



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)

October 21, 2022

**MEMORANDUM**

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

**FROM** : The CENRO  
Roxas Palawan

**SUBJECT** : **REPORT ON THE MONITORING ACTIVITY ON THE  
ISSUED CEASE AND DESIST ORDER TO  
MR. FRANCISCO REFIL FOR THE ILLEGAL  
EXTRACTION OF SAND AND GRAVEL IN  
BARANGAY III, ROXAS PALAWAN.**

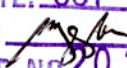
Respectfully forwarding the memorandum report of our MGB Embedded Personnel dated 19 October 2022 regarding the above-cited subject.

For your action and recommendation.

  
PABLO L. CRUZ

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

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

UENR-CENRO ROXAS  
**RELEASED**  
DATE: OCT 21 2022  
BY:   
LOG NO. 2022-10-1644





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October 19, 2022

**MEMORANDUM**

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

**FROM** : The Undersigned

**SUBJECT** : **REPORT ON THE MONITORING ACTIVITY ON THE  
ISSUED CEASE AND DESIST ORDER TO  
MR. FRANCISCO REFIL FOR THE ILLEGAL  
EXTRACTION OF SAND AND GRAVEL IN  
BARANGAY III, ROXAS PALAWAN.**



**Background Information**

On the 17<sup>th</sup> April, 2022, the Undersigned together with PMRB personnel, Mr. Felipe Evio Jr., and Mr. Boboy Savilla Vicera, conducted mining monitoring activities in Brgy. 3, Municipality of Roxas, Palawan. A barangay agreement was written between PMRB-Representative Felipe Evio Jr. and Mr. Francisco Refil, stating that the latter vows to refrain from extracting sand and gravel within his fishpond (dated 12<sup>th</sup> June, 2019). However, the field investigation finds Mr. Francisco Refil to be in violation of Section 103 of RA 7942, otherwise known as the Philippine Mining Act of 1995 for the continuous extraction and commercial disposition of sand and gravel utilized for hollow blocks production. The Regional Office of MGB MIMAROPA issued CDO to Mr. Refil dated 27<sup>th</sup> April, 2022.

**Findings and Observation**

1. On 1<sup>st</sup> August 2022, the undersigned conducted Monitoring Activity on the issued Cease and Desist Order to Mr. Francisco Refil in Brgy III, Roxas Palawan.





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2. Upon arriving in the residence of Mr. Francisco Refil, it was observed that there is an ongoing extraction of SAG materials in the fishpond (photo 1)
3. The undersigned then reiterated to Mr. Francisco Refil that there is a CDO issued by the Regional Office of MGB-Mimaropa.
4. The undersigned and CENRO Pablo L. Cruz summoned Mr. Francisco Refil herein this office on 5<sup>th</sup> August to remind and impose the issued CDO.
5. Mr. Refil then expressed that the rising cost of SAG materials is economically disadvantageous on his part, such that he resorts to illegal extraction of sand and gravels on his fishpond.
6. The CENRO emphasized that we must follow the environmental law. The CENRO then instructed the undersigned to continuously monitor the illegal extraction activity.
7. On 14<sup>th</sup> to 15<sup>th</sup> October, 2022, the Undersigned together with Forest Protection Officer Donne Sabroso conducted Cease and Desist Monitoring issued to Mr. Refil based on the field findings of the report *"REPORT ON THE ILLEGAL EXTRACTION OF SILICA SAND IN BRGY 3, MUNICIPALITY OF ROXAS, PALAWAN "* dated 19<sup>th</sup> April, 2022.
8. The undersigned then asked the son of Mr. Francisco Refil, if they are still utilizing the SAG in the fishpond or outsourcing gravels as there is an ongoing hollow blocks production in the area (photo 2).
9. A portion of the sag from the fishpond is occasionally mixed with the gravel sourced from Sambuton trading, he replied.





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**FINDINGS AND RECOMMENDATIONS**

1. Mr. Francisco Refil continuously extracts Sand and Gravel on his fishpond despite the issuance of Sworn Barangay Agreement and Cease and Desist Order.
2. It is highly recommended that the Regional Office of MGB – MIMAROPA file the complaint with the proper court for the continuous violation of Mr. Francisco Refil to Section 103 of RA 7942, otherwise known as the Philippine Mining Act of 1995
3. Intensive Information and Dissemination Campaign to combat illegal mining activities is recommended.

For the CENRO'S consideration and further instruction

**DOMINIK L. ECHANO**  
*Science Research Specialist II*





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***PHOTO DOCUMENTATION***



*Photo 1. Extraction observed during the CDO monitoring on August 1, 2022.*



*Photo 2. No extraction was observed during the follow-up CDO monitoring on October 14, 2022*





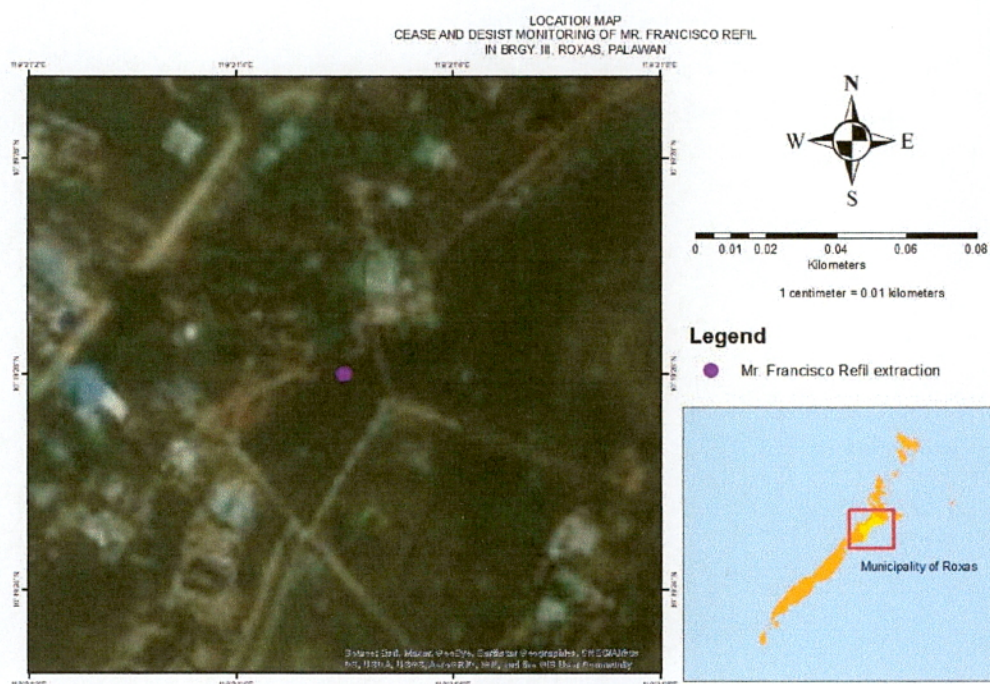
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*Photo 3. Hollow Blocks production in Brgy. III, Roxas, Palawan*

**MAPS**



*Figure 1. Location Map*





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*Annex*

**BARANGAY 3 POBLACION**  
Roxas, Palawan

Republic of the Philippines  
Province of Palawan  
Municipality of Roxas  
**OFFICE OF THE SANGGUNIANG**  
**BARANGAY**  
Barangay 3

**JESUS V. MIRAFLORES JR.**  
Punong Barangay  
09208531658

**LONDA AL SERIDO**  
Committee on Social Welfare, Women, Solo-Parent and  
Family, Livelihood and Tailorship  
09284987113

**ELAINE R. FAVILA**  
Committee on Appropriations, ways and Means housing,  
Land Utilization and Resettlement  
09305846264

**GILDA C. MABERIT**  
Committee on Nutrition, Health and Sanitation, Tourism,  
Cultural Heritage and Population  
09202418170

**ROSA ANN P. ARZAGA**  
Committee on Education and Children Affairs  
BPCG/ GAD/ VAWC Officers  
09121715997

**LEONILLO A. BOSAS**  
Committee on Public Work/ Infrastructure Development,  
Transportation and Communication  
09503108819

**MERILYN S. PEREZ**  
Committee on Peace and Order and Public Safety, PWD  
and Senior Citizens Affairs  
0909098131

**RONALD C. MIRAFLORES**  
Committee on Environmental Protection, Natural and  
Aquatic Resources and Agriculture  
09216495298

**JAY F. ZAPANTA**  
Committee on Youth and Sports Development, Games  
and Amusement  
09255162061

**RODELIA D. NANGIT**  
Barangay Secretary  
09129328196

**LORNA C. MAGBANUA**  
Barangay Treasurer  
09097855285

**KASUNDUAN**

Ang pamunuan ng Provincial Mining  
Regulatory Board (PMRB) sa katauhan ni G. Felipe N.  
Evio empleyado nang nasabing pamunuan ay  
naglungo sa pamahalaan ng nasabing Barangay  
upang maipaabot ang problema patungkol pa kay  
G. Francisco Refil na kasalukuyang naninirahan sa  
Purok Mabuhay ng nasabing Barangay. Ang reklamo  
pa ay patungkol sa patuloy na pagkuha nya ng  
gravel and sand sa kanyang fish pond. Ang  
paghaharap ngayon sa pamunuan ng Barangay ng  
dalawang panig ay upang maayos ang nasabing  
usgpin.

Araw ng Byirnes July 12, 2019 ganap na  
ikalawa ng hapon ay nagkaharap ang mga  
empleyado ng nasabing pamunuan sa pangunguna  
ni G. Felipe Evio at si G. Francisco Refil sa  
pamahalaan ng nasabing Barangay upang mapag-  
usapan ang nasabing problema. Bahagi ng napag  
kasunduan na ako si G. Francisco Refil ay  
nangangako na hindi na ulit kukuha ng gravel and  
sand sa sakop ng aking fish pond dahil ito ay isang  
paglabay sa batas Resolution of PMRB Resolution of  
2010, Section 3 and declaration of Policy R.A 7949.

Patunay nito ang aming mga lagda sa harap  
ng Punong Barangay ngayong ika - 12 ng Hulyo,  
2019.

**Francisco Refil**  
Nangangako

**FELIPE N. EVIO JR.**  
PMRB-Representative

**NILAGDAAN** sa harap ko ngayong Ika-12 ng  
Hulyo, 2019 sa Barangay Hall ng Barangay 3, Roxas,  
Palawan.

**JESUS V. MIRAFLORES JR.**  
Punong Barangay

Pintunayan ni:  
**LORNA C. MAGBANUA**  
Barangay Treasurer

Annex . Sworn Brgy. agreement between Mr. Evio and Mr. Refil