



Republic of the Philippines
Department of Environment and Natural Resources
Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

29 July 2022

MEMORANDUM

FOR : **The Regional Director**
Mines and Geosciences Bureau
MIMAROPA Regional Office

THRU : **The PENRO**
Provincial Environment and Natural Resources Office
Sta. Monica, Puerto Princesa City, Palawan

FROM : **OIC, CENRO**
Community Environment and Natural Resources Office
Puerto Princesa City, Palawan

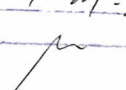
SUBJECT : **INVESTIGATION ON THE ALLEGED SAND AND GRAVEL OPERATIN IN BARANGAY LANGOGAN, PUERTO PRINCESA**

Respectfully forwarding the report of Science Research Specialist II – Aira Marie V. Perez regarding the above subject dated July 22, 2021.

Upon evaluation, the details thereof were found complete and recommendations are legally sound. In relation to this, the aforementioned document is forwarded to your Office for your record and further instruction.

Please acknowledge the receipt thereof through our e-mail address below.


PEDRO A. VELASCO
DMO IV/OIC CENRO

DENR MIMAROPA REGION
CENRO PUERTO PRINCESA
RELEASED
NO: 2821
DATE: 7-27-22
BY: 

cc.: THE CITY ENRO
City Hall, Sta. Monica

South National Highway, Bgy. Sta. Monica
Puerto Princesa City
Email Address: cenropuertoprincesa@denr.gov.ph
Tel Fax No.: (048) 433-0660



Republic of the Philippines
Department of Environment and Natural Resources
Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

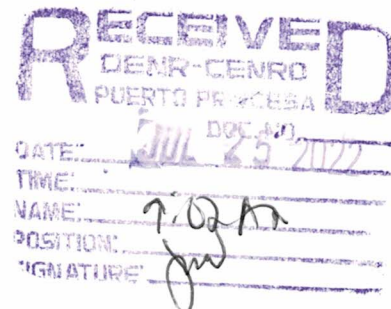
22 July 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer
Brgy. Sta. Monica, Puerto Princesa City

FROM : The Undersigned

SUBJECT : INVESTIGATION ON THE ALLEGED SAND AND
GRAVEL OPERATION IN BARANGAY LANGOGAN,
PUERTO PRINCESA CITY



Pursuant to Travel Order No. 2022-07-19-54 the undersigned, Aira Marie V. Perez of the Mines and Geosciences MIMAROPA Region and Pablito A. Vidaya (Anilawan Checkpoint) of the Community Environment and Natural Resources Office – Puerto Princesa City (CENRO – PPC) investigated in Brgy. Langogan, Puerto Princesa City, Palawan regarding the above subject.

Background Information

A memorandum from the Mines and Geosciences (MGB) MIMAROPA Region was received by this Office on 20 July via electronic mail, with subject “DENR Action Center/Hotline on the Sand and Gravel Operation in Barangay Langogan, Puerto Princesa”. According to the memorandum, an electronic mail from Ms. Jean Calimbo dated 09 July 2022 was relayed to the MGB MIMAROPA Region by the DENR Action Center/Hotline Citizens Complaint with **Reference Code Number ACK20220712-02** about the subject matter.

As stated in the email, Ms. J. Calimbo is associating the widening, deepening, and occurrence of flooding in the river as effect of quarry operations in the area. It is also emphasized that the Brgy. Captain of Langogan is conducting the operation. Because of the effect of quarry operations and no bridge connecting the river banks, the residents are having difficulties in crossing the river (attached photos were included).

The undersigned coordinated with the City Environment and Natural Resources Office (City ENRO) of the Local Government Unit of Puerto Princesa City to acquire pertinent information about activities within the Barangay that involved quarry operations. Per the technical staff of City ENRO, there are several existing quarry operations located in Langogan River in Brgy. Langogan, Puerto Princesa City.

The investigating team proceeded to the area to conduct an on-site investigation.

South National Highway, Bgy. Sta. Monica
Puerto Princesa City
Email Address: cenroppchuc@yahoo.com
Tel Fax No.: (048) 433-0660

Purpose and Scope

The undertaking aims to assess and evaluate the veracity of the claims of Ms. Jean Calimbo as referred by the Mines and Geosciences – MIMAROPA Regional Office and provide field findings and recommendations. The on-site investigation included ocular inspection of the subject area, photo documentation, as well as verbal communication with the residents and Hon. Camilo Bebit of Brgy. Langogan, Puerto Princesa City.

Findings and Observations

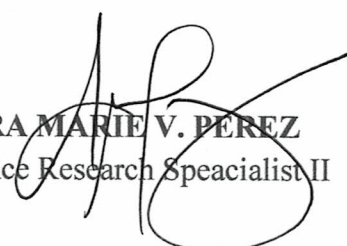
1. The subject area has an approximate location of 10°4'25" N, 119°7'9" E (WGS 84). It can be accessed by land travel via the Puerto Princesa North Highway. A local road due north of the highway serves as the access road towards the quarry site. The travel time from the CENR Office – Puerto Princesa City is roughly one hour and thirty minutes via motorcycle (**See Annex – 1**);
2. Since the photos provided in the email does not include geographic coordinates, the team proceeded to Langogan River which is known to be the quarry site in Brgy. Langogan. Some of the residents were interviewed to locate the alleged quarry managed by Hon. Camilo Bebit. According to them, the quarry site operated by the Brgy. Captain is not under his name instead it is under the name of certain Ms. Nila Badenas;
3. After the interview with the residents, the team proceeded to the quarry site of Ms. Nila Badenas. It was observed that there are stockpiles of sand and gravel in the river bank and backhoe operated by Mr. Jerome Lahaolahao (**See Photo 1**). He then showed the extraction area and as stated, the extraction and hauling are only done when the water in the river is shallow. A portion of the active channel of the river segment serves as the haul road from the extraction area to the stockpile area;
4. The extraction area (**See Photo 2**) of Ms. Badenas is located in the river segment of Langogan river. Langogan river is trending due north then northwest draining to the Sulu Sea that exhibits meandering with irregular sinuosity. Dimensions of the segment of the river that is being quarried also vary. The extraction area is averaging from 20 to 25 meters across consistently downstream. The bedload of the river is primarily composed of gravel sized sediments mixed with pebbles and cobbles. It can be also observed that there are deposits of these materials in the channel. The river banks were observed with sediments alongside and highly vegetated (**See Photo 3**) with minimal erosion except with the erosional bends of the river;
5. The Commercial Sand and Gravel (CSAG) Permit and Delivery Permit (DR) were inspected (**See Annex 2 -3**) during the investigation. The CSAG Permit with Permit No. CP (PPC) No. 155-2 is issued to Ms. Nila Badenas granted March 14, 2022 valid

until March 13, 2023 located in Brgy. Langogan, Puerto Princesa City with 2,300 cubic meters allowed volume. The transport of the extracted sand and gravel are mostly within the Puerto Princesa City and Roxas, Palawan equipped with the Delivery Receipts presented;

6. A brief interview with Hon. Bebit, confirming that the permit area of Ms. Badenas is indeed managed by the Brgy. Captain. He added as observed in the area, that the haul road from the extraction area is also within the river segment and the stockpile area is within the private property of Ms. Angela Tingson.

Comments and Recommendations

1. In general, areas near rivers, creeks, and tributaries are prone to flooding. Additionally, those along the outer bend or the erosional bend of a meander are also prone to erosion. Therefore, the removal of the SAG materials will help the protection of the riverbank as long as sufficient buffer zone from the riverbank will be observed in the extraction;
2. The area of Ms. Nila Badenas has a valid Commercial Sand and Gravel Permit and Delivery Receipts, in this regard, the permittee is reminded that the extraction shall not exceed the remaining allowable volume indicated in the permit. Depth of extraction and buffer zone must always be observed to prevent over extraction of the stream bed load;
3. Provisions of the CSAG Permit issued, Environmental Compliance Certificate, the work program, and the Environmental Protection and Enhancement Program shall always be strictly followed of CSAG operations;
4. Continuous monitoring of quarry operations by the BLGU is recommended. In relation to the difficulties in crossing the river, this concern must be coordinated to the BLGU to provide assistance in constructing a sturdy bridge for residents of Barangay Langogan.


AIRA MARIE V. PEREZ
Science Research Specialist II

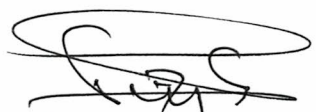

PABLITO A. VIDAYA
Forest Ranger

PHOTO DOCUMENTATION



PHOTO 1. Stockpile of the sand and gravel extracted from the permit area of Ms. Nila Badenas.

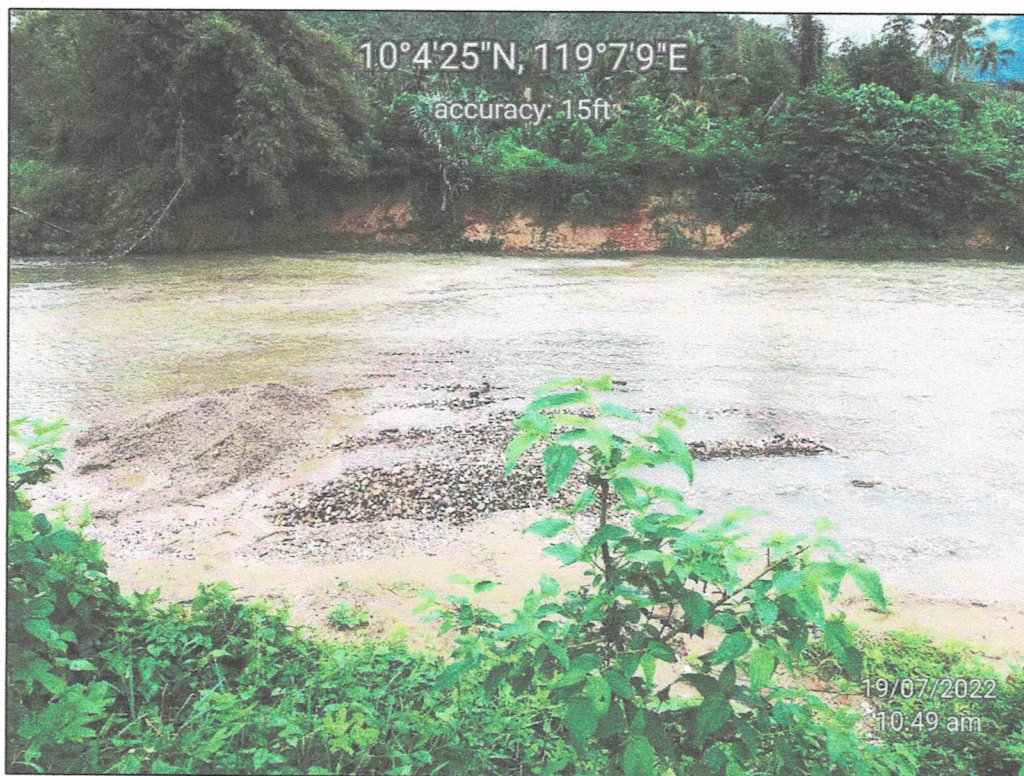


PHOTO 2. Extraction area along the Langogan River.

South National Highway, Bgy. Sta. Monica
Puerto Princesa City
Email Address: cenroppchuc@yahoo.com
Tel Fax No.: (048) 433-0660

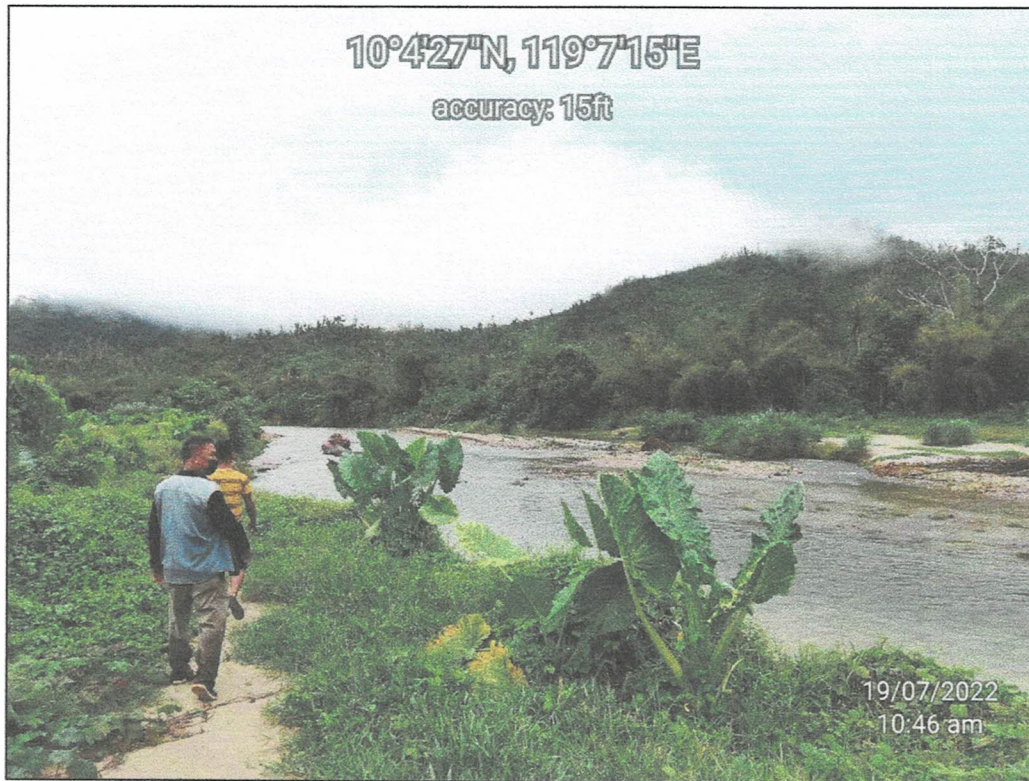
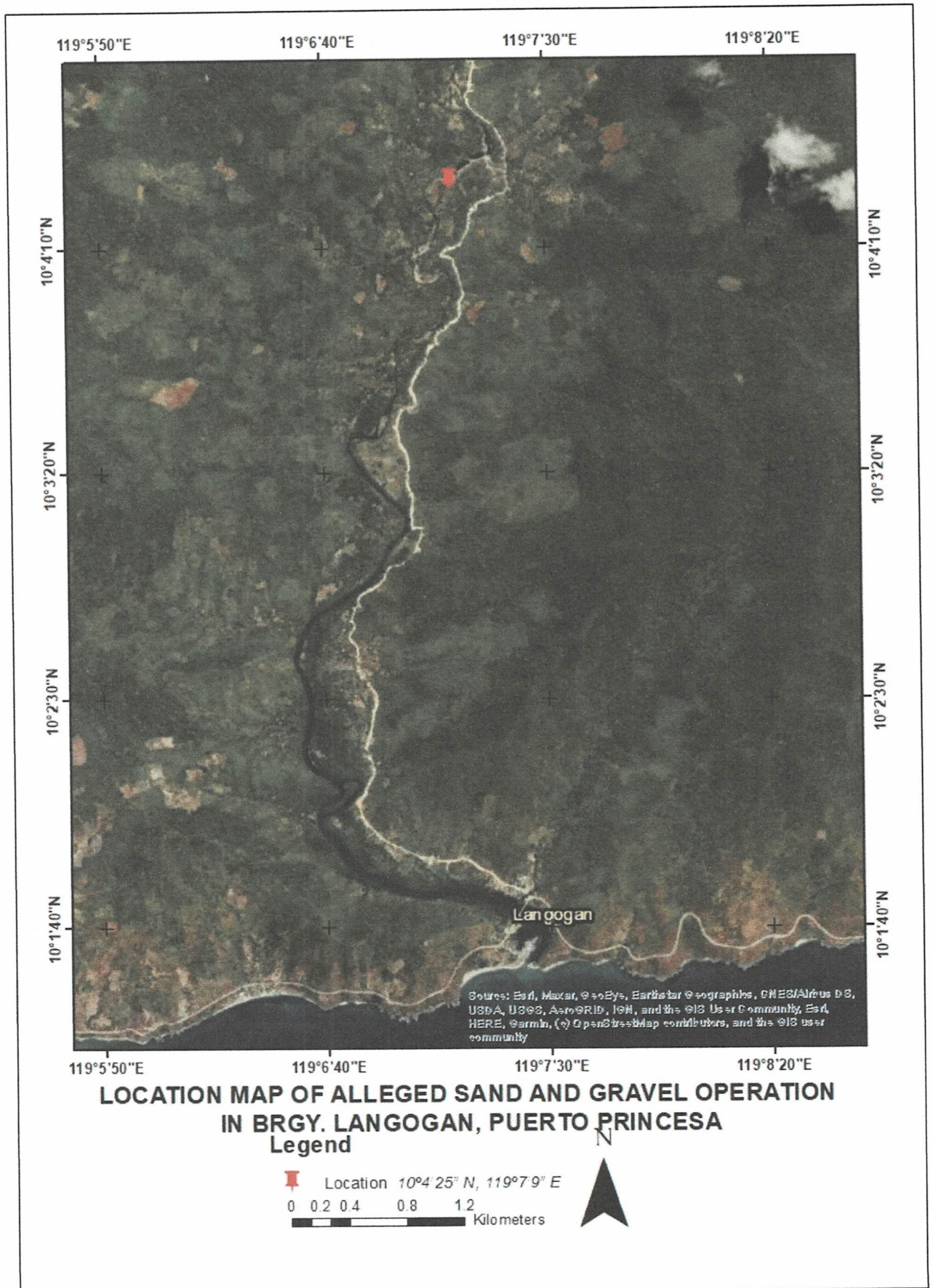


PHOTO 3. Riverbanks with vegetation and minimal erosion.

ANNEX – 1



Annex 2

Republic of the Philippines
OFFICE OF THE CITY MAYOR
CITY MINING REGULATORY BOARD (CMRB)
Puerto Princesa City

COMMERCIAL SAND AND GRAVEL PERMIT

Commercial Permit No. CP (PPC) No. 155-2
Commercial Permit Application No. CPA (PPC) No. 342-2
Date Approved : MAR 14 2022
Expiry Date : MAR 13 2023
Permit Holder : NILA BADENAS
Address : Bgy. Langogan, Puerto Princesa City
Quantity Allowed : 2,300 cubic meters

An Application for Commercial Permit to extract and dispose of sand, gravel and other loose and unconsolidated materials authorized under Philippine Mining Act of 1995 and the Revised Implementing Rules and Regulations for commercial purposes from the permit area situated in the Sitio of Bolo-Bolo, Langogan River, Barrio of Langogan, City of Puerto Princesa, Province of Palawan, Island of Palawan, Philippines, and more or less described and bounded as follows to wit:

(TECHNICAL DESCRIPTION)

Lines	Bearings	Distances
1-2	N. 88°33' E.,	34.23 M
2-3	S. 36°07' W.,	53.85 M
3-4	S. 31°22' W.,	134.1 M
4-5	S. 21° 39' W.,	66.05 M
5-6	S. 01°28' W.,	131.77 M
6-7	S. 86°45' W.,	18.83 M
7-8	N. 02° 18' W.,	150.24 M
8-9	N. 29°A5' E.	191.12 M
9-1	n. 37°31' E.	43.77 M

Tie Line: N.04°09' W., 4, 861.90M.; From PLW-4016, Bgy. Langogan (Pob.) Puerto Princesa City to Corner "1"

Containing an area of 0.9994 hectare and more or less specifically described in the Survey Plan and Technical Description thereto attached and made as an integral part of this Permit, having been filed in the Province of Palawan by Ms. Nila Badenas, pursuant to the Philippine Mining Act of 1995 and the Revised Implementing Rules and Regulations promulgated thereunder, this Commercial Sand and Gravel Permit No. 155-2 is hereby granted to Ms. Nila Badenas subject to the terms and conditions herein stated, to wit:

1. This Permit is for a period of one (1) year, renewable for a like period. *Provided*, that the application for renewal shall be filed before the expiry date thereof, and that the Permit Holder has complied with the provisions of the Philippine Mining Act of 1995

Nila Badenas
1 | CSAG PERMIT OF NILA BADENAS

03-59

and the Revised Implementing Rules and Regulations promulgated thereunder, and the terms and conditions of this permit;

2. The Permit shall be for the exclusive use and benefit of the Permit Holder and not, directly or indirectly, for the benefit of any other person whether natural or juridical, and that the area covered by the Permit shall be used for the purpose only of extracting and disposing the materials herein authorized.
3. The Permit cannot be assigned, transferred or conveyed, in whole or in part, without prior approval of the City Mayor concerned;
4. The extraction or removal of materials shall not be allowed within the distance of one (1) kilometer from the boundaries of reservoirs established for public water supply, archeological and historical sites, or of any public or private works or structure, unless with prior clearance of the agency or owner concerned is obtained. No extraction, removal and/or disposition of materials shall likewise be allowed in offshore areas within five hundred (500) meters distance from the coast and two hundred (200) meters from the mean low tide level along the beach;
5. The Permit Holder shall, before the issuance of this Permit, execute a bond in the form and amount prescribed by the regulations, and with a surety or sureties satisfactory to the City Mayor to guarantee the performance of the Permit Holder's obligation and faithful compliance with the provisions of Republic Act 7942 and the Revised Implementing Rules and Regulations promulgated thereunder. The Bond in the applicable amount shall be maintained throughout the corresponding term of this Permit and until the Government shall order its cancellation;
6. The Permit Holder, shall, within fifteen (15) working days, after the end of each calendar month, submit to the city mayor personally/ representative or by registered mail monthly production reports in the prescribed form stating the quantity of material extracted, removed and/ or disposed under the Permit, the amount of fees paid thereof, copy of which shall be furnished the MGB Regional Director and City Treasurer's where the permit area is situated and under operation. At the end of the term, the permit holder shall submit to the concerned Regional Office and City Mining Regulatory Board a final report with the detailed list of activities and the corresponding expenditures;
7. The City Mayor or his duly authorized representative/s may, at the any time during the effectivity of this Permit, inspect the operations and the book of accounts and other relative data of the Permit Holder in which shall be entered the quantity of materials removed or disposed of, the amount of fees paid, the selling price, and the name of addresses of the persons to whom the same were sold;
8. The extraction, removal and/or disposition of materials under the Permit shall be confined within the area specified herein, the boundaries of which, according to the application have been well established according to survey rules and regulations. This Permit shall exclude areas closed to mining location as provided in Sec. 19 of the act;
9. The Permit Holder or his representative shall keep the Permit/Permit Area, available at all times for inspection and examination by the duly authorized representative/s of the City Mining Regulatory Board concerned or the MGB Regional Office;
10. The permit Holder shall pay to the Government an excise tax pursuant to Sec. 151 of the National Internal Revenue Code, as amended, such excise tax shall be due and

2 | CSAG PERMIT OF NILA BADENAS

Nila V. Badinas

payable prior to the removal of the quarry resources from the area embraced by his Permit, pursuant to the provisions of the National Internal Revenue Code, as amended;

11. This Permit may be revoked or cancelled at any time by the City Mayor concerned when in his opinion / public interest so requires, or upon failure of the Permit Holder to comply with the provisions of the Philippine Mining Act of 1995 and the Revised Implementing Rules and Regulations promulgated thereunder, as well as with the terms and conditions specified herein; *Provided*, that if the permit is cancelled, or otherwise terminated, the Permit Holder shall be liable for all unpaid fees and taxes due up the time of the termination or cancellation of the Permit;
12. The Permit Holder shall assume full responsibility and be liable for damages to private and/or public property(ies) that may be occasioned by its operations under the Permit;
13. The Permit Holder shall manage its operations in a technically and environmentally responsible manner to achieve a safe, non-polluting and self-sustaining post disturbance landform;
14. The Permit Holder shall not discriminate on the basis of gender and that the Permit Holder shall respect the right of women workers to participate in policy and decision-making processes affecting their rights and benefits;
15. The Permit Holder shall conform to laws, rules and regulations regarding among other labor, safety and health standards;
16. The Permit Holder shall not interfere with the rights of other Permit Holders/Operators/Contractors;
17. The Permit Holder shall recognize and respect the rights, customs and traditions of local communities, particularly Indigenous Cultural Communities;
18. The Permit Holder shall immediately stop digging and extracting materials the moment man-made articles or artifacts are found. It shall notify the Director of the National Museum of such findings, in which case, the digging shall be under the supervision of the National Museum until said artifacts are recovered;
19. The Permit Holder shall not, by virtue of the permit, acquire any title over the permit area, without prejudice to its acquisition of the land/surface rights through any mode of acquisition provided by law;
20. The Permit Holder shall pay fees, taxes and other obligations in accordance with existing laws, rules and regulations;
21. The Permit Holder shall comply with its obligations under its ECC, Environmental Protection and Enhancement Program (EPEP) and annual EPEP, including the allocation of the prescribed annual environmental expense pursuant to Section 171 of the Revised Implementing Rules and Regulations;
22. The Statements made in the application or those made later in support thereof, shall be considered as condition and essential parts of this Permit, and any misrepresentation therein stated shall be a cause for the cancellation of this Permit;

23. The Permit Holder further binds itself to comply with the provisions of RA No. 7942 and the Revised Implementing Rules and Regulations promulgated thereunder, and such other terms and conditions not in consistent with the Constitution, the Act and the Revised Implementing Rules and Regulations, as well as those which the concerned City Mayor may deem to be for the national interest and public welfare; and

24. The Permit shall be subject to cancellation, revocation and termination as provided for in Section 100 of DAO No. 2010-21.

Additional terms and conditions, as required by the City Mining Regulatory Board:

25. That the Permit Holder shall conduct tree planting through reforestation program equivalent area of the project using endemic/indigenous species in line with the DENR's National Greening Program;

26. That the Permit Holder is willing to contribute to the host barangay for its Community Development Program;

27. That the Permit Holder shall be responsible for the acts of their respective haulers;

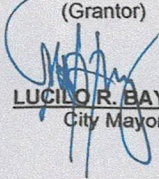
28. That the load of trucks from quarry area should be limited only up to five (5) cubic meters only;

29. That the Permit Holder shall put up the required Environmental Monitoring Fund (EMF) and Environmental Rehabilitation Fund;

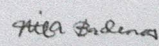
30. That the Permit Holder shall bind himself to follow all CMRB policies, rules, and regulations.

MAR 14 2022, Philippines, PUERTO PRINCESA CITY

For the Republic of the Philippines
(Grantor)


LUCILO R. BAYRON
City Mayor

I hereby accept the terms and conditions of this Commercial Sand and Gravel Permit as above-stated.


MS. NILA BADENAS
Permit Holder

Signed in the presence of:

(Signature over printed name)

(Signature over printed name)

ACKNOWLEDGEMENT

Republic of the Philippines
Province of Palawan
City of Puerto Princesa

Before me personally appeared Ms. Nila Badenas exhibiting to me valid identification bearing ID No. _____, known to me and to me known to be same person who executed the foregoing document, and acknowledged that same is his free and voluntary act, and deed as Permit Holder, and for the purposes therein specified. The said instrument, consisting of 4 pages including this acknowledgement page, is a Commercial Permit to extract and dispose of minerals therein specified for commercial purposes from the area therein mentioned.

WHEREFORE, I have hereunto set my hand and affixed my notarial seal this day

MAR 14 2022

in PUERTO PRINCESA CITY

Doc. No. _____
Page No. _____
Book No. _____
Series of _____



ATTY. ONOS B. MANGOTARA
NOTARY PUBLIC
NOTARY PUBLIC UNTIL MAY 30, 2022
PTA NO. 12-07701-01-2022
I&A NO. 1204/12.01.2021
ATTORNEY'S ROLL NO. 27750
MCLE COMPLIANCE NO. VI-0016501
VALID UNTIL APRIL 14, 2022

5 | CSAG PERMIT OF NILA BADENAS
Nila Badenas

Annex 3

10°4'24"N, 119°7'21"E

accuracy: 90ft

Republic of the Philippines
City Government of Puerto Princesa
OFFICE OF THE MAYOR
Puerto Princesa City
SAND AND GRAVEL DELIVERY RECEIPT
05-12-22
Date

Sold to: KEYD TRADING
Destination: MARYALON P.P.C
Truck Plate No.: YHM 534D
Kinds of Materials Sold: S-SAND
Volume (Cubic Meter): 5 CUM
Value (In Peso):
Origin: LANGOGAN RIVER
Name of Permittee: NILA BADENAS
Commercial/Industrial
Permit No.: CP (PPC) NO. 155-2
Date Granted: MARCH 13-2023
Treasurer's Official Receipt No.
Date:
Total Volume Allowed Under Permit
(Cu. M.): 2,300
Remaining Volume Allowed To Be Extracted
To Date (Cu. M.): 2295 CUM

101451

By: [Signature]
Permittee Representative

Not valid unless countersigned the back by the City Mayor or his duly authorized representative

Republic of the Philippines
City Government of Puerto Princesa
OFFICE OF THE MAYOR
Puerto Princesa City
SAND AND GRAVEL DELIVERY RECEIPT
07-01-22
Date

Sold to: SAMPANAN TRADING
Destination: PUZ 3 BOXAS
Truck Plate No.: NDH-545
Kinds of Materials Sold: S-SAND
Volume (Cubic Meter): 5 CUM
Value (In Peso):
Origin: LANGOGAN RIVER
Name of Permittee: NILA BADENAS
Commercial/Industrial
Permit No.: CP (PPC) NO. 155-2
Date Granted: MARCH 13-2023
Treasurer's Official Receipt No.
Date:
Total Volume Allowed Under Permit
(Cu. M.): 2,300
Remaining Volume Allowed To Be Extracted
To Date (Cu. M.): 2,052

101401

By: [Signature]
Permittee Representative

Not valid unless countersigned the back by the City Mayor or his duly authorized representative

19/07/2022
11:05 am