harap ko ngayong ika-12 ng Hulyo, 2019 sa Barangay Hall ng Barangay 3, Roxas, Palawan.

JESUS V. MIRAFLORES JR.
Punong Barangay

Pintunayan ni:
LORNA C. MAGBANUA
Barangay Treasurer

Annex 3. Sworn Brgy. agreement between Mr. Evio and Mr. Refil