

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



07 January 2022

MEMORANDUM

FOR : The Regional Director
Environment Management Bureau
MIMAROPA Region

FROM : The Regional Director
This Office

SUBJECT : Complaint Letter of Mr. Benito C. Tamares on the Alleged
Illegal Excavation in Waliswis, Tagbac, Lubang, Occidental
Mindoro

This refers to the Complaint Letter dated 23 December 2021 of Mr. Benito C. Tamares, which was received by this Office on 04 January 2022, on the above subject.

In this regard, we are forwarding you a copy of the investigation report dated 18 June 2018 re: **"INVESTIGATION ON THE ALLEGED EXCAVATION IN WALISWIS, TAGBAC, LUBANG, OCCIDENTAL MINDORO"** with the information that the said activity requires assessment from your Office due to the possible environmental risks and it **does not involve any mining activity** based on the evidences.

Please note that the said investigation report was previously forwarded to your Office, the National Museum of the Philippines and the National Water Resources Board in Letters dated 09 July 2018 (copies attached) for appropriate action.

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


GLENN MARCELO C. NOBLE

Encl: As stated

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

Mr. Benito C. Tamares
Blk. 85, Lot 12
Kawal Purok 1, Dagat-Dagatan
Caloocan City

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

011122-R04B-0080



Memorandum
1/11/2022





Republic of the Philippines

Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

So. Balud, Sto. Nino, Sablayan, Occidental Mindoro 5104

Email Add: denrcsby02@gmail.com

June 18, 2018

FOR : The CENR Officer
Sablayan, Occidental Mindoro

FROM : The Undersigned

SUBJECT : INVESTIGATION ON THE ALLEGED EXCAVATION IN
WALISWIS, TAGBAC, LUBANG, OCCIDENTAL MINDORO

Pursuant to Travel Order 05-260, the undersigned, together with personnel from the Provincial Environmental and Natural Resources Office (PENRO) of Occidental Mindoro and the Community Environmental and Natural Resources Office in Sablayan (CENRO – Sablayan), accompanied the complainant, Mr. Benito C. Tamares, and Acting Municipal Environmental and Natural Resources Officer (MENRO) Elena V. Morales to conduct the abovementioned subject on 31 May 2018 in Sitio Waliswis, Barangay Tagbac, Lubang.

BACKGROUND INFORMATION

In response to a written complaint by Mr. Benito C. Tamares, dated 03 April 2018, a memorandum was issued on 05 April 2018 by the Mines and Geosciences Bureau – MIMAROPA Regional Office (MGB-MIMAROPA), requesting the Provincial Environmental and Natural Resources Office (PENRO) of Occidental Mindoro to investigate on the matter. Stipulated in the complaint letter (Annex A) is a narrative regarding an alleged excavation within a residence in Sitio Waliswis, Barangay Tagbac, Lubang, Occidental Mindoro. Claiming that the excavation measures up to 42 feet deep and consists of branching tunnels that extend to at most 9 feet long, Mr. Tamares, in behalf of the local neighborhood, has expressed his deep concern that the surrounding ground may collapse and affect their properties. Such information was relayed to Mr. Tamares by Mr. Eddie “Eddieboy” Hernandez, an individual formerly affiliated with the alleged excavation activity.

The complaint was referred to CENRO-Sablayan and received by the undersigned on 24 May 2018. Investigation on the said complaint was added to the target activities for People’s Day, an event held by CENRO – Sablayan to cater services to the remote municipalities of Looc and Lubang from 26 May to 01 June 2018.

Prior the investigation, the Provincial Mining Regulatory Board (PMRB) of Occidental Mindoro was reached by the undersigned to check the existence of a mining permit in the subject area. No permit was issued by the PMRB in Tagbac, Lubang. Likewise, the local government did not issue any permit or clearance as well, according to the MENRO,

Ms. Elena Morales. She also added that they could not take any action on the complaint since Mr. Tamares forwarded his letter directly to MGB-MIMAROPA.

PURPOSE AND SCOPE

The field investigation aims to verify the existence of the alleged excavation, validate its association to mining activity, and assess the supposed imminent hazard to the local community. This fieldwork involves ocular inspection and verbal communication with the owner of the land property excavated, Mr. Regan Tulaylay; the concerned neighbors, Mr. Cesar dela Fuente and Mr. Benito Tamares; a former contractor, Mr. Eddie Hernandez; and the representative of the accused, Mr. Rico Bernandes.

FINDINGS AND OBSERVATIONS

1. The site of excavation is situated within the old residence of Mr. Dominador Tulaylay in Sitio Waliswis, Barangay Tagbac, Lubang Occidental Mindoro. The land property of Mr. Tulaylay is adjacent to that of Mr. Benito Tamares, which can be easily accessed through the main road in Tagbac (Figure 1).
2. Mr. Tamares, however, had heavily fenced the perimeter of his land with barbed wires, closing off the path from the road to the site of interest. Fortunately, he granted the investigating team permission to damage the wires to be able to pass through and inspect the excavation site ahead (Photo 1). According to Mr. Tamares, his fence was done in retaliation to the fencing the accused party did first. The site was fenced with closely-spaced bamboo and can only be entered through a gate with a sign that read "PRIVATE PROPERTY. NO TRESSPASSING.". Stockpiles of cobble-sized rocks could also be observed from outside the fence (Photo 2).
3. At the time of inspection, Mr. Tulaylay's property was watched over by Mr. Cesar dela Fuente, another neighbor who granted the investigating team permission to enter and inspect the excavation. The land area was around 50 square meters and at its center stood a small, abandoned hut wherein the excavation was conducted (Photo 3). No ongoing activity was witnessed.
4. The excavation measured about 3 by 2 feet and was covered with wooden planks. About a foot along its perimeter, the ground was filled with aggregates and appeared slightly separated from the original flooring by distinct linear cracks (Photo 4).
5. Outside the hut, pipes and various tools including a mallet, wrenches and triangular metal pieces (that served as pulleys according to Mr. Eddie Hernandez) were observed (Photos 5 and 6).
6. Upon the invitation of Ms. Morales, Mr. Regan Tulaylay, son of Mr. Dominador Tulaylay, eventually arrived and did not show any objections to the inspection in their property. Mr. Tulaylay claimed that the last excavation operation was conducted on around March 2017. Mr. Tamares, however, insisted otherwise since the accused, Ms.

Cherry Caringal, was sighted on 29-30 March 2018 at the vicinity of the site, and the excavation until now remains open and unstable.

7. When asked if the land owner gained any compensation from the operations led by Ms. Caringal, Mr. Tulaylay affirmed but refused to elaborate the details of the payment. He also stated that the agreement was only verbally made between the two of them.
8. The undersigned tried to reach Ms. Caringal through a contact number provided by Mr. Tulaylay. Unfortunately, Ms. Caringal was claimed to be unwell, so Mr. Rico Bernandes spoke in her behalf instead. Mr. Bernandes specified that the price for the use of the land property was to shoulder in installments the construction expenses of Mr. Tulaylay's new residence.
9. When asked, Mr. Bernandes admitted not securing any permit for their activity. A "division chief" from the Department of Environment and Natural Resources (DENR), named Ronald Salibo, allegedly permitted them to conduct the excavation, and told them that such operations were not under the authority of the Department and needed no permit. Furthermore, Mr. Bernandes stated that the excavation was "too small to be of any concern".
10. Mr. Eddie Hernandez reported that the excavation began on 09 October 2016 as a 4 by 6-foot pit. Four male individuals, including his self, were hired by Ms. Caringal, to manually conduct the excavation using shovels and mallets. He was fired, however, on October 2017 and failed to witness the later stages of the excavation activity.
11. Mr. Hernandez added that Ms. Caringal and Mr. Bernandes had a detector that suggested the presence of "gold" at a depth of around 18-22 feet. The pit was allegedly excavated further until a depth of 42 feet in search for this "gold". Moreover, tunnels that range from 3 to 9 feet in length were also allegedly dug perpendicularly from the main pit (as illustrated by Mr. Hernandez in Annex F). Mr. Tamares expressed his dismay at the possibility that his land property has been breached beneath by these tunnels.
12. The excavated material, as evidenced by the observed stockpiles and as reported by Mr. Hernandez, was identified by the undersigned as coralline limestone.
13. Mr. Hernandez also mentioned the presence of a black tar-like rock within the coralline limestone strata which was allegedly sampled and sent by the accused party to Manila for lab testing. Mr. Bernandez denied such claims and accused Mr. Hernandez of conjuring lies out of spite from being dismissed as a contractor.
14. All parties reported that at approximately 18 feet, the static water level was penetrated by the excavation. Mr. Hernandez further narrated that this required the contractors to dive using compressors and weights to proceed at greater depths. To Mr. Cesar dela Fuente's benefit, the water from the well created was piped out to his adjacent fish ponds (Photos 7 and 8). In contrast, Mr. Tamares complained of the unpleasant smell that came off from the pumped waters. No strong odor, however, was noted during the site inspection.
15. Mr. Bernandes, on the other hand, denied excavating up to 42 feet. He claimed that their excavation was only linear and halted once the water was reached. He admitted, however, the use of a detector, clearly stating it was utilized for treasure hunting,

which was fruitless nonetheless. He said that they were merely testing their luck and explained that the actual purpose of the excavation was to provide a water source for Mr. dela Fuente's drying fish ponds.

16. In congruence with Mr. Tamares' reports, Mr. Bernandes stated that Ms. Caringal was an investor on Mr. dela Fuente's fish farm. This was confirmed by Mr. dela Fuente, explaining moreover that Ms. Caringal could still not gain from the profits of the fishery until such time that she has earned back the capital she lost from the excavation activity.
17. According to Mr. Bernandes, they hired a technician from Aqua Culture, who directed them to the location of Mr. Tulaylay's residence as the best source of brackish water for the ponds. However, Mr. Bernandes admitted that no water permit was secured by the accused party from the National Water Resources Board (NWRB) to proceed with the well construction.
18. Mr. dela Fuente narrated that his one-hectare fishery was only formed into shape about a month before the site inspection. He also admitted that he did not secure an Environmental Compliance Certificate (ECC), or Certificate of Non-Coverage (CNC) from DENR for the said project.


COMMENTS AND RECOMMENDATIONS

Hereunder are the recommendations of the undersigned based on the conducted field investigation.

1. As evidenced by the stockpiles and reports of Mr. Hernandez, the undersigned identified the underlying and excavated material as coralline limestone, a type of sedimentary rock that is of low economic value to be mined and rarely hosts gold mineralization. Site inspection has also shown lack of evidence of the latter. Mining activity was therefore not involved in the excavation operations conducted by the accused party. However, since Mr. Bernandes admitted the use of a detector for treasure hunting, the matter should be addressed to the National Museum to determine whether a violation was committed against the Office Order No. 2011-83 of the National Museum of the Philippines, otherwise known as the *Guidelines Governing the Issuance of Permits for Treasure Hunting*.
2. Limestones, however, is a typical component of karst topographies, where hollows and/or caverns form underground as a result of dissolution by groundwater. Over time, the ground above these empty spaces may collapse and form sinkholes. Although no surface manifestations of sinkhole formation were found during the investigation, the local authorities are still advised to verify the existence of the alleged branching tunnels which may worsen the potential hazard of ground instability.
3. Regarding the dug well created by Ms. Cherry Caringal and company to provide a water source for Mr. Cesar dela Fuente's fish ponds, the National Water Resources

4. The Environmental Management Bureau (EMB) should also be informed to assess the possible environmental risks of conducting the activity in proximity to the coast (approximately 150m). Cease of operations does not remove the accused party from taking responsibility of the impacts of the excavation activity conducted. Ms. Caringal's party is therefore advised to rehabilitate the site and observe proper management of the well/excavation made to ensure the safety and health of the affected community.
5. Should Mr. Cesar dela Fuente wish to proceed with the development of the fish ponds, he is strongly advised to secure an Environmental Compliance Certificate, or Certificate of Non-Coverage from the Environmental Management Bureau (EMB) for the project.

For your information and consideration.


JEZZICA E. BALMES
Science Research Specialist I/
MGB Embedded Personnel

cc : **The MENRO**
Environmental and Natural Resources Office
Lubang, Occidental Mindoro

The Regional Director
Mines and Geosciences Bureau - MIMAROPA

ANNEX A (Complaint of Mr. Benito Tamares regarding an Alleged Excavation)

(1) to 3 page April 3, 2018

Department of Environment and Natural Resources
MIMAROPA Region 6th Floor
Environmental Management Bureau

Regional Director

bahay ni Domi nadot Tulalay

Ako po si Benito C. Tamares may muling ipinagalam sa inyo na lalong mahipit na nangyayari sa amin sa lugar ng Waliswis, Tagbac, Lubang occidental Mindoro na ito po ay hindi mapapasok na para makita ang lupang hinuhukay dahil ayaw papasokin ang mga taong magbibisita sa lugar ng pinaghuhukayan dahil, bawal daw. Ito po ay dalawang pareila sa lugar ng Waliswis at lugar ng Salok na halos magka lapit na lugar at halos tapatan. Kailangan po ito ay may watanth or Atisth para makapasok ang lugar ng pinaghuhukayan, dahil sa loob ng bahay nagumpisa ng paghukay. Ang lugar kolang ito ay katabi ng lupa ko sa lugar ng Waliswis. Kaya ako'y nanswala nandoon ang mga lupang hinuhukay na nakatambak sa gilid ng bahay ng pinaghuhukayan. Ang simula ng butas ng kanilang hinukay, ayon sa taong akinausap ay (5) feet to (6) feet ang luwang at haba at ang lalim na hinukay ay (42) feet tapos tina bunan dahil ayon daw sa ditictor ay kumpas na sa hinahanap na mina dahil nasa 18 feet daw na toon ang minang hinahanap. Hinuhukay pa sulid sa (4) na lugar ng pinagumpisa han paghukay ~~paghukay~~

(2)

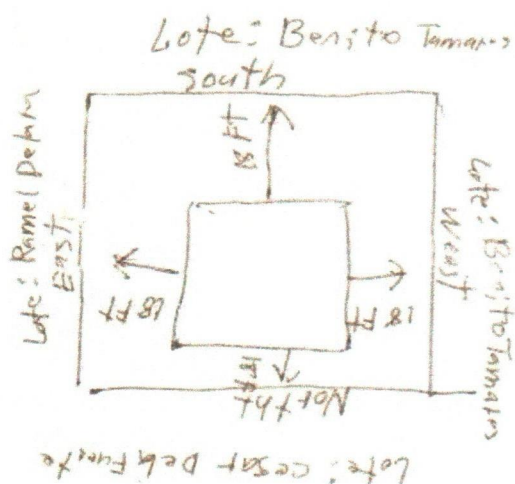
sa matatag ang sina sabing (18) feet pa luang
sa ilalim ang pagbukay at nilagyan daw ng
sahod na tukod ang lupa ng hinuhukay dipinasa.
Sa lupa pata buwag gumuhap ayon sa kuento
ni Edie boy ang pangalan ng akong bina usap
dahil kaya siya nagtapat sa akin siya ay
tinanggag na mayon sa pagbukay dahil baka ma-
kita ang gintong makikitukay ay mag sambong
matamang makalam, kaya sila na lang ang
patuloy na humuhukay ng ang Manager nila
ay isang Babae ayon sa kuento nung si Edie boy
na tinanggag/ sa trabaho, kaya niya alam siya
ang nag operate sa makinang ginagamit nila.
Malapit na daw lumampas sa lugar ng may aki
ng lupa na nagpabukay.

Ang lupa na katabi ay lupa ko sa gawing Weath at
South, sa East naman ay lupa ni Ramel de Lara,
sa North ay lupa ni Cesar dela Fuente na ayon
sa kuento ay magkinalaman si Cesar Dela Fuente
sa pagbukay kaya pinabintulutan dahil ang tubig
na tinataponan ay kanilang Pakisdaan ayon sa
kuento sila'y binabayaran. Nagalit si Edie boy
kaya nagtapat sa akin dahil tinanggag nga siya
sa ngayon at patuloy na hinuhukay kaya kaila-
ngan mabilis na bisitahin at baka gumuhap
ang lupa na hinuhukay dahil pasulibang hukay
na at ang tingin ang ginto magmula sa pinaag-
mulan ng pagbukay ay (18) feet baling-baling
kaya ku puede po ipatating agad ningo sa pinak-
ta mataas na naantos upang maakayonan sa
madaling panahon dahil baka gumuhap ang lupa
ng kabangyan na sa katabi ng babay ang lugar.

(3) page

dakil nasa sintro ng babayan ng Ualisabis.
Dapat po aksyonan agad at magdala ng Ulatth
of Artist para ma pasok ang lugar ng pinagbu-
hukayan dahil kulong ng babod na sa lar at
sa loob ng babay nagumpisa ng pagbuboy
sa ngayon ay lalampas na sa hangganan ng
lupa ng nagpahukay noong si Edie boy ay
tanggalin at patuloy na bubukayin ali pag-
ka lipas ng mahal na araw at ayon sa kaso-
to at nakita daw nisa iyang babae ng nagma-
may at, ng kapital sa pag mimina noong
sabado: March 31, 2018

Pakiusap po, kailangan mabilis AKSYONAN
Ulatanth kailangan para mapasok ang
lugar dahil ayon sa kaso ay may tinala-
man ang kapitan ng Tagbac at Mayor ng Lungsod
dahil inireklamo na tau ni Ramel Belata
ay siya tinakot ng Pulis kaya hindi po na ma-
pasama sa Batangay ng Tagbac para malaman
ko ang batutuhan.



Matamipang Salamat
Gumagatang
Benito C. Tamaros
0921 3760618

Blk. 85 Lot 12 Parokel
Kanal Dagat Dagatan
Caloocan City

ANNEX B (Location Map of Investigation Site)



Figure No. 1. Site location of alleged excavation in Sitio Waliswis, Barangay Tagbac, Lubang, Occidental Mindoro.

ANNEX C (Photo Documentation)

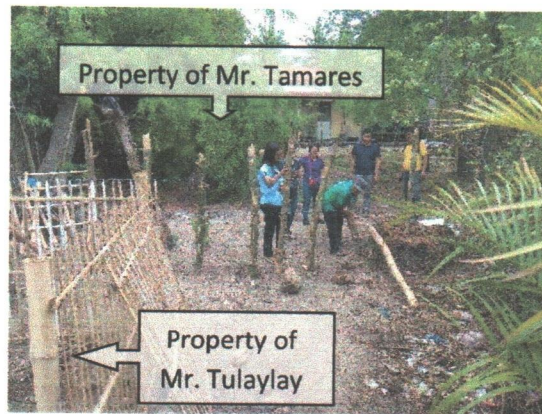


Photo No. 1. Site location with respect to the land property of Mr. Benito Tamares.



Photo No. 2. View from outside the fenced site. Stockpiles of cobble-sized coralline limestone observed within the site.

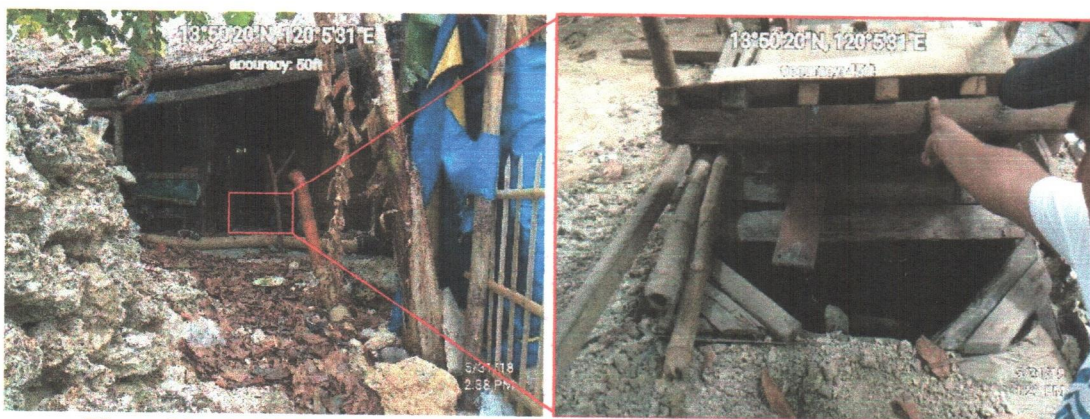


Photo No. 3. The excavation site within the old residence of Mr. Tulaylay.

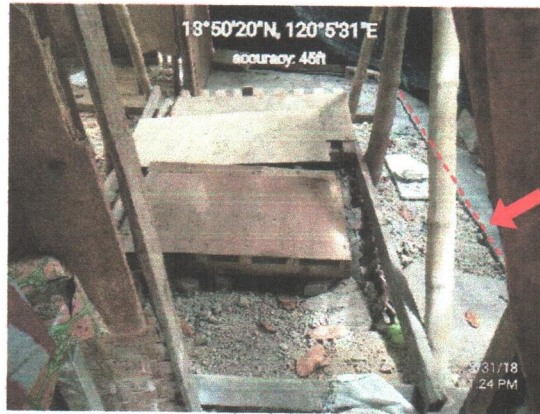
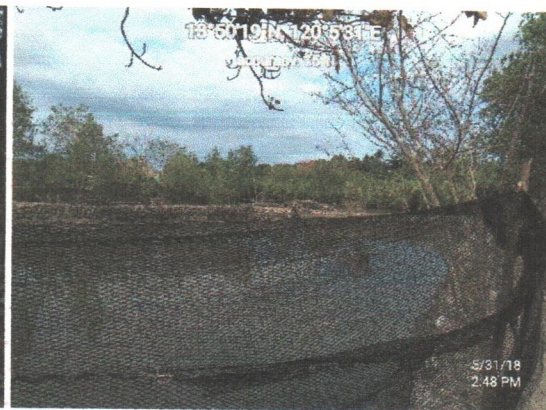


Photo No. 4. The excavation covered by wooden planks and surrounded by filled in aggregates. Dashed lines delineate linear cracks showing slight separation from the original flooring.



Photos No. 5 and 6. Pipes and excavation tools found within the vicinity of the excavation site.



Photos No. 7 and 8. Fish ponds of Mr. Cesar dela Fuente adjacent to the excavation site.

ANNEX D (Memorandum by MGB re: Complaint of Mr. Benito Tamares)



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

MEMORANDUM

FOR : **FOR. ABE R. FRANCISCO**
Provincial Environment and Natural Resources Officer and PMRB
Concurrent Chairman
PENR Office
Mamburao, Occidental Mindoro

FROM : **THE REGIONAL DIRECTOR**
Mines and Geosciences Bureau – MIMAROPA Region

SUBJECT : **COMPLAINT OF MR. BENITO C. TAMARES REGARDING
THE ALLEGED EXCAVATION IN WALISWIS, TAGBAC,
LUBANG, OCCIDENTAL MINDORO**

Date : **05 April 2018**

This refers to the attached Letter-complaint dated 03 April 2018 (sic) of Mr. Benito C. Tamares, which was received by this Office on 02 April 2018, alleging the excavation of certain individuals in Waliswis, Tagbac, Lubang, Occidental Mindoro.

In view thereof, please be requested to conduct an investigation to verify the complaint.

Please furnish this Office a copy of the report within 15 days upon receipt of this Memorandum.

For your consideration and compliance.

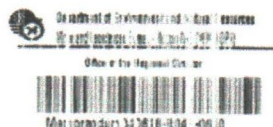
ROLAND A. DE JESUS, CESO V

Noted:

NATIVIDAD Y. BERNARDINO, CESE
Regional Executive Director
DENR-MIMAROPA Region

Enc'l. : As stated.

cc : **Mr. Benito C. Tamares**
Blk. 85, Lot 12, Purok-1
Kawal Dagat Dagatan
Caloocan City



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

ANNEX E (Memorandum by PENRO re: Complaint of Mr. Benito Tamares)



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Mamburao, Occidental Mindoro

May 23, 2018
RECEIVED
BY *[Signature]*
5-24-18
1839

MEMORANDUM

TO The OIC, CENR Officer
Sablayan, Occidental Mindoro

FROM The OIC, PENR Officer

SUBJECT COMPLAINT OF MR. BENITO C. TAMARES REGARDING
THE ALLEGED EXCAVATION IN WALISWIS, TAGBAC,
LUBANG, OCCIDENTAL MINDORO

Referred to that Office is the herein memorandum from the Regional Directors Roland A. de Jesus, CESO V and Natividad Y. Bernardino, CESE regarding the letter-complaint of Mr. Benito C. Tamares of Waliswis, Tagbac, Lubang, Occidental Mindoro. It is instructed to conduct investigation to verify the complaint.

Submit report within 15 days upon receipt of this memorandum

For immediate compliance

For the OIC, PENR Officer

ERNESTO E. TAÑADA
DMO V/Chief, TSD

cc
RD Roland A. de Jesus, CESO V
Mines and Geosciences Bureau
MIMAROPA Region, Ermita, Manila

RD Natividad Y. Bernardino, CESE
DENR-MIMAROPA Region
Ermita, Manila

Mr. Benito C. Tamares
Tbk. 85, Lot 12, Purok 1
Kawal Dagat Dagupan
Calapan City

ANNEX F (Additional documents submitted by Mr. Tamares during the inspection)

1 page May 31, 2018

Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region
MEMORANDUM
FOR: FOR. ABE R. FRANCISCO
PROVINCIAL Environment and Natural Resources
OFFICER and PMRB Concurrent Chairman
PENR Office
Mamburao Occidental Mindoro
FROM: THE REGIONAL DIRECTOR
Mines and Geosciences Bureau - MIMAROPA
Region
SUBJECT: COMPLAINT OF MR. Benito C. Tamares
REGARDING THE ALLEGED EXCAVATION IN
WALIS WIS, TAGBAC, LUBANG OCCIDENTAL MINDORO
Date: 05 April 2018

This refers to the attached Letter-Complaint dated 03 April 2018 (sic) of Mr. Benito C. Tamares, which was received by this office on 02 April 2018, alleging the excavation of certain individual in Walis Wis, Tagbac Tubang Occidental Mindoro.

In view thereof, please be requested to conduct an investigation to verify the complaint. Please furnish this office a copy of the report within 15 days upon receipt of this Memorandum. For your consideration and compliance.

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

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MINES AND GEOSCIENCES BUREAU

Sa Kinanukulan:

Ako po ay humihingi sa inyo ng tulong na para mapa investigahan ang mga tao na may kinalamang sa na sabing pagpapamina sa na sabing lugar sa Waliswis Tagbac, Lubang occidental Mindoro na ayon po sa sinabi sa akin ng aking wetness na nagpapaturay sa lahat ng kanyang nasaksihan noong siya ay nagtatrabaho pa sa na sabing miniming bilang operator sa makinang na kanilang ginagamit simula year 2016 hanggang year 2017 siya'y nagtrabaho at noon taon 2017 siya ay tinanggag. sinabi po ni Ediboy Hernandez na ang sukot ng umpisa ng paghukay ay 4×6 Ft at hinukay ng palalim sa sukot 42 Ft at na detect na lampas na sa hinahanap ng mina, tinabunan ang lalim na 20 Ft at mula sa 22 Ft ay hinahukay ng palayang at hahanapin sa 18 Ft sa apat na side simula sa pinagumpisahan na sukot 4×6 Ft. At narito po ang sketch na ibinigay ni Ediboy sa akin na sukot na nagabot noong siya pa ay nagtatrabaho sa nasabing miniming mula year 2016 hanggang March 2017 at patuloy pong hinahukay hanggang year 2018, dahil po noong mahal na ataw March 29 to 30 2018 ako ay nandigan sa lugar ng malapit sa hinukay ^{na} pa na kanilang miniming at nakita ko pa iyang isang babae sa Kubo ni Dominador Tulaylay na nakaupo at may nag sabi-

Page

Sa akin na iyon ang manager sa nasabing minimining na bagong dating at pabalile-balile daw ang babae ng iyan Krista to Waliswis at daan daw na tatylog sa bahay ni Cesar Dela Fuente sa katabi ng kanilang hinuhukay at ang kabigla na bahagi ng palais daan nina Cesar ay naka at yenda daw sa babae ng nagpapamina, kaya magkinalaman siya Cesar Dela Fuente sa hinuhukay na minimina kaya pala hindi nagtutukma kahit pa siya ay kaibang gan ng minimina.

Ang apiktado po na mga kahangganan ay sina Benito C. Tamakes sa gawing South at west; sa gawing East: Ramel Dela at sa gawing North: Cesar Dela Fuente at diyan po sila malaliman na kapag hindi po sila nagtitikamo ay baka po sila kasa-bat sa nasabing pagmimina. ang lalim daw po ng tybig sa loob ng kanilang hinuhukay ay 18 ft at sa gawing amihanan malakas na bulbok kanilang natagpuan pa puntang habagatan: at sa gawing salatanan bulbok natagpuan pa puntang sabalasan. Kahit pa po nila iyan ay tabunan gugubo po ang lupa dahil binasa po nila ang bato na naka takip sa bulbok kaya gugubo din po bawat ataw dahil pagkatibok ng Flywood na kanilang inikopy na alalay na magtutod na poste at alalay na lambat para huang gugubo.

Page
at ang sinabi po sa akin n' Edi boy
pag binisita hawang tatapatan ang
gilid ng hinukay at bato gumuhod dahil
gumuhod na daw po iyan inayos lamang
nila.

Kaya ako po ay nakikiusap po sa inyo
bilang kayo ang may katapatan ng
malapag papahinto sa nasabing minimi-
na dahil sakop po ninyo ang malapag-
bawal magminas dahil apit tado po ka-
minang mga kahanggag, kaya dapat po
ninyo kami ay inyong matutulungan na
pabintutin ang paghukay, balile ng
magagos ang mga lupa at bato na kanilang
hinukay at pangutanan po nila ang kapu-
wes yohan na ginawa nila sa aming at
ang tubig daw na kanilang kinubuhin sa
kanilang miniming ay sabta ng babo
kaya matakapit po sa kalusagan
ng mga taong naninirahan sa katubig
ng nasabing hinuhukay at ataw daw
at gabi silang nagbabatig agos sa
sinabi sa akin ng mga taong kahanggag.
At bakod po sa hinuhukay sa akin in-
tetektamo ay meton pa pang hinuhukay
sa lugar ng Salok sa Silangan Walisalis
at lugar ng Tumiboo na huhukayin pa
kaya dapat po mapanginestigahan sa
madaling pangalan at sarbeyin lahat
ninyo ang mga lugar na akin sinagabi
dahil kausap ang mga kahanggag na
malalapit sa nasabing mga mimina hinu-

1 page

Natito po mga tao na may kinalaman sa paghahukay sa nasabing minininga.

1. Cherry Catingal - Manila
2. Regan Tulaylay - Waliswes
3. Kolot - managang ni lakua - Tanga
4. Dominador Tulaylay - Waliswis
5. Norme - Manila

Iyan po ang mga tao na aking inireklamo sa inyo bilang na may kinalaman sa nasabing pagmimina sa lugar ng Waliswis, Tagbac, Lubang occidental Mindoro

Kaya po kagay ang may kapapatan na na magpahinto sa nasabing pagmimina na at sa inyo ko ito inilapit DENR MINES AND GEOSCIENCES BUREAU MIMAROPA Region

Alam ko pong mahigpit na ipinagbabawal ang nasabing pagmimina kahit pa sa ang lugar at dito po ay sinabi:

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

Waliswis Tagbac

Lubang

Occidental Mindoro

Gumagalang

Benito C. Tamates

09213760618

May 23, 2018

BARANGAY HALL

Tagbac Lubang Occidental Mindoro
Kaglalanggaling Kapitan Tagbac -
Ginoong Victorino Viana

Heto po ang mga pangalan ng mga
tao na may kinalaman sa paghuhukay
sa nagabing nagmimina na mga pangalan
na ibinigay ni Eddi boy Hernandez -

- | | | |
|--------------|----------|-------------------|
| 1. CHERRY | CARINGAL | Maynala |
| 2. REGAN | TOLAYLAY | Tagbak - Waliswís |
| 3. Kolot | | Tangal |
| 4. Domemador | Tolaylay | Tagbak - Waliswís |
| 5. NORME | | Maynala |

Isa walanggang po kapitan, pakidala han
po ninyo ng abiso ang mga taong ito
sa madaling panahon at ang wala po dito
na hindi darating sa inyong paanyaya
ay puede na kin po nating ipagpalatay
ang ating pag-uusap dahil hinhiintay po
ng Palis ang resulta at don na ity-
fale y lang ano man ang pagkasun-
daan ng pulong Barangay.

Gumagalang

Sitió Waliswís
Tagbac Lubang
Occidental Mindoro

Benito C. Tamares

0921 3760 618

July
5/24/18
Received capt. Viana

Received Mam Elen

(1) page

May 22, 20

Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region
MEMORANDUM
FOR: ABE R. FRANCISCO —

Provincial Environment and Natural Resources —
Officer and PMRB, Concurrent Chairman
PENR Office, Mamburao Occidental Mindoro
To: THE REGIONAL DIRECTOR —

Mines and Geosciences Bureau - MIMAROPA Region
By: VICTORINO VIANA —

Captain Bagay, Tagbac Lubang Occidental Mindoro
For Hon. Mayor RUBERTO "BOBBY" SANCHEZ —

MUNICIPAL GOVERNMENT OF LUBANG Occ. Mindoro
THRU: POLICE COMANDER —

LUBANG, Occidental Mindoro
SUBJECT: COMPLAINT OF MR. BENITO TAMARES B —

REGARDING: THE ALLEGED EXCAVATION IN
WALISWIS, TAGBAC, LUBANG Occ. Mindoro
Witness: Mr. Eddi BOY HERNANDEZ Eddi B.

Dating trabahador Mining, operator:

Tinanggal naong, March 2018

WALISWIS TAGBAC, LUBANG Occ. Mindoro

Haga tao apettado sa nasabing minimina —

South: Benito C. Tamares —

West: Benito C. Tamares —

East: Ramel De Lata —

North: Cesar De la Fuente —

Ineteretismo: Dominador Tulaylay —

May ating loob ng bahay na ipina-hatay:

Dapat managot: CHERRY CARINGAL

Mining Head - Chairwomen:

(4) page

May 19, 2018

Nagbigay salaysay i EDDIBOT HERNANDEZ
atas: 7: PM; WALISWIS TAGBAC LUBANG-
OCCIDENTAL MINDORO

Meron po siyang ibinigay sa akin na sketch
na pagpapatungay na kaya niyang hatapan
kabit pa saan mag abot ang pagkasap-
tungkol sa kanyang pinagtutuhayan na
pangyayati sa nasabing Problems bastat
dito sa Republika ng Pilipinas:
Ang sukat ng simulang paghatag:

4X6 Ft

Hinukang palalim - 42 Ft

Ang tingin matatagpuan - 18 Ft

Tidabunan 20 Ft

Itahanapin sa sukat 18^{Ft} paluang simula sa
pinagumpisahan na hinakag sa apat ng
side: South: 9-Ft - 8-Ft

West: 3-Ft

North: 4-Ft - 4 Ft

East: 7-5 Ft

Iyan po ang ibinigay niya sa akin na sukat
naong nagtatrabaho pa siya sa nasabing
Minimins: March 2014

sinabi niya ang bulbok na kanilang natag-
puan sa gawing Amihan ay malakas at hindi
daw kayang iga hin ng makina na kanilang
ginagamit patungo sa gawing habagatan:
sa gawing salatan, bulbok natagpuan
patungo sa abalaan:

Papaano po hindi gagana ho ang lupa kabit
patubunan dahil bingsoag na nila ang
bato ng bulbok na pinanggagalingan.

(3) page

Apilatado po kaming ka hanggan, kahit pa
ta buwan dahil binasag nila ang bato na
naka dipinsa sa bulbok ng pinanggag-
galingan kaya po iyan ay ipinaglaban-
wal ng DENR-MGB MR: MEMAROPA
Kaya kahit pa tabunan nila iyan panan-
gutan ng mag kilaman sa pagpapahukay
sa nasabing Mining.

Dapat po ay ipahinto na ninyo ang pag-
huhukay dahil lampas na sa kanilang
lugat ang kanilang hinuhukay dahil moong
maka mahal na ataw ataw ng sabado
dumating iyang nagmamamag sa pagpapah-
ukay hindi ko alam ang pangalan, isang
babae at ang sinabi ay CHERRY ~~Eating~~ ang
pangalan.

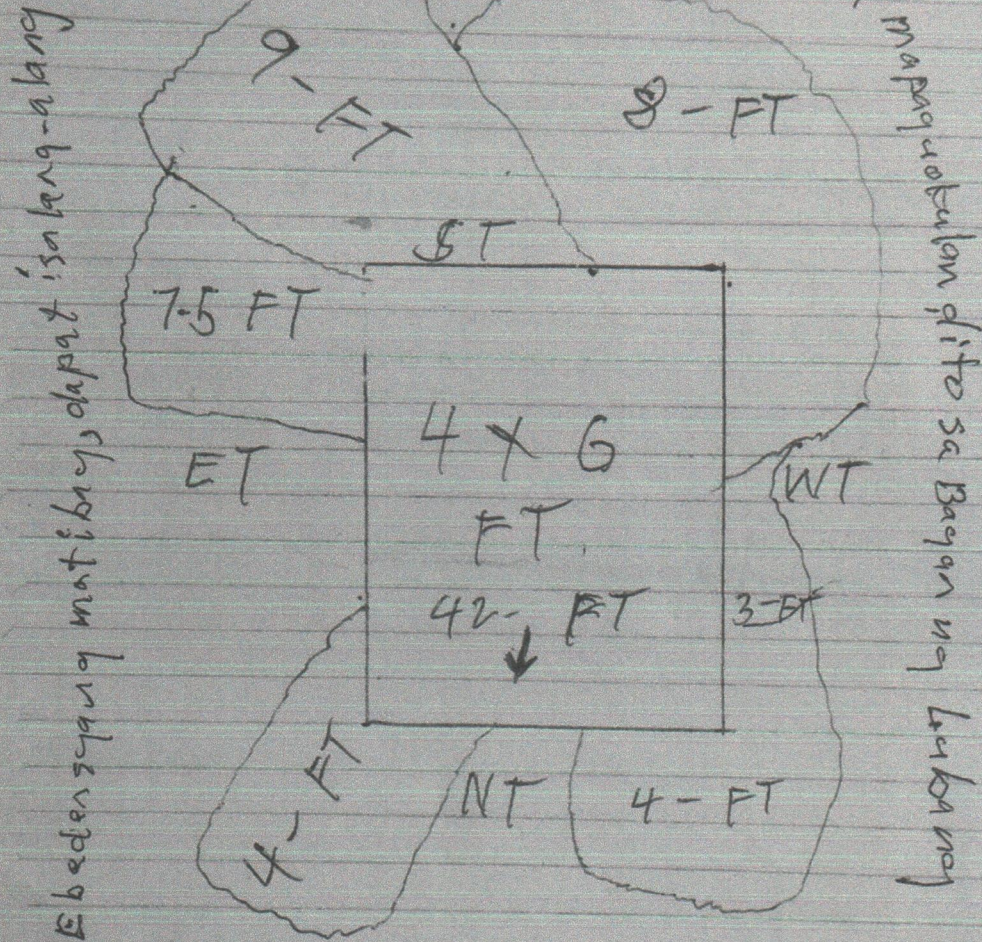
Aloang mahal na ataw 29 to 30 March 2018
uulitin na paghukay April 2, 2018 patuloy
na hinuhukay hanggang sa ngayon.

Ipahinto po ninyo ang pagpapahukay dahil
malaki ang puti wesyo sa aming sa sapitin
kahit pa tabunan patuloy nilang panan-
gutan ang aming kaputwesyo kan pagda-
ting ng ataw dahil binasag nila ang bato
na pinagdadaanan ng bulbok, kaya patuloy
po iyan ay guguhin sa balang ataw at
hilagyan lamang nila ng sabod na ~~Flax~~ wood
at mag lambat na alalay para huag bumig-
gay at sinabi sa akin kong bibisitahin daw
namin huag ta tapakan ang gilid ng hinu-
kay dahil gumuhin na iyan.

Gumagaling
sitio Maliguis Tagbore Lubang
Occidental Mindoro

Gumagaling
Benito C. Tamaras
09213760618

Report ni Benito C. Tamayo, B
 Dapat bigyan pansin ng sino mang,



Eto po ang tamang sapat
 labang ako po ay nag tatatubaho
 magandang Manse.

Page 1 Eddi bay Hernandez

MA 21 ng Mayo 2016

DATE _____

MAG SUMBONG - BENNY TAMARE EDD BOY

IPINAGSUSUMPOK - BANGKAY TUNAY

UKOL SA - WPT

MUA DUNAO

P.B. MARAMING HINIA. KINANGAN NATIN RAGULANAN
ANG BAWAT SIPI. KATATAG NG SA BIRMAN
SUMBONG NI BENNY TAMARE UKOL SA IPINAGSUSUMPOK
NA WDA PAKA GUMONG. UPAN MAMAMAD ANG
TUNAY NA UATIAN

BENNY. NARUNA KO TINANGAL KO DYAN KAL, PAMILYA
NGAYO UYANNA KO SUGA SA KALITAN
NGUNIT DI KO MAPACAMA. DIKO WALISAMA
SIYA! KAYA NAGPUNTA AGO SA DEUR,
PB AND ANG SINIKABI SA MIKANDON

BENNY PB NAGBALIK AND SA MIMANDON WAGA PAKA
SAGOT ANG DEUR, TUNGOL SA PAGHUKAN

BENNY - DADALHAN PA SA MAMOURAD

PB - AND PO ANG PAGMIMINA

BENNY. PARIAMBIYAHAN PO AND SA SI NIA,
IDA NAGMIMINA. SAKOP NG NAGMIMINA.
KAPU NGAYON DIBA SI EDDIE BOY GALING DYAN
AND DA ANG GAMIT ANG NAGAN SA
PAGHUKAN

ED. BAKITA MASO SIPSIL 2 KOMPOSISYON NG
DETECTOR SUBMERSIBLE PUMP. SABON SUTON

KAPU SAMATUWID NAGOOPEMTE PAGMIMINA
MAY BANG DETECTOR NAKITA XD.

KAP/

PALDETET (NAAH) NWA.

DATE _____

CHERRY

WAGAN PO AKO NA AGAL SA PANTAS
 ANG MARAMI PDNI (SINABO) NYO
 NA MAPAHINTO, LAHAT PO NG
 ITO AY MAPAHINTO, NA ITO.

KAUSAP KO PO ANG DENR

DI PO NILA SAKOP ANG 4X6 NA
 SUKAT, BAKAL WONG PUNUNTA SA
 DENR. LAGYAN ANG WPA NG NO
 TRBPASSING.

BENNY

HINDI PO AKO NAGDIDIKTA NA PUMAROR
 SA WPA.

KAP

ITO DO DA ANG SINABI NWA.

BENNY

HINDI SAKOP ANG 4X6 PALDETET
 18 FEET NALPAWANG, O PA ISANT

BENNY

SINABING UMPISAHAN ULI ANG PAL
 PAPA KAL.

KAP

KATAGAN HINUKAY ULI.

BENNY

ARAW NI WNGS PALKAPAHAN NA ARAW.

CHERRY

KATO PO AG BUNISITA SA WPA MI
 CESAR DE LA FUENTE,

KAP

ANONG PETA KINARA

ED.

MAARING NALATATROSS SA MARSD O
 ENTRADA NG APRIL, ISAN PO ANG
 TRABAHO NAMIN.

CHERRY

UNABUNAN NA PO YAN

ED.

UMUKAB PO KAMI SA 4X20,
 NALISANT SA 18 FT. TO 24 FT,
 NAKABOT PO KAMING 9 FEET,
 PAPONTA SA KANGA, MALMULA PO
 SA 4X6 SINUKATAP PO NAMIN
 PO NAMIN UDNI PAISANT PO UDNI.

	DATE _____
API	ITO NAWAN KASI AND ANG GUSTO MO.
EMULY	NABUTAS PO ANG BULBOR AT NABASAC PO ANG BATO.
EDI	8 FT. 10 FT. ANG MAG TUBIG NASA IS FT. ANG LALIM NG TUBIG.
BENNY	WOLG NA PO ANG WAPA KO.
ANGAN	WAGA WOLG KUNAMANI TIA LUTAY NG CUNAMUN.
EDI	ANG NASUKAT PO NAWAN AY IYANG 8 FT.
PO	DION SA IBABAW NG 4 X 6 AYIN BA EDIE BOY ALIN ANG 4 X 6. ITO ANG IBABAW IYANG FT.
EDI	9 FT. PO ANG LUM.
KAP	IKAN FT. ANG NATITIRA SA WAPA MO.
BENNY	HINPI PO NAWAN NASUKATAN PA.
CHAB	TINABUNAN MO HUNI HUKAY TINABUNAN MO YONG WAG COTAR. NALISIKSIK KANI WAPA.
	MAJ TABON NA KAG AMIL. KIN ANG WAGAN TARON. MAG NATIPAT PANG WAGAN TABON.
BENNY	ANG REKAMPO KO NASIRA ANG BULBOR. NASIRA ANI TAKOD NG BULBOR.
142	ANG PINAGTATUNAW NAWAN NG BULBOR. KASI YUNG BAWO GANAP PA DIN ANG TUBIG PAG TINABUNAN WAGA NA. YUN DION HINUHUKAY HINAHANAP ANG BULBOR. KASI KONG GAG NA NAWAPOO TITALAR AT TAGAS YANI ANI BUON KASI HINDI NAWAPOO ANG TUBIG.
ED.	NILAGAN PO NAWAN NG KAWANGAN YUNG HUKAY 6 FT. BATO NA PAULUM.
KAP	ANG PROBLEMA NITO SABAY NG DENA PI NGA SAKOP MO.

1542

1. CAI AN IPINAWHING A. ITO.

DATE _____

EDC

NAGTATAPOS NG MARCHO.

164P6

SIMULA NGON MAG MAG HU KAY PA.

12 Apr

PREDICTION MD UMANG YONI
CANIRE BAKA GUMOH DUL
DEKIAN MD. IWAY SAKAL PA GUMOH
MAKINIL KAYO IYU STOP OPERATION.
WALA NG NAC OPERATE,

NEADL

MAG EBERDANSKA BA SLA.

Ed:

МХБ по РЛ по ДЧ АКО.

12/10/01

YKONG WAGDOW KAGONL AAM
PAPUNTAHAN NA LANG. 318
MAMINE TONGKOL DHALA

ICANHA YONI HANUKAH NTA
PRIVATE PROPERTY YON.

2402.

AND ANG SUSUNOD DIIN IYANONG NA
SA MIMAROPA. O DENR-
ANG SABIHAN MO'Y STOP OPERATION.
NA.

KAP.

MAN NAKITA LA BANG PAC COOPERATIVE

BENNY

WALA PO. KAYA PAIMBISTIGAHAN

BENITO TAMAMES

DATE

Jan 11

EODIEGGY HERNANDES

~~R. Pagan~~
RAGLAN NIAGARA

~~Alaugh~~
CHERRY CARINGAL

~~md.~~
P.B. VICTORINO VIANH



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) 310-1359
Email: region4b@mgb.gov.ph



July 09, 2018

Ms. Maria Socorro A. Abu
Regional Director
Environment Management Bureau
MIMAROPA Region

RECORDS SECTION
EMB-MIMAROPA REGION

JUL 10 2018

RECEIVED BY

Dear RD M. S. Abu:


This has reference to the Letter Complaint of Mr. Benito C. Tamares regarding the alleged illegal extraction excavation in Waliswis, Tagbac, Lubang, Occidental Mindoro (copy attached).

In this regard, we are furnishing you a copy of the investigation report dated June 18, 2018 re: **"INVESTIGATION ON THE ALLEGED EXCAVATION IN WALISWIS, TAGBAC, LUBANG, OCCIDENTAL MINDORO"** with the information that the said activity requires assessment from your Office due to possible environmental risks and that there was no illegal mining activity based on the evidences.

Thank you.

Very truly yours,

By Authority of the Regional Director:


EDWIN M. MOJARES, Ph.D.
Chief, Geosciences Division
OIC, Office of the Regional Director

Enc'l: As stated

Cc: **Mr. Benito C. Tamares**
Lubang
Occidental Mindoro



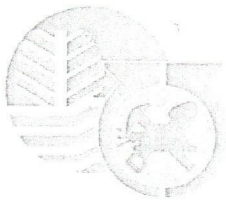
Department of Environment and Natural Resources
Mines and Geosciences Bureau - Region 4B (OP)

Office of the Regional Director



Letter 071018-RO-4B-1204

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



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



July 09, 2018

Mr. Jeremy Barns, CESO III
Director IV
National Museum of the Philippines
P. Burgos Drive, Rizal Park, Manila

Dear Dir. J. Barns:

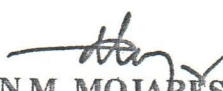
This has reference to the Letter Complaint of Mr. Benito C. Tamares regarding the alleged illegal extraction excavation in Waliswis, Tagbac, Lubang, Occidental Mindoro (copy attached).

Pursuant to RA No. 8492, the National Museum Act of 1998, we are furnishing you a copy of the investigation report dated June 18, 2018 re: **"INVESTIGATION ON THE ALLEGED EXCAVATION IN WALISWIS, TAGBAC, LUBANG, OCCIDENTAL MINDORO"** with the information that the said undertaking is a treasure hunting activity and that there was no illegal mining activity based on the evidences.

Thank you.

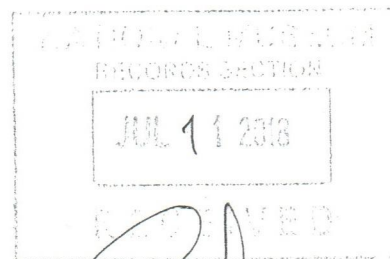
Very truly yours,

By Authority of the Regional Director:


EDWIN M. MOJARES, Ph.D.
Chief, Geosciences Division
OIC, Office of the Regional Director

Enc'l: As stated

Cc: Mr. Benito C. Tamares
Lubang
Occidental Mindoro

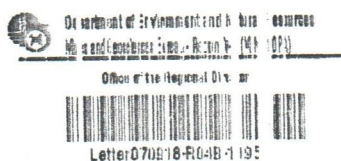



JOHN EARNEST B. GARCIA
Administrative Officer I, GASD
Records Officer I

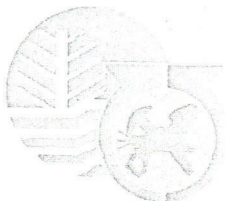
2:30

527-1215

ms. Balie Alvarez



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



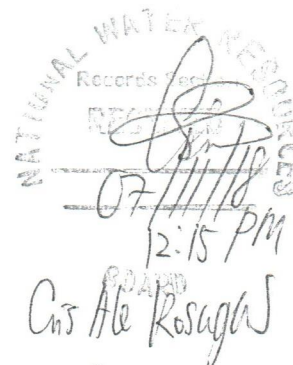
Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

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



July 09, 2018

Dr. Seville D. David, Jr.
Executive Director
National Water Resources Board
8F, NIA Bldg., EDSA, Quezon City



Dear Dir. S. D. David, Jr.:


This has reference to the Letter Complaint of Mr. Benito C. Tamares regarding the alleged illegal extraction excavation in Waliswis, Tagbac, Lubang, Occidental Mindoro (copy attached).

In this regard, we are furnishing you a copy of the investigation report dated June 18, 2018 re: **"INVESTIGATION ON THE ALLEGED EXCAVATION IN WALISWIS, TAGBAC, LUBANG, OCCIDENTAL MINDORO"** with the information that the said activity involves the construction of a water-well for a fish farm, thus, may require a permit from your Office. There was no illegal mining activity based on the evidences.

Thank you.

Very truly yours,

By Authority of the Regional Director:


EDWIN M. MOJARES, Ph.D.
Chief, Geosciences Division
OIC, Office of the Regional Director

Enc'l: As stated

Cc: **Mr. Benito C. Tamares**
Lubang
Occidental Mindoro



Department of Environment and Natural Resources
Mines and Geosciences Bureau - Region 4B (MIMAROPA)

Office of the Regional Director



Letter 070918-RD-1195

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