



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](mailto:cenroroxaspalawan@denr.gov.ph)

February 11, 2021

**MEMORANDUM**

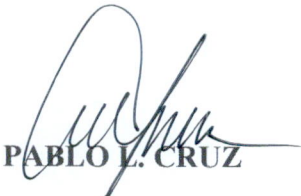
**FOR** : The PENRO  
Sta. Monica, Puerto Princesa City, Palawan

**FROM** : The CENRO  
Roxas Palawan

**SUBJECT** : **REPORT ON THE COMPLAINT OF MR. MARLON PEREYRA ON THE ALLEGED ILLEGAL EXTRACTION OF SAND AND GRAVEL MATERIALS IN BARANGAY CARAMAY, ROXAS, PALAWAN.**

Respectfully forwarding the memorandum report of our MGB Embedded Personnel dated 09 February 2022 regarding the above-cited subject.

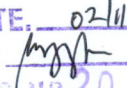
For your information, record and further instruction.

  
PABLO L. CRUZ

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

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

**The Provincial Mining and Regulatory Board**  
Province of Palawan

DENR-CENRO ROXAS  
**RELEASED**  
DATE: 02/11/2022  
BY:   
2022-02-0147



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February 09, 2022

**MEMORANDUM**

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

**FROM** : The Undersigned

**SUBJECT** : **REPORT ON THE COMPLAINT OF MR. MARLON PEREYRA ON THE ALLEGED ILLEGAL EXTRACTION OF SAND AND GRAVEL MATERIALS IN BARANGAY CARAMAY, ROXAS, PALAWAN.**



**Background Information**

On the 07<sup>th</sup> February, 2022, the Undersigned together with Forest Ranger Lemuel L. Bacalla, Forest Technician Nolly D. Billones, Forest Ranger Armando R. Gabayan, and Forest Ranger Charlie A. Rabang conducted a field investigation in response to the complaint of Mr. Marlon Pereyra against the alleged illegal extraction of sand and gravel materials from So. Kanugan, Caramay River committed by the officials of Brgy. Caramay lead by Hon. Maria Ofelia M. Gabo.

**Findings and Observation**

1. According to the complaint letter of Mr. Pereyra dated February 04, 2022, a certain Rogelio Bagona owned the parcel of land to which the Brgy. Officials of Caramay allegedly extracts and hauls SAG materials.
2. Mr. Pereyra also provided strong photographic evidence of the extraction transpired on February 03, 2022 at around 1:30pm (Figure 1). Photo captured showed the transporting trucks bearing the logo of the Municipality of Roxas (Figure 2).



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3. The undersigned and her team conducted field investigation on the land owned by Rogelio Bagona. Piles and mounds of SAG materials are noted upon inspection (Figure 4).
4. The extraction area is located near Caramay Bridge with an aerial distance of 450 meters. (Annex Map)
5. It was also noteworthy to mention that Mr. Pereyra is an applicant of Sand and Gravel Quarry, but Barangay Ordinance No. 11 Series 2021, Section 1(Annex ) forbids them to obtain the Barangay Certification necessary for their application.

*Section 1.* No endorsement shall be made by the barangay council of barangay Caramay, Roxas, Palawan. Base[d] on the strong stand of the inhabitants **NO TO COMMERCIAL QUARRY** specifically along Caramay River.

6. Hon. Nelson D. Abrera spearheaded the said Barangay Ordinance, and in reference to Section 3 of the Ordinance “The use of gravel and sand must be regulated and limited only to inhabitants of Barangay Caramay to make sure that environmental protection shall be maintain[ed] for sustainable use for the future generation.
7. The undersigned interviewed Barangay Captain Maria Ofelia M. Gabo and Barangay Kagawad Nelson D. Abrea.
8. Ms. Ofelia confirmed that the Barangay extracted SAG materials to be utilized for the road patching project in Barangay Caramay. An estimated 80 trucks hauled the materials on the span of two days, she added. She also stated that the Barangay made a courtesy with the lot owner (Rogelio Bagonia).
9. Ms. Ofelia said that they informed Mr. Leo Gachallian about the extraction. He is a former member of the PMRB. No extraction permit for the Road Filling was secured.





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## FINDINGS AND RECOMMENDATIONS

1. The Barangay Officials of Caramay failed to secure permit to extract SAG materials for the Road Patching projects.

Hence, Barangay Captain Hon. Maria Ofelia M. Gabo in in belief 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

2. The Barangay Officials of Caramay is advised to apply for **Government Gratuitous Permit** for future local projects that intends to use sand and gravel or loose/unconsolidated materials in the construction of buildings and/or infrastructure for public use without commercial disposition.
3. Quarrying must not be carried out **within one (1) kilometer** of any crucial hydraulic structure such as pumping stations, water intake, **bridges**, buildings, and such structures. A distance of approximately 450 m distance was measured from the point of extraction and the nearest bridge.
4. For the PMRB, assist and review the application of Marlon G. Pereyra on their Commercial sand and gravel operation.

For the CENRO'S consideration and further instruction



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**DOMINIK L. ECHANO**  
Science Research Specialist

  
**LEMUEL L. BACALLA**  
Forest Ranger

  
**ARMANDO R. GABAYAN**  
Forest Ranger

  
**CHARLIE A. RABANG**  
Forest Ranger

  
**NOLLY D. BILLONES**  
Forest Technician I

**PHOTO DOCUMENTATION**



Figure 1. Extraction documentation taken by the complainant on February 03, 2022





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Figure 2. Municipality of Roxas Conveyance Transporting SAG materials on February 03, 2022, photo taken by the complainant

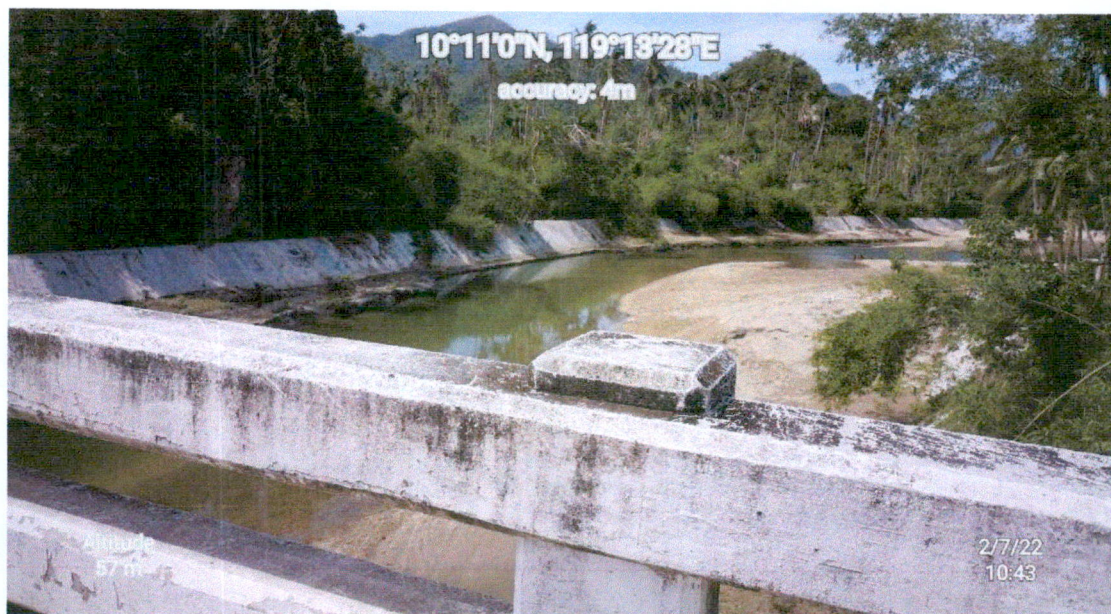


Figure 3. Caramay Bridge





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Figure 4. Site Inspection showing mounds of SAG materials



Figure 5. Truck tires indicating recent transport activities





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Figure 6. Mounds of Sand and Sand Screen





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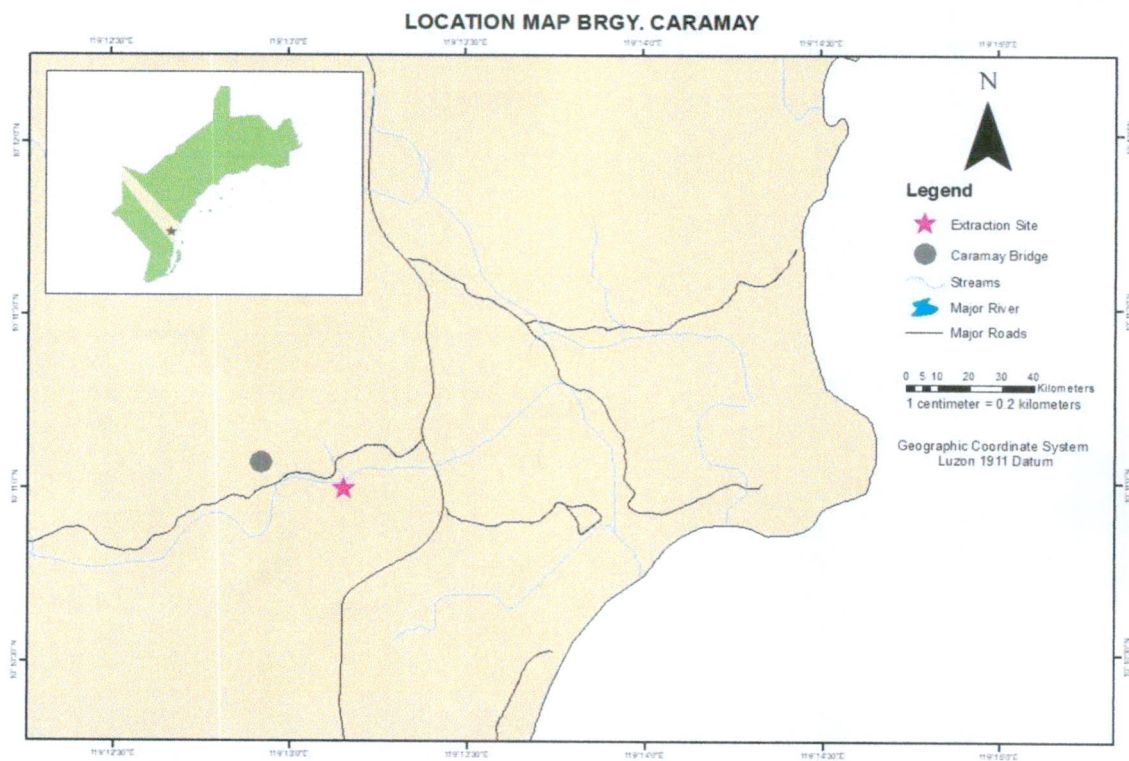
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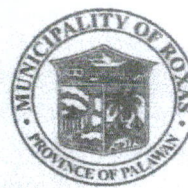
Email address: [cenroroxaspalawan@denr.gov.ph](mailto:cenroroxaspalawan@denr.gov.ph)

## ANNEX – MAPS





Republic of the Philippines  
Province of Palawan  
Municipality of Roxas  
Barangay Caramay



Received by  
Mehranji  
12/10/21

OFFICE OF THE SANGGUNIANG BARANGAY

EXCERPTS FROM THE MINUTES OF THE 81<sup>st</sup> REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF BARANGAY CARAMAY HELD ON NOVEMBER 04, 2021 AT THE BARANGAY SESSION AT 9:00 O'CLOCK IN THE MORNING.

PRESENT:

HON. MARIA OFELIA M. GABO

PUNONG BARANGAY

PRESIDING OFFICER

HON. APOLINARIO S. DANGAN JR.

BARANGAY KAGAWAD

HON. CONCEPCION E. GATCHALIAN

BARANGAY KAGAWAD

HON. NELSON D. ABREA

BARANGAY KAGAWAD

HON. RHODA L. LLAVAN

BARANGAY KAGAWAD

HON. JEFFREY R. CAABAS

BARANGAY KAGAWAD

HON. REYNALDO T. COSEÑAS

BARANGAY KAGAWAD

HON. ANDREA D. BADENAS

S.K CHAIRWOMAN

HON. REYNOSO Z. CIRILO

IPMR

ABSENT:

HON. LORLAINE H. VILLORENTE

BARANGAY KAGAWAD

On sick Leave

ORDINANCE No. 11 Series 2021

An act imposing total BAN for "COMMERCIAL QUARRY"  
Specifically along Caramay River, Caramay, Roxas, Palawan

Authored by: Hon. NELSON D. ABREA SR.

Co Authored: Hon. APOLINARIO S. DANGAN JR.

**WHEREAS;** based on the assessment and evaluation of the Barangay Council, the inhabitants of this barangay strongly opposing "**COMMERCIAL QUARRY**" in the area as far as Caramay River is concern.

**WHEREAS;** sometimes year 2005 when flashfloods came all crops along the river were totally swept out, mass destruction among farmers really happened, loss of income lost of their farm lot cause by erosion landslide resulting to unexpected crisis.

**WHEREAS;** folk fisherman no way to escape calamity respected no one. Severe damage of livelihood, pump boats, fish nets, were drown by strong flood throughout the sea and nothing to recover. Disaster gave more serious problem, loss of income, hunger. Jobless arises, people cannot even finance their daily family needs. Marine habitat, fishing ground becomes polluted, thick muds blanket Seagrasses, forest mangroves, coral reef, mostly damaged by muds and siltation. No room for the victims to seek financial support except to accept the suffering of hunger.

**WHEREAS;** Barangay Caramay is known celebrating "**BANANA FESTIVAL**" yearly. For the reason that the farmers engaged in banana industry, even coffee and coconut. Number of tons Lakatan product weekly delivered to the city of Puerto Princesa, Roxas town even El Nido town. Farmers are enjoying the happy family lifestyle, no worried because financially they can survive. They enjoy



many others. so we need to preserve, protect and observe all environmental laws.

**WHEREAS;** the use of gravel and sand must be regulated and limited only for the inhabitants living in the area, to make same that the environmental protection shall be maintain for sustainable use. Gathering of gravel and sand transporting to other barangay is prohibited.

**Now therefore,** on motion of **Hon. Nelson D. Abrea, Sr.** and duly seconded by **Hon. Apolinario S. Dangan, Jr.,** both members of Sangguniang Barangay of Barangay Caramay, Roxas, Palawan. **HENCE,** approval of this ordinance earnestly recommended at the same time the implementation by authority of this ordinance.

**Section 1** – No endorsement shall be made by the barangay council of barangay Caramay, Roxas, Palawan. Base on the strong stand of the inhabitants **NO TO COMMERCIAL QUARRY** specifically along Caramay river.

**Section 2** – Caramay River is declared critical areas and tourist destination because of the multiple use as recreation area such as special occasion, family reunion, birthday celebration and other similar activities.

**Section 3** – The use of gravel and sand must be regulated and limited only to inhabitants of Barangay Caramay to make sure that environmental protection shall be maintain for sustainable use for the future generation.

**Section 4** – Gathering and transporting gravel and sand to adjacent barangay is prohibited.

**Section 5** – Any person/persons caught on act violating Section 4 of this ordinance shall be confiscated and corresponding penalties shall be imposed accordingly as follows:

1<sup>st</sup> Offense – ₱ 500.00

2<sup>nd</sup> Offense – ₱ 800.00

3<sup>rd</sup> Offense – ₱ 1,000.00 or both fines and imprisonment at the discretion of the court.

**Section 6** – All laws, decree, proclamation rules and regulations, or parts thereof found inconsistent with this ordinance are hereby repealed or modified accordingly.


**Section 7** – This ordinance shall take effect upon its approval.

**Approved:**

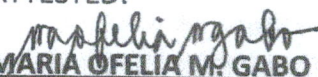
Sponsored by Hon. Nelson D. Abrea, Sr.

Co-sponsored Hon. Apolinario S. Dangan, Jr.

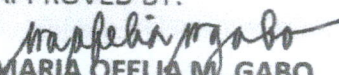
I hereby certify to the correctness of the above ordinance.

  
**AGUSTIN P. BALMONTE**  
Barangay Secretary

ATTESTED:

  
**MARIA OFELIA M. GABO**  
Punong Barangay

APPROVED BY:

  
**MARIA OFELIA M. GABO**