



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

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25 May 2022

MEMORANDUM

FOR : **The Director**
Strategic Communication and Initiatives Service
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City

FROM : **The Regional Director**
This Office

SUBJECT : **Reclamation and Quarrying Activities in Coron,
Palawan**

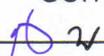
This has reference to the recent reports on the quarrying and reclamation activities in Coron which have been ordered suspended by the Environmental Management Bureau (EMB) MIMAROPA Region following its cancellation of the Environmental Compliance Certificate of the Coron Bay Development Project (CBDP).

In this regard, this Office would like to clarify the following:

1. The Provincial Governor, pursuant to Chapter VIII of RA No. 7942¹, has the **sole** authority to issue the following permits :
 - a. Quarry Permit
 - b. Commercial Sand and Gravel Permit
 - c. Gratuitous Permit
 - d. Industrial Sand and Gravel Permit
 - e. Exclusive Sand and Gravel Permit
2. The Mines and Geosciences Bureau (MGB) MIMAROPA Region **only** issues Area Status for proposed quarry and sand and gravel permit areas pursuant to Sections 18 and 19 of RA No. 7942 and Section 1 of EO No. 79².

The Area Status would show if the subject area is open or closed to mining application/s.

Please note that the MGB MIMAROPA Region does not have the complete data on the issued quarry and sand and gravel permit as



¹ Republic Act (RA) No. 7942, the Philippine Mining Act of 1995.

² Executive Order (EO) No. 79, Reforms in the Philippine Mining Sector.

it is not the issuing government entity. The local government unit (LGU) does not provide the MGB MIMAROPA Region with information on the status of applications. There is also no legal basis to require the LGU being that it is a devolved function under RA No. 7160³.

3. The MGB MIMAROPA Region has no authority to suspend valid permits issued by the Governor, since it is not the issuing agency.
4. Being the issuing entity, the Office of the Governor has the sole function also to suspend or cancel the permits it has issued.
5. The MGB MIMAROPA Region issues Cease and Desist Orders (CDOs) and may file criminal complaints for violations of Sections 102 and 103 of RA No. 7942. Let it be emphasized that only those without permit or illegally extracting/transporting/disposing minerals, quarry or sand and gravel materials are subject to this Sections. Therefore, it would include those who are extracting outside the valid permit area.
6. Pursuant to MGB MIMAROPA Regional Special Order No. 35 Series of 2022 issued on March 02, 2022, Mr. Felizardo B. Cayatoc, Provincial Environment and Natural Resources Officer (PENRO) – Palawan is authorized to represent the MGB MIMAROPA Regional Director as Chairperson of the Provincial Mining Regulatory Board (PMRB) of Palawan, in the latter's absence, and to preside over PMRB meetings and deliberations of mining applications.

The performance of duties and functions must be guided by the pertinent provisions of RA Nos. 7942 and 7076, Executive Order No. 79 and its IRR, Department Memorandum Circular No. 97-05, and other laws, rules, and regulations governing the administration and disposition of mineral resources.

7. In accordance with DAO No. 2015-03, the PMRB members are:
 - Governor or his representative
 - Small-Scale Mining Representative
 - Large-Scale Mining Representative
 - Non-Government Organization representative
8. The PMRB evaluates all applications for quarry, sand and gravel permits, and recommends for approval/denial by the Governor. It also has the power to formulate its own guideline and to impose penalty, if warranted.

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³ The Local Government Code.

On 15 October 2021, the PMRB issued Resolution No. 75-2021, imposing a penalty of more than PhP4-million to BCT Trading and Construction for extracting quarry materials for the embankment of Francisco B. Reyes Airport and road widening projects, both in the Municipality of Coron.

9. The Office of the Provincial Government-Environment and Natural Resources Office is mandated to monitor the compliance of the issued permits, with assistance from the PMRB Secretariat (LGU staff). Upon request, they may be assisted by the MGB technical personnel assigned in the DENR PENRO/CENRO and sometimes by the deputized DENRO for Mines.
10. The Sangguniang Panlalawigan of Palawan issued Provincial Ordinance No. 1426-14 imposing regulatory fees, which includes funds for monitoring and enforcement.
11. PMRB Palawan issued on 24 June 2014 the Administrative Order No. 1 imposing regulatory fees, including funds for monitoring and enforcement.
12. Based on investigation reports submitted to the MGB MIMAROPA Region by the MGB technical personnel assigned in the DENR PENRO/CENRO, the Office issued CDOs, copy furnished the Local Government Offices – Governor, Mayor and Punong Barangay for their information and monitoring of compliance to the CDO.
13. This Office issued CDOs for activities/operations outside of a permit area and those operated without permits.

For 2020 and 2021, the MGB MIMAROPA Region received two complaints against the illegal mountain quarrying operations in Poblacion 6 in Coron. Citing reports from the P/CENRO, this Office issued two CDOs to BCT Construction (2020) and B. Tiotangco (2021).

14. The PG-ENRO and the PENRO concerned should monitor the compliance to the CDOs issued within its jurisdiction.

The said Office may request for the assistance of the MGB Technical Personnel assigned in CENRO-Coron. However, the area is too large for the lone MGB MIMAROPA Technical Personnel in CENRO to address and monitor illegal mining operations in the area.

The MGB MIMAROPA Region temporarily, until 30 June 2022, assigned its technical personnel embedded in PENRO Marinduque to assist in the assessment of sand and gravel operations in Coron.

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15. The PG-ENRO should encourage and recruit more Coron-based residents to be a part of the Deputized ENRO for Mines who can assist them in the monitoring of sand and gravel and quarry extractions or transport within its jurisdiction.

Upon request of the concerned LGUs, the MGB MIMAROPA Region conducts trainings and issues certificates of participation and controlled identification cards for the DENRO for Mines.

16. A composite team from the central and MIMAROPA regional offices of the Department of Environment and Natural Resources (DENR), MGB, and EMB conducted a site investigation, inspection, and validation of the said project and its mountain quarry resources on March 24-25, 2022, in compliance with the instruction from DENR Secretary Jim O. Sampulna, dated March 23, 2022.
17. Following the investigation by the DENR composite team, geologists from the MGB MIMAROPA Region performed a rapid geohazard assessment on the quarry areas in Brgy. Poblacion 6 in Coron on March 28, 2022. This is to assess the ground condition of the quarry sites, and to determine the potential risks associated with landslide and other forms of mass movements.

It was recommended that slope stabilization be undertaken during the rehabilitation of the quarry areas in Brgy. Poblacion 6. Based on the investigation conducted, mass movement or landslide hazard is identified as significant geologic hazard in the site.

Attached is the Memorandum from this Office dated 01 April 2022 endorsing the reports on the geohazard assessment, and the 31 March 2022 investigation report of the illegal mountain quarry operations in Poblacion 6, Coron, Palawan.

For the Director's information and ready reference.

for Edwina M. Mojares
EDWIN M. MOJARES, Ph.D.

Enc'l: As stated

cf: **The Director**
Mines and Geosciences Bureau
North Ave., Diliman, Quezon City

The Regional Executive Director
DENR-MIMAROPA Region