



08 July 2022

MEMORANDUM

FOR : THE REGIONAL EXECUTIVE DIRECTOR
DENR MIMAROPA Region

THRU : THE ASSISTANT REGIONAL DIRECTOR
For Technical Services

FROM : THE OIC-PENR OFFICER
PENRO Odiongan, Romblon

SUBJECT : REPORT ON THE ALLEGED ILLEGAL EXTRACTION OF
SAND IN CRESTA DE GALLO ISLAND, SAN FERNANDO
ROMBLON

Respectfully forwarding the investigation report dated 08 July 2022 of Science Research Specialist II Felix Carl F. Falquerabao, and Forest Technician I Ernie L. Forcadas regarding the above-mentioned subject.

Based on the investigation report, the local government of San Fernando violated Section 103 of RA No. 7942, Theft of Minerals, by extracting sand in Cresta de Gallo Island in 2018. Issuance of cease and desist order is recommended.

For information and further instruction.

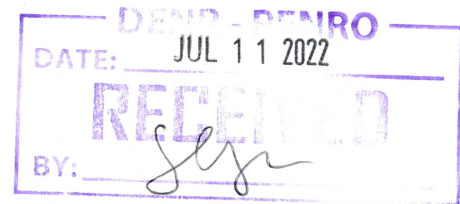
"For and in the absence of the OIC-PENR Officer"


THELMO S. HERNANDEZ
Chief, Management Services Division
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cc: **The Regional Director**
Mines and Geosciences Bureau – MIMAROPA Region
7/F DENR Bldg., 1515 Roxas Blvd. Ermita, Manila



08 July 2022



MEMORANDUM

FOR : **THE OIC PENR OFFICER**
PENRO Odiongan, Romblon

FROM : **FELIX CARL F. FALQUERABAO**
Science Research Specialist II

ERNIE L. FORCADAS
Forest Technician I

SUBJECT : **REPORT ON THE ALLEGED ILLEGAL EXTRACTION OF
SAND IN CRESTA DE GALLO ISLAND, SAN FERNANDO
ROMBLON**

Background Information

On 04 July 2022, the undersigned received a referral from DENR PENRO Romblon with attached complaint letter affixed with a police blotter addressed to DENR MIMAROPA Regional Executive Director Lormelyn E. Claudio, CESO IV from the President of Isla de Gallo Operators and Drivers Association Inc., Mr. Dindo C. Rios, Vice President/Treasurer Guillermo R. Ramo, Parish Priest, Secretary Asuncion R. Rapada, Auditor Victor Falco, and Tenurial Rights Owner Merely R. Rada with the corresponding above-mentioned subject. In line with this matter, the undersigned was tasked to immediately investigate the complaint.

In coordination with the Monitoring and Enforcement Section and Mt. Guiting-guiting Natural Park Protected Area Management Office (MGGNP-PAMO) of DENR PENRO Romblon, a team was assembled to investigate the alleged extraction of sand Cresta de Gallo Island, San Fernando, Romblon.

Purpose and Scope

The fieldwork aims to validate the veracity of the complaint and to recommend necessary actions to address the issue. The field investigation includes the ocular inspection of the area and a dialogue with the local government unit of San Fernando.

Prior to the investigation, the team made a courtesy call to Hon. Mayor Nanette B. Tansingo of San Fernando. The purpose of the investigation was discussed during the meeting.

Findings and Observations

1. The subject area is located at Cresta de Gallo Island, San Fernando, Romblon. Jump off point from the main island of Sibuyan to Cresta de Gallo is in Brgy. Azagra. Travel time from Azagra port to the subject area is approximately 45 to 50 minutes via pump boat. (See map for reference)
2. During the courtesy call with Mayor Nanette B. Tansingco (Photo No. 1), the team explained that a complaint was lodged to DENR MIMAROPA Region regarding the extraction of sand in Cresta de Gallo Island by the local government unit (LGU). Mayor Tansingco stated that as the newly elected Mayor, she knows nothing about the allegations. However, she assured the team that the LGU will fully cooperate with the investigation. The team then asked assistance for the investigation and Mayor Tansingco willingly provided in the person of Mr. Manny Ladera of the Agriculture Office. The LGU also provided the team a pump boat to Cresta de Gallo.
3. The team then proceeded to San Fernando Municipal Police Station to conduct an interview regarding the child who drowned on 21 May 2022 on the said excavation. Patrolman Eugene Fodulla entertained the team and discussed the drowning incident (Photo No. 2). Pat. Fodulla explained that the incident occurred during lunch time when everybody was busy preparing food and eating. The victim reportedly drowned in a pool within the beach. The team asked Pat. Fodulla if he noticed the pool was man-made or natural. Pat. Fodulla stated that he has no idea if the pool was man-made or natural. However, he suggested that the team would interview the LGU's Bantay Dagat present in the island during the incident.
4. The team proceeded to Cresta de Gallo Island together with Mr. Ladera to inspect the excavation and to interview the bantay dagat's present during the incident. Upon arriving, the team asked Mr. Ladera if there were any instances the LGU extracted sand from the island (Photo No. 3). Mr. Ladera admitted that the LGU extracted a small volume of sand from the island's dunes back in 2018 for beautification purposes of their playground (Photo No. 4). However, Mr. Ladera firmly stressed that it was the only time the LGU extracted sand and not even on the beach foreshore.
5. The team asked permission from bantay dagat Jomer Rios for an interview and he willingly accepted (Photo No. 5). The team asked Mr. Rios if the allegations from the complaint were true. Mr. Rios explained that the extraction of some volume of sand from the island's dunes back in 2018 was true. However, the excavation where the drowning incident occurred was naturally formed and not man-made. Mr. Rios then led the team to where the excavation was and further explained the incident. Accordingly, the shifting tides and currents brought upon by the changing monsoons created the excavation (Photo No 6). Mr. Rios assured the team that no extraction at the beach foreshore were being conducted by the LGU and pointed out that Cresta de Gallo was being guarded by bantay dagat 24/7.

Comments and Recommendations

1. The result of the investigation reveals that the local government of San Fernando extracted sand from the dunes of Cresta de Gallo island for the plaza's beautification project back in 2018. Thus, violating Section 103 of RA No. 7942, Theft of Minerals. In view hereof, all extraction activities within the island must be banned and stopped considering that no permits were issued and Cresta de Gallo is now considered a protected area. A cease and desist order must be issued to affect the same.
2. However, the allegations regarding the recent extraction in the island's foreshore resulting to a drowning incident is untrue. The natural depression within the foreshore is aptly called a runnel or beach lagoon. Runnel is formed due to the shifting tides and currents brought upon by the changing monsoons which results into accretion and erosion of sediments. Runnel results from the accretion of surfeit of sand blocking seawater from draining back to the ocean.

For the PENRO's consideration and further instruction.


FELIX CARL F. FALQUERABAO
Science Research Specialist II


ERNIE L. FORCADAS
Forest Technician I

cc: **The Regional Director**
Mines and Geosciences Bureau – MIMAROPA Region
7/F DENR Bldg., 1515 Roxas Blvd. Ermita, Manila

Photo Documentation



Photo No. 1: Courtesy call with Hon. Mayor Nanette B. Tansingco.



Photo No. 2: Patrolman Eugene Fodulla answering the team's queries.



Photo No. 3: Interview with Mr. Manny Ladera in Cresta de Gallo Island.



Photo No. 4: Area on top of the dunes where the LGU supposedly extracted sand for beautification purposes.



Photo No. 5: Interview with Bantay Dagat Jomer Rios.



Photo No. 6: Runnel or beach lagoon where the drowning incident occurred.

Location Map

