



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office
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23 March 2022

MEMORANDUM

FOR : The OIC-Regional Director
Mines and Geosciences Bureau-MIMAROPA
DENR Building, Roxas Blvd., Ermita, Manila

FROM : The CENRO
Coron, Palawan

SUBJECT : INVESTIGATION REPORT ON RIVER DREDGING SAND AND GRAVEL EXTRACTION IN CORON, PALAWAN

Respectfully forwarded is the report dated 22 March 2022 of the MGB Embedded Personnel Casandra Lynda Jalac of CENRO – Coron pertaining to the river dredging and sand and gravel extraction in Coron, Palawan.

For your information and record.


ARNOLDO A. BALZA, JR.
CENRO -Coron

cc: The OIC-Regional Executive Director
1515 L & S Bldg., Roxas Blvd.
Ermita, Manila

Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City





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

22 March 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer
Coron, Palawan

FROM : The Undersigned

SUBJECT : INVESTIGATION REPORT ON RIVER DREDGING SAND AND
GRAVEL EXTRACTION IN CORON, PALAWAN



Pursuant to Travel Order No. 2022-001, the undersigned – Mines and Geosciences Bureau (MGB) embedded Casandra Lynda Jalac; Office Support Staff/Bantay Gubat Romel Gacayan; and Forest Technician I Reniel Oliver Fuentes, conducted an inspection on river dredging and sand and gravel extraction in Coron, Palawan last 21 March 2022 in the barangays of Guadalupe, San Nicolas, Decalachao, and San Jose.

Background Information

The MGB embedded personnel received an order from the Regional Director of the Mines and Geosciences Bureau MIMAROPA – Edwin Mojares, Ph.D to conduct an investigation regarding dredging and river quarrying in Coron, Palawan. This is in connection with the complaints of the citizens of Coron on quarry and reclamation.

Purpose and Scope

The fieldwork aims to verify the veracity of the abovementioned activities. To create a database regarding dredging and sand and gravel and to note the following operator(s)/person(s) conducting such activities. Furthermore, to recommend necessary actions.

Findings and Observations

The following subject areas are located within four (4) barangays of Coron, Palawan namely: Guadalupe, San Nicolas, Decalachao, and San Jose (Figure 1). It was observed that there is no dredging activity in Coron but rather sand and gravel extraction. Based on the information gathered, the sand and gravel quarried in the mentioned areas are for the new international airport being constructed in Busuanga, the National Housing Authority (NHA) housing project, and for the Department of Public Works and Highways (DPWH) road projects. The subject areas can be accessed through national highways and barangay roads.



Figure 1. Location map of the investigated sand and gravel quarry. White lines denote the barangay boundaries. Image excerpted from Google Earth.

Barangay Guadalupe

1. The river quarry is found along the Umay River, Brgy. Guadalupe, Coron (GPS: 12° 03' 53" N, 120° 09' 34" E). This is located within the 40 hectares of Busuanga Pasture Reserve (BPR) land. It is ~9 km away from CENRO which can be reached within a 10-minute car drive.
2. It was found that BCT Construction Inc. is the operator of this sand and gravel extraction. Based on the previous reports of the former MGB and EMB embedded personnel, BCT is operating with an approved ECC but without a quarry permit.
3. On 24 March 2021, a cease and desist (CDO) was issued by MGB in violation of Section 103 of the Republic Act (RA) 7942 ("Theft of Minerals") and other applicable provisions of the same RA and DENR Administrative Order (DAO) 2010-21 (*see Annex*).
4. Upon arrival in the subject area, no ongoing extraction was observed. However, there are sacks of sand, *salandra*, and a backhoe in the area. Moreover, stockpiles of sand and gravel, possible recent excavation along the riverbank, and probably recent truck tracks were noted. These may suggest that there is an ongoing quarry activity in the area (*see Photo Documentation 01*).
5. Based on the information gathered from the locals at the time of inspection, these sand and gravel are used for making culverts and posts for DPWH road projects. These materials were observed in the area (*see Photo Documentation 01*).
6. Currently, some part of the river is blocked by sediments. As a result, the flow of the river is slightly jammed. This may cause to exacerbate the flooding in the Umay River.

DENR, Calle Nueva, Coron Town Proper, Coron, Palawan
Contact Nos.: 0917-504-2633

San Nicolas

1. The subject area is geographically situated at 12° 05' 01" N, 120° 11' 56" E. It is ~15 km away from CENRO and can be reached within a 20-minute drive.
2. Based on the information gathered, this area is quarried by Kap. Nacachi. The sand and gravel excavated are for the NHA housing project in San Nicolas. At present, they are in stopped operation.
3. This was confirmed during the investigation as no quarry equipment nor sacks of sand and gravel are observed in the area. However, the area is left abandoned. As a result, the flow of the river is blocked by sediments. This may heighten the flooding in the area (*see Photo Documentation 02*).

Brgy. Decalachao

➤ PACECO AREA

1. The subject area is geographically located at 12° 07' 35" N, 120° 01' 54" E. It also lies inside BPR but within PACECO. PACECO is a portion of BPR that has a Certificate of Land Ownership Award (CLOA). Approximately, it is 30 km away from CENRO and can be reached in less than an hour drive.
2. The undersigned first paid a courtesy to the barangay to discuss the purpose of the activity and to interview a barangay official. According to Kgwd. Philip Palanos, the OIC during the visit, there are no dredging and quarrying activities within their jurisdiction. He further stated that the sand and gravel operations in Brgy. Decalachao stopped in 2018.
3. Based on the Forest Management Bureau (FMB-Coron), which oversees BPR, there were some trucks found extracting before in the subject area. However, they further stated these trucks are not in operation now.
4. This was confirmed upon arrival in the area. No quarry equipment nor *salandra* were observed. However, old truck tracks were noted. Additionally, old piling stations were present.
5. Unfortunately, the operator left the area without rehabilitating it (*see Photo Documentation 02*). This operator was not also confirmed as no concrete evidence was found.
6. As a result, the river is blocked by the leftover piles of sediments. The present dimension of the river is also compromised. This may pose a hazard to the residents near the area as river swelling will be rapid during the rainy season (*see Photo Documentation 02*).

➤ Papualan River

1. This area is located within BPR at 12° 07' 25" N, 120° 02' 11" E. Approximately, it is 30 km away from CENRO and can be reached in less than an hour drive.

2. As previously stated by Kgw. Palanos, there was no quarry and dredging in Brgy. Decalachao. This, however, contradicts the previous report of the former MGB and EMB embedded last 2021. MGB and EMB were able to document the illegal operation of BCT Construction Inc. in Papualan River.
3. On 22 June 2021, BCT Construction Inc. was issued a CDO for violating Section 103 of RA No. 7942 and extracting illegally sourced minerals/mineral products (Section 116 of DAO 2010-21).
4. Based on the investigation, the company has still haven't done rehabilitation in the area. The company hasn't fixed the bridge that was damaged during the transport of excavated material. Moreover, the river is still blocked by old stockpile sediments and the river depth is still shallow. As the area is prone to flooding, the area must be rehabilitated immediately (*see Photo Documentation 03*).

Brgy. San Jose

1. The quarry area is situated at Sitio Baboy (GPS:12° 09' 47" N, 120° 01' 42" E) and Sitio Kawayan (GPS:12° 09' 22" N, 120° 01' 44" E). Both stations are within BPR. It is ~32 km away from CENRO and can be reached within a 1-hour drive.
2. Based on the interview with Kap. Edgar Villareal, BCT Construction Inc. is currently doing sand and gravel extraction in the area. He further stated that their operation only lasts for a couple of months mostly during summer. Other barangay officials further stated that the sand and gravel are for the new airport being constructed in Busuanga.
3. The undersigned also discovered that the sand and gravel extracted here are delivered to Sitio Tulbuan, Brgy. Decalachao. At Tulbuan, segregating equipment, backhoe, and *salandra* are observed. Huge piles of SAG are also present (*see Photo Documentation 04*).
4. During the investigation, there was no ongoing excavation of the area. A parked backhoe, however, was observed. Stockpiles of sand excavated riverbanks and blocked river are among those we saw (*see Photo Documentation 04*). No ECC was also posted near the area.
5. In this area, the river is heavily disrupted. It was even cut as the excavated materials were dumped in the river. This result in some part of the river being stagnant. Trees along the riverbank were also damaged (*see Photo Documentation 04*).

Comments and Recommendations

Barangay Guadalupe

1. The CDO released last 24 March 2021 should be reiterated to BCT Construction Inc. If proven still conducting an excavation, the company is recommended to be penalized.

2. Based on the present list of quarry permit holders of PMRB, BCT Construction Inc. have no legal rights to extract SAG in Brgy. Guadalupe. This, therefore, violates Section 103 of RA 7942 which states that,

Theft of Minerals – Any person extracting minerals and disposing the same without 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 (Php 10, 000.00) to twenty thousand pesos (Php 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 minerals removed, extracted, and disposed of. XXX

3. The extracted materials in the areas are considered illegally sourced mineral/mineral products. Based on Section 116 Chapter XII of DAO 2010-21,

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. Lastly, it is suggested that the company also rehabilitate the area to minimize the flooding in the area.

Barangay San Nicolas

1. Based on the investigation, the operator is suggested to rehabilitate the area to lessen flooding in the subject area.

Barangay Decalachao

➤ PACECO

1. Further investigation to confirm the company that formerly operated in this area. The PMRB is also requested to help investigate this site
2. At present, there is no valid quarry permit holder in PACECO. The company therefore extracted illegally sourced mineral/mineral products (refer to Section 116 Chapter XII of DAO 2010-21). Furthermore, if proven that the company operated without a quarry permit, the company violated Section 103 of RA 7942.
3. It is recommended that the company should rehabilitate the area to minimize flooding.


➤ Papualan River

1. Based on the investigation, BCT Construction Inc. is recommended to rehabilitate the area to decrease the effect of flooding in the area.

Barangay San Jose

1. Based on the present list of quarry permit holders of PMRB, BCT Construction Inc. have no legal rights to extract sand and gravel in Brgy. San Jose. This violates Section 103 of RA 7942.
2. Since there is no permit, the extracted materials in the areas are considered illegally sourced mineral/mineral products (*refer to Section 116 Chapter XII of DAO 2010-21*).
3. Additionally, an improper extraction method is observed during the ocular inspection. It is recommended that the entire area be inspected further to evaluate other possible violations.
4. The contractor is also advised to first secure the necessary permits before conducting extraction of sand and gravel.
5. As the regulatory board, Provincial Mining Regulatory Board (PMRB-Coron) should help MGB to monitor such activities to ensure that the company complies with the law.

For your reference, record, and further instruction(s).


Casandra Lynda Jalac
Science Research Specialist II
MGB MIMAROPA – Embedded Personnel


Beniel Oliver Fuentes
Forest Technician I
CENRO Coron


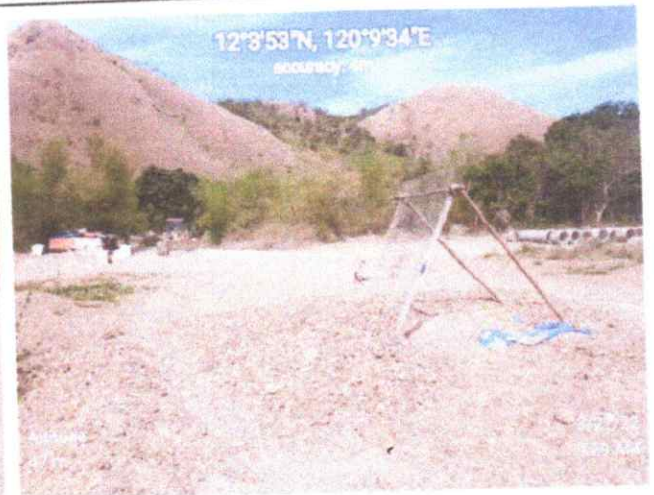

Rommel Gaerlan
Office Support Staff
Bantay Gubat
BPRMO

Photo Documentation 01
Brgy. Guadalupe



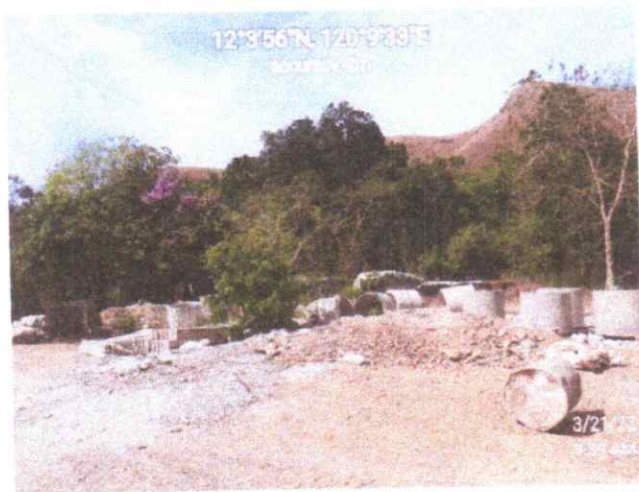
Observed bags and stockpiles of sand and gravel in the area.



Salandra, parked backhoe, stockpiles of sand and gravel.



Possible recent truck tracks and excavation along the riverbank.



The extracted materials are used to make posts and culverts. Encircled in the right photo is a possible former piling station.

Photo Documentation 02 Brgy. San Nicolas



SAG excavation in Brgy. San Nicolas. Piles of sand and gravel were left in the river channel, blocking its natural flow, upon ceasing of quarry operations.

Photo Documentation 03
PACECO, Brgy. Decalachao



Former river quarry in PACECO, Brgy. Decalachao. The flow of Papualan River was blocked by the probably a former stockpile. Third photo was during the courtesy call in the barangay.

Photo Documentation 03
Papualan River, Brgy. Decalachao



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Former river quarry in Papualan River, Brgy. Decalachao. The same situation was observed to what the former MGB and EMB embedded reported in 2021. No rehabilitation was conducted by the company.

Photo Documentation 04
Sitio Tulbuan, Brgy. Decalachao



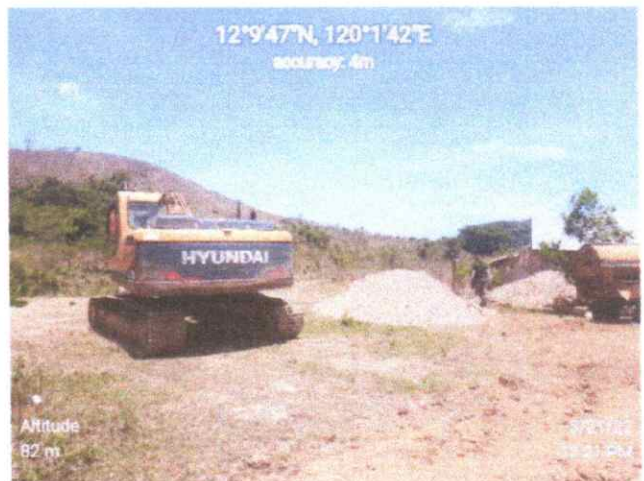
Stockpiles of SAG excavated from San Jose. This is for the new international airport in Busuanga. Heavy equipment on standby and stockpiles of sand and were among that was noted in the area.

Sitio Babuy and Kawayan, Brgy. San Jose



Courtesy call and initial interview with Brgy Captain Villareal and other barangay officials regarding the quarry operation in the area.





SAG excavation in Brgy. San Jose. The river flow is highly disrupted by the haphazard extraction and dumping/stockpiling of SAG. Trees and other vegetation were also damaged by the operation.



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24 March 2021

MR. TEDERICO G. TIOTANGCO
President
BCT Construction Inc.
Coron, Palawan

Dear Mr. T. G. Tiotangco:

This refers to the investigation report dated 26 February 2021 by the technical personnel of CENRO – Coron, re: *"Investigation Report on the Alleged Illegal Sand and Gravel Operation at Umay River, Brgy. Guadalupe, Coron, Palawan."*

The corresponding investigation results confirmed that BCT Construction Inc. is engaged in the illegal sand and gravel activity at Umay River, Barangay Guadalupe, Coron, Palawan.

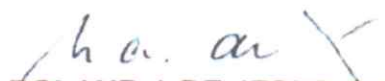
Please be informed that Section 103 of Republic Act (RA) No. 7942, otherwise known as the *Philippine Mining Act of 1995*, provides that:

"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. xxx."

Hence, you hereby ordered to immediately **CEASE AND DESIST** from conducting sand and gravel activities in the area without the necessary mining permit. This is without prejudice to the filing of appropriate charges against your company with the proper court for violation of the applicable provisions of RA No. 7942 and DENR Administrative Order No. 2010-21.

Thank you.

Very truly yours,


ROLAND A. DE JESUS, CESO V
Assistant Director
Regional Director in concurrent capacity
MGB MIMAROPA Region

cc: The Regional Executive Director
DENR – MIMAROPA

The CENRO
Coron, Palawan

THE PENRO and Concurrent PMRB Chairperson
Palawan

Concerned Indigenous People of Brgy. Guadalupe
Coron, Palawan

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

