

Republic of the Philippines

Department of Environment and Natural Resources

MIMAROPA Region

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

Bgy. Sta. Monica, Puerto Princesa City, Palawan Telfax No. (048) 434 - 8791

Email Add: penropalawan@denr.gov.ph

DENR MIMAROPY RECORDS SECTION

BY: DAYS NO.

December 1, 2022

MEMORANDUM

FOR

The Regional Executive Director

DENR MIMAROPA Region

1515 DENR By the Bay Building, Roxas Boulevard,

Barangay 668, Ermita, Manila

THRU

The OIC, Assistant Regional Director for Technical Services

FROM

The Provincial Environment and Natural Resources Officer

SUBJECT:

RE: CONDUCT OF ADMINISTRATIVE PROCEEDING PURSUANT TO DAO 97-32 ON THE APPREHENSION ON ONE (1) UNIT CHAINSAW AND ONE (1) PIECE GMELINA LUMBER

WITH A TOTAL VOLUME OF 40.83 BOARD FEET

Respectfully forwarded is the memorandum of CENRO Puerto Princesa, Palawan dated November 24, 2022 relative the above subject.

Per memorandum, the apprehension was made on September 19, 2022 at around 9:00 A.M. at Purok Masagana, Barangay Irawan, Puerto Princesa City, Palawan by the Enforcement Personnel of CENRO Puerto Princesa. The apprehending team received an information that chainsaw sounds were heard at Purok Masagana. During the apprehension, the lookout individual was seen by the team who immediately fled going to the area where the chainsaw was heard. A hot pursuit happened and the two (2) persons escaped while the chainsaw operator was apprehended and identified as Peter Mike Dela Cruz Garzula.

In the apprehension area, the team measured the one (1) piece Gmelina lumber with a total volume of 40.83 board feet. However, the said lumber was left in the area due to difficulty of the terrain and hot pursuit operation for the chainsaw. Subsequently, the team focused their attention to the suspect who was then charged by inquest proceeding. A criminal complaint was filed by PCSDS against the suspect for violation of Section 7, paragraph 4 (Actual Unlawful Use of Chainsaw) of Republic Act 9175, otherwise known as "The Chainsaw Act of 2022." The said chainsaw was already turned-over to Palawan Council for Sustainable Development Staff (PCSDS). As such, no administrative hearing was conducted by CENRO Puerto Princesa. Attached is a photocopy of the Order of Honorable Judge Jocelyn Sundiang Dilig for temporary release of the accused Peter Mike Garzula Y Dela Cruz after posting of surety bond.

For information and further instruction.

Copy Furnished CENRO Puerto Princesa, Palawan File/2022-0123ACG/MES Doc. Ref. No. 2022-10843 FELIZARDO B. CAYATOC

RELEA/S, E.D. Date: 17 DFC 2022 N. 22-3246

DENR-PALAWAN

PENRO-RECORDS



November 24, 2022

DENR PENRO

PALAWAN RECORDS

MEMORANDUM

FROM

FOR : The Provincial Environment and

Natural Resources Officer

Brgy. Sta. Monica, Puerto Princesa City

The OIC, Community Environment and Natural Resources Officer

SUBJECT: RE: CONDUCT OF ADMINISTRATIVE PROCEEDINGS

PURSUANT TO DAO 97-32 ON THE APPREHENSION OF ONE (1) UNIT CHAINSAW AND 1 PIECE GMELINA LUMBER WITH

A TOTAL VOLUME OF 40.83 BOARD FEET

This is in compliance to your memorandum dated November 15, 2022, pertaining to the submission of documents in the administrative adjudication of the apprehended one unit chainsaw and one piece Gmelina lumber.

Please be informed that the apprehended chainsaw was already turned over to Palawan Council for Sustainable Development Staff (PCSDS). No administrative hearing was conducted by this office.

On the other hand, the one (1) piece Gmelina lumber was not recovered/retrieved due to difficulty. The apprehending team focused their attention to the suspect who was charged by inquest.

Attached is a photocopy of the Order of Honorable Judge Jocelyn Sundiang Dilig for the temporary release of the accused Mr. Peter Mike Garzula Y Dela Cruz.

For information and record.

PEDRO A. VELASCO
Development Management officer-IV
OIC-CENRO

Republic of the Philippines REGIONAL TRIAL COURT OF PALAWAN AND PUERTO PRINCESA CITY

Fourth Judicial Region Puerto Princesa City

Email Address: rtc1prpocc@judiciary.gov.ph Hotline Number: 09289352669

OFFICE OF THE EXECUTIVE JUDGE
Hall of Justice, Sta. Monica, Puerto Princesa City

PEOPLE OF THE PHILIPPINES,

Complainant,

NPS DOCKET NO. IV-17-INQ-22I-0195

-versus-

for

Executive Judge

PETER MIKE GARSULA y DELA CRUZ, Respondent.

VIOLATION OF SECTION 7
PARAGRAPH 4 (ACTUAL
UNLAWFUL USE OF CHAINSAW)
OF RA 9175, OTHERWISE KNOWN
AS "THE CHAINSAW ACT OF 2002"

ORDER

Considering that accused Peter Mike Garsula y Dela Cruz have posted surety bond through Bethel General Insurance and Surety Corporation represented by its authorized agent, Elna B. Maceda amounting to Forty Eight Thousand (Php48,000.00) Pesos under JCR(2) 017912 dated September 27, 2022, which appears to be sufficient and in order, the same is hereby approved. Accordingly, the accused is ordered released from the custody of the law unless held for other lawful cause/s.

SO ORDERED.

Given this 27th day of September 2022 at the Hall of Justice, Sta. Monica, Puerto Princesa City.

REQUEST FOR PRELIMINARY INVESTIGATION AND WAIVER OF ARTICLE 125 OF THE REVISED PENAL CODE, AS AMENDED

I wish to avail myself of any right to a preliminary investigation and, for this purpose. I hereby voluntarily waive my rights under the provisions of Article 125 of the Revised Penal Code, as amended. Pending the completion of the preliminary investigation proceedings, I agree to remain under custody.

Puerto Princesa City, Philippines, September 20, 2022.

ER MIKE GARSULA y DELA CRUZ

Respondent

Assisted by:

PUBLIC AFTORNEY PAG. PUERFO/PRINCESA CITY

Public Attorney's Office **Puerto Princesa City**

Counsel/Responsible Person (Signature over printed name)

SUBSCRIBED AND SWORN to before me this 20th day of September, 2022 in Puerto Princesa City, Philippines.

JHACIEL S. JUANICO-OUICHO

Assistant City Prosecutor MCLE Compliance No. VII-0021708



Republic of the Philippines DEPARTMENT OF JUSTICE OFFICE OF THE CITY PROSECUTOR

Justice Hall, Sta. Monica Heights, Puerto Princesa City

PALAWAN COUNCIL FOR SUSTAINABLE, DEVELOPMENT STAFF (PCSDS) REP. BY LEVITA A. LAGRADA,

Complainant,

- versus -

for

NPS No. IV-17-INQ-22I-0195

PETER MIKE GARSULA y DELA CRUZ (Detained),

Respondent.

X-----

VIOLATION OF SEC. 7 PAR. 4 (ACTUAL UNLAWFUL USE OF CHAINSAW) OF RA 9175, OTHERWISE KNOWN AS "THE CHAINSAW ACT OF 2002"

SUBPOENA

The how onto 2012

Peter Wike Garsula y Dela Cruz

c/o Palawan Council for Sustainable Development Staff (PCSDS)

You will find attached to this subpoena copies of the complaint/s and the affidavit/s of the witnesses. It appears that the evidence points you to be included as respondent in the complaint.

Pursuant to the provisions of the New Rules on Criminal Procedure, you are hereby required to submit within <u>ten (10) days</u> from receipt hereof, counter-affidavit and other supporting documents for your defense. Failure to do so will be considered a Waiver on your part to a preliminary investigation and the case will be deemed submitted for resolution.

Your affidavit and that of your witnesses will have to be subscribed and sworn to before the undersigned or to any government official authorized to administer oath who must certify that he/she voluntarily executed and understood his/her affidavit.

WITNESS MY HAND this 20th day of September, 2022.

JHACIEL S. JUANICO-QUICHO
Assistant City Prosecutor
MCLE Compliance No. VII-0021708

Note to Serving Officer:	
Pls. Indicate the result of service and	
return original copy immediately thereafter.	
Served by:	
Date served:	
Result of Service:	

CITY PROSECUTION OFFICE PUERTO PRINCESA SITY

REPUBLIC OF THE PHILIPPINES

Department of Justice

OFFICE OF THE CITY PROSECUTOR

Province of Palawan Puerto Princesa City

PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT STAFF (PCSDS), represented by LEVITA A. LAGRADA,

Complainant.

-versus-

PETER MIKE GARSULA y DELA CRUZ,

Respondent.

24	MICKET	MI	W-IT	-MD	221-0	195
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NO	

FOR:

Violation of Section 7 paragraph 4 (Actual Unlawful Use of Chainsaw) of Republic Act 9175, otherwise known as "The Chainsaw Act of 2002"

CRIMINAL COMPLAINT

The undersigned, LEVITA A. LAGRADA representing PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT STAFF, hereby accuses PETER MIKE GARSULA y DELA CRUZ, resident of Barangay Irawan, Puerto Princesa City for violating Section 7 paragraph 4 (Actual Unlawful Use of Chainsaw) of Republic Act 9175, otherwise known as "The Chainsaw Act of 2002", which is AN ENVIRONMENTAL CASE, committed as follows;

"That on the 19th day of September 2022, at about 9:00 in the morning, at Purok Masagana, Brgy. Irawan, Puerto Princesa City, Palawan and within the jurisdiction of this Honorable Office, the above-named respondent, did, then and there, willfully, unlawfully and feloniously possess and use <u>one (1) unit of chainsaw to cut trees</u> without any permit from the appropriate government agency, to the damage and prejudice of the Philippine Government."

CONTRARY TO LAW.

PRAYER

WHEREFORE, it is most respectfully prayed that the instant complaint be considered by this Honorable Office, that the confiscated chainsaw unit be forfeited in favor of the PCSD, and that any civil liability and other equitable reliefs be granted accordingly. Puerto Princesa City, Philippines, September 9, 2022.

LEVITA A. LAGRADA
Palawan Council for Sustainable Development Staff COMPLAINANT

WITNESSES:

Names

Office/Agency

1. Rommel D. Adato

DENR-CENRO

2. Ryan S. Domondon

DENR-CENRO

EXHIBITS:

1.	Exhibit "A"	Spot Report
2.	Exhibit "B"	Case Evaluation Report
3.	Exhibit "C"	Sinumpaang Salaysay ni Rommel D. Adato
4.	Exhibit "D"	Sinumpaang Salaysay ni Ryan S. Domondon
5.	Exhibit "E"	Apprehension Receipt
6.	Exhibit "F"	Turn Over Receipt of Seized Items
7.	Exhibit "G"	Certification
8.	Exhibit "H"	Photographic Evidence

SUBSCRIBED AND SWORN to before me this September 19, 200 Puerto Princesa City. I further certify that I have examined the complainant and I am fully satisfied that she understood and voluntarily executed the foregoing Complaint.

Doc. No. 215; Page No. 96;

Book No. J ;

Series of 2022.

ATTY. JOANNA SARAH TRAMPE DIVA NOTARY PUBLIC FOR PALAWAN AND PPC

JUNTIL DEC. 31. 2022

ROLL NO. 75776 PTR NO. 1638808 NPLNO. 2021-001 01/05/2022

IBP NAT'L. NO. 196238 01/05/2022 IBP LOCAL NO. 002089 01/05/2022

PCSOS BLDG., BRGY. STA. MONICA, PPC



Republic of the Philippines partment of Environment and Natural Resources

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica Puerto Princesa City Email Address: centropuertoprincesa@denr.gov.ph Tel. Fax No.: (048) 717-0702

September 19, 2022

MEMORANDUM

FOR

The Community Environment and Natural Resources Officer

Puerto Princesa City

THRU

Chief, Monitoring and Enforcement Section

FROM

Sicsican Forest Product Monitoring Station

SUBJECT

SPOT REPORT OF APPREHENSION OF ONE (1) UNIT UNDOCUMENTED CHAINSAW, OPERATED BY PETER MIKE DELA CRUZ GARSULA AT PUROK MASAGANA, BRG. IRAWAN,

PUERTO PRINCESA CITY

1. What:

Violation of RA 9175 and PD 705

2. Where:

Purok Masagana, Brgy. Irawan, Puerto Princesa City.

3. When:

September 19, 20022 at around 9:00 AM.

4. Who:

Peter Mike Dela Cruz Garzula

5. How/Why: On or about 7:45 in the morning, FT I Rommel Adato received information that chainsaw sounds were heard at Purok Masagana, Brgy. Irawan, this City. The area has been under surveillance for almost three (3) months because of the reports of rampant illegal cutting of trees. Immediately, upon receipt of the report, the team was organized and the operation was done.

Upon arrival at the area, the team still heard the chainsaw sounds. The team went directly to the area where the sound was coming. While on the way going up to the forest, a lookout was seen who immediately fled going to the area where the chainsaw was heard. A hot pursuit happened and two persons escaped while the chainsaw operator was apprehended who identified himself as Mr. Peter Mike Dela Cruz Garzula. He was informed of his Miranda Rights by FT Reymond Luna.

In the area, the chainsaw was recovered and the freshly cut Gmelina tree was seen with a dimension of 7x7x10 lumber/logs with a total volume of 40.83 bd.ft. However, the two companions of the operator identified by him as Mark dela Cruz and Alvin whose family name is not known have fled. According to the operator, he was the owner of the chainsaw which was bought from Shopee for clearing purposes after Typhoon Odette. The chainsaw has no legal documents from PCSD.

6. Attached are geotagged photos and apprehension receipt.

RYAN DOMONDON

Forest Ranger

Forest Technician I

Forest Technician I

STEPHEN KER BEATINGO

Forest Ranger

EFFREY MODEST

Forest Technician I



Republic of the Philippines

Palawan Council for Sustainable Development Staff

PCSD Bldg., Sports Complex Rd., Bgy. Sta. Monica, Puerto Princesa City,

Palawan

CASE EVALUATION REPORT

DATE

: September 19, 2022

FOR

: ATTY. TEODORO JOSE S. MATTA

Executive Director

THRU

NIÑO KEY C. ESTOYA, MNSA

Director for Operations

FROM

AZTY. JOANNA SARAH T. DIVA

Chief, Legal Services Section

ALDINI, APARECIO

Legal Researcher

SUBJECT

: EVALUATION OF CASE REFERRED BY CENRO PUERTO PRINCESA FOR THE APPREHENSION AND CONFISCATION OF ONE UNIT OF CHAINSAW FROM PETER MIKE GARZULA y DELA CRUZ IN BARANGAY IRAWAN, PUERTO PRINCESA CITY

SYNOPSIS

On September 19, 2022, **PETER MIKE DELA CRUZ GARZULA**, resident of Barangay Irawan Puerto Princesa City was apprehended by CENRO Puerto Princesa for violation of Republic Act No. 9175 or the Chainsaw Act of 2002.

INTRODUCTION

On September 19, 2022, the CENRO Puerto Princesa received information from a concerned citizen that there was an ongoing cutting of trees using a chain saw unit in Purok Masagana, Barangay Irawan, Puerto Princesa City.

DETAILS OF INVESTIGATION

On September 19, 2022, the DENR CENRO through FTI Rommel Adato received information via cellphone call from a concerned citizen that there was an ongoing chain saw operation in Purok Masagana, Barangay Irawan, Puerto Princesa City.

To verify the veracity of the information, a team composed of Jeffrey Modesto, Rommel Adato, Joshua Paed, Reymund Luna, Ryan Domondon and other members was immediately assembled and deployed to the area.

Upon arrival at the reported area, the team heard a sound that seemed to be coming from a chain saw. The team immediately searched for the exact location of the sound. They eventually found a man not far from where the sound was coming from. However, before they had a chance to come nearer to the location of the man, he immediately ran away from the area. Based on their assessment, the said man served as a lookout.

Consequently, the Team continued their search and they found two individuals operating the chain saw unit. However, before they get even closer, the operators ran away. The team pursued the perpetrators and one of them was caught.

The Team immediately identified themselves as members of DENR-CENRO. Afterward, FTI Rommel Adato asked about his identity and identified himself as Peter Mike Dela Cruz Garzula, a resident of Barangay Irawan, Puerto Princesa City and he admitted that he is the owner and operator of the chain saw unit.

FTI Adato asked him again about the identity of his two companions who were able to escape. Peter Mike told FTI Adato that it is Mark Dela Cruz who was his helper and certain Alvin. Afterward, FTI Adato asked him if he has the Certificate of Registration (COR) of the chain saw unit and cutting permit and to present the same, however, Peter Mike could not present the COR. According to him, he bought the chain saw unit in an online shop.

As a consequence, FTI Adato informed Peter Mike that using an unregistered chain saw unit is a violation of Republic Act No. 9175 or the Chainsaw Act of 2002 and its Implementing Rules and Regulations, PCSD Administrative Order No. 07, as amended, which regulate and prohibits the use of an unregistered chain saw. FTI Adato further informed him that he also violates Presidential Decree No. 705 for cutting trees without a necessary cutting permit. Hence, the chainsaw unit is confiscated based on the said violation.

After the nature of his offense was explained to Peter Mike, FTI Adato immediately issued an Apprehension Receipt of Seized Items, while Forester Reymund Luna read to him his rights under the law. Afterwards, Forester Luna asked if he understood his rights, and Peter Mike responded affirmatively. The latter was also informed that they will take him to their office for filing an appropriate case for his violation.

On or about 9:30 in the morning, the Team decided to leave the area together with accused Peter Mike and the confiscated items from him. The chain saw unit was also turned over to the custody of the Palawan Council for Sustainable Development (PCSD) for proper disposition.

The whole operation, especially the apprehension and seizure of the chain saw unit, was duly documented through photographs taken by the member of the team, Ryan Domondon.

Violations

Section 7 par. (4) of Republic Act No. 9175 or the Chainsaw Act of 2002 provides that:

Actual Unlawful Use of Chain Saw. - Any person who is found to be in possession of a chain saw and uses the same to cut trees and timber in forest land or elsewhere except as authorized by the Department shall be penalized with imprisonment of six (6) years and one (1) day to eight (8) years or a fine of not less that Thirty thousand pesos (P30,000.00) but not more than Fifty thousand pesos (P50,000.00) or both at the discretion of the court without prejudice to being prosecuted for a separate offense that may have been simultaneously committed. The chain saw unlawfully used shall be likewise confiscated in favor of the government.

As can be gleaned from above, the following are the elements of the offenses charged, to wit: (a) a person is found in possession of a chainsaw; (b) while in possession of the chainsaw, the person used the same to cut trees and timber in forest land or elsewhere; and (c) the use of the chainsaw was not authorized by the PCSD.

Anent the first element, possession of the chain saw unit is established through direct testimony of the apprehending officers who had personal knowledge of the operation conducted that led to the apprehension of the person charged and the confiscation of the chain saw unit in his possession. Be it noted that at the time of their operation, the team heard a sound coming from the chainsaw unit not far from their location, and while searching the exact location by following the sound, they saw a man standing near the location of the operator, and before they had a chance to come nearer the unidentified man ran away. As the team continued their search, they found two individuals who were operating the chain saw unit, one of them being the accused.

The element of possession is also corroborated by the chain saw unit confiscated from **Peter Mike Dela Cruz Garzula**.

As to the second element, to reiterate, at the time of arrival of the DENR-CENRO team in the area, they heard a sound coming from the chain saw unit and they immediately search the exact location of the sound, and when they found the exact location they saw two individuals using the chain saw unit slicing gmelina tree and upon noticing their arrival the said individuals, one of them being the accused, immediately ran away to escape. Thus, the element of actual use is corroborated by photographs taken on site and the presence of the fresh-cut gmelina tree.

Anent to the third and last element, be it noted that upon the apprehension of Peter Mark, FTI Adato immediately conducted an on-site investigation. FTI Adato asked Peter Mike if the chain saw unit has an existing Certificate of Registration (COR) from the Palawan Council for Sustainable Development (PCSD). However, according to Peter Mike, the chain saw unit has no existing Certificate of Registration and is unregistered. Moreover, the absence of a valid permit is supported by the Certification issued by the PCSDS Permitting Section dated September 19, 2022, attesting to the fact the chain saw unit found in possession and actual use of Peter Mike Dela Cruz Garzula has no existing Certificate of Registration from the Palawan Council for Sustainable Development (PCSD).

The absence of a COR is proof that the possession and use of the chainsaw are unauthorized. Under Section 6 of RA No. 9175,

Registration of Chain Saws. - Within a period of three (3) months from the effectivity hereof, all persons who own or are otherwise in possession of chain saws must register the same with the Department, through any of its Community Environment and Natural Resources Office, which shall issue the corresponding registration certificate or permit if it finds such persons to be qualified hereunder. xxx

Further, the registration and issuance of a permit for use of a chainsaw in the Province of Palawan are under the jurisdiction of PCSD, as provided under Section 9 of the Chainsaw Act:

In the Province of Palawan, the provisions of this Act shall be implemented by the Palawan Council for Sustainable Development pursuant to Republic Act No. 7611 or the Strategic Environmental Plan for Palawan

To emphasize, Republic Act No. 9175 or the Chainsaw Act of 2002 penalizes the mere possession of a chainsaw without first securing the necessary permit from the DENR and in the Province of Palawan from the Palawan Council for Sustainable Development (PCSD).

WITNESSES

ROMMEL D. ADATO
 RYAN S. DOMONDON
 Apprehending Officer/DENR-CENRO
 Apprehending Officer/DENR-CENRO

ATTACHMENTS

- 1. Sinumpaang Salaysay ni Rommel D. Adato:
- 2. Sinumpaang Salaysay ni Ryan S. Domondon;
- 3. Apprehension Receipt;
- 4. Spot Report dated September 19, 2022;
- 5. Certification issued by the PCSDS Permitting Section dated September 19, 2022;
- 6. Turn-Over Receipt dated September 19, 2022;
- 7. Photographs.

JUDICIAL ACTION

A criminal case for violation of Section 7 par. (4) of Republic Act No. 9175 or the Chainsaw Act of 2002 is recommended to file against Peter Mike Garzula y Dela Cruz;

RECOMMENDATIONS

It is recommended that **PETER MIKE GARZULA Y DELA CRUZ** be charged for violation of Section 7 par (4) of Republic Act No. 9175 or the Chainsaw Act of 2002.

DISPOSITION OF THE CASE

The case is closed by the arrest of Peter Mike Garzula y Dela Cruz.

Republika ng Pilipinas Lungsod ng Puerto Princesa

) S. S.

SINUMPAANG SALAYSAY NI ROMMEL D. ADATO

MGA TANONG AT SAGOT:

- 1. T: Maaari mo bang ibigay ang iyong pangalan at iba pang impormasyon tungkol sa iyong sarili?
 - S: Ako si ROMMEL D. ADATO, nasa hustong gulang, Filipino, naninirahan sa Barangay Mandaragat, Puerto Princesa City, Palawan. at kasalukuyang nagtatrabaho sa DENR CENRO Puerto bilang isang Forest Protection Officer:
- 2. T: Maaari mo bang sabihin ang mga gawain na napapaloob sa iyong kasalukuyang trabaho?
 - S: Bilang Enforcement Officer ng DENR, isa po sa aking trabaho ang magsagawa ng regular monitoring, surveillance, imbestigasyon at magpatupad ng mga batas pangkalikasan gaya ng Chainsaw Act (RA9175) at PD 705 at iba pang batas pangkalikasan;
- 3. T: Maari mo bang sabihin kung bakit mo isinasagawa ang salaysay na ito?
 - S: Nais ko pong magbigay ng salaysay tungkol sa pagkakakumpiska ko at ng aking mga kasamahan sa DENR CENRO sa isang (1) chainsaw unit kasama ng mga kahoy na natistis na may sukat na 40.8 Board feet kina Mr. Peter Mike Garzula y Dela Cruz, 27 taong gulang, residente ng Bgy. Irawan, Puerto Princesa City at dalawang niyang nakatakas na kasamahan;
- 4. T: Saan at kailan naman ito naganap?
 - S: Naganap ito sa Purok Masagana, Bgy. Irawan, Lungsod ng Puerto Princesa dakong alas 8:42 ng umaga, ika 19 ng Septyembre 2022;
- 5. T: Bakit ka naroon sa lugar naiyon?
 - Ako ay nakatanggap ng tawag mula sa isang di napakilalang concerned citizen na mayroong gumagamit ng isang chainsaw unit sa Barangay Irawan, Puerto Princesa City;
- 6. T: Ano ang sumunod na nangyari? Kung mayroon man?
 - S: Agad kaming bumuo ng grupo mula sa DENR CENRO at agad kaming rumisponde upang iberipika ang ibinigay na impormasyon sa akin;
- 7. T: Ano ang sumunod na nangyari? Kung mayroon man?
 - S: Humigit kumulang alas 8:00 ng umaga ng kami ay makarating sa lugar. Pagdating doon, ay panandalian kaming nagmasid.

Page 1 of 4/Sinumpaang Salaysay ni ROMMEL D. ADATO September 19, 2022

- 8. T: Ano ang sumunod na nangyari? Kung mayroon man? S: Humigit kumulang 08:15 ng umaga ay nakarinig kami ng isang ugong na nagmumula sa chainsaw: 9. T: Ano ang sumunod na nangyari? Kung mayroon man? S: Nang marinig ang ugong ay agad na pumunta kame nina Jeffrey Modesto, Ryan Domondon, Joshua Paed at iba pang kasamahan sa pinanggagalingan ng tunog; 10. T: Ano ang sumunod na nangyari? Kung mayroon man? S: Nang matunton namin ang lugar na pinanggagalingan ng tunog ay amin na itong tinungo. 11. T: Ano ang sumunod na nangyari? Kung mayroon man? S: Bago kami makalapit ay isang tao ang aming nakita na sa aming palagay ay isang look-out na nagmamadaling tumakbo patungo sa direkyon ng nag papaugong ng chainsaw. 12. T: Ano ang sumunod na nangyari? Kung mayroon man? S: Kame ay nagmadali at nakita namin sa d kalayuan ang dalawang kalalakihan na aktuwal na nag ooperate ng chainsaw: 13. T: Ano ang sumunod na nangyari? Kung mayroon man? S: Noong napansin nila ang aming pagdating ay nagtakbuhan ang mga salarin at sila ay aming hinabol. Sa tatlong salarin ay isa ang aming nahuli. Nagapakilala kame bilang kawani ng DENR at nagsagawa kame ng pagsisiyasat.; 14. T: Ano ang sumunod na nangyari? Kung mayroon man? S: Matapos noon ay tinanong ko ang aming nahuli ng kanyang pagkakakilanlan. Agad naman na nagpakilala si Mr. Peter Mike Dela Cruz Garzula bilang operator at may-ari ng chainsaw; 15. T: Ano ang sumunod na nangyari? Kung mayroon man? S: ayon sa kanya si Mr. Mark Dela Cruz and kanyang helper at isang Alvin
- 16. T: Ano ang sumunod na nangyari? Kung mayroon man?

na parehong mga nakatakas.;

S: Matapos noon ay hinanapan ko si Mr. Peter Mike Dela Cruz Garzula ng kaukulang dokumento gaya ng Certificate of Registration at Special Use Permit at iba para sa pag-gamit at pagtataglay ng chainsaw, at cutting permit para sa pagputol ng punong kahoy subalit walang siyang maipakitang kaukulang dokumento:

S: Ayon din sa kanya ay kanya lamang nabili ang chainsaw sa online shop. Habang kame ay nag-uusap ay agad na kumuha ng larawan ang aking kasamahan na si Ryan Domondon habang si Forester Reymund Luna at FR Dinmar Diaz naman ay nagsagawa ng pagsusukat ng kahoy na pinutol na isang Gmelina;

18. T: Ano pa ang sumunod na nangyari, kung mayroon man?

S: Matapos noon ay agad na ipinaliwanag ko na ang paggamit ng chainsaw nang walang kaukulang dokumento gaya ng COR at SUP ay paglabag sa *Republic Act No. 9175 o Chainsaw Act at PCSD Administrative Order No. 07*, as amended at pagalabag naman sa Sec. 77 ng PD 705 ang pagputol ng punong kahoy na walang kaukulang permiso. Ipinaalam ko rin sa kanya na aming kukumpiskahin and nasabing chainsaw kasama na ang mga kahoy na kanilang pinutol at ang iba pa nilang kagamitan;

19. T: Ano ang sumunod na nangyari? Kung mayroon man?

S: Gumawa ako ng Apprehension Receipt of Seized Items habang kinukunan naman ni FR Ryan Domondon ang buong pangyayari para sa kaukulang pagdodokumento at pagkatapos ay kinuha na niya ang mga kagamitan na aming kukumpiskahin;

20. T: Ano ang sumunod na nangyari? Kung mayroon man?

S: Matapos noon ay sinabi ni Forester Reymund Luna kay Mr. Grasula and kanyang Karapatan (MIRANDA RIGHTS) at sinabi na siya ay isasama sa aming tanggapan para sa pagsasampa ng kaukulang kaso;

21. T: Ano ang sumunod na nangyari? Kung mayroon man?

Noong humigit kumulang alas 9:30 nang umaga ay umalis na kami sa lugar kasama si Mr. Grasula at aking mga kasamahan at ang kanilang mga kagamitan na aming nakumpiska papunta sa aming Opisina sa DENR CENRO. Pagkatapos ay dinala namin sa opisina ng PCSD ang chainsaw at nahuling tao para sa pagsampa ng kaso;

22. T: Ano ang sumunod na nangyari? Kung mayroon man?

Pagkarating sa Opisina ng PCSD ay ibinigay namin sa kanila ang chainsaw at pinakita sa kanila ang nahuling tao. Pagkatapos noon ay sinamahan ni FR Jeffrey Modesto si Mr. Peter Mike Grasula pa sa pagkuha ng medical certificate habang ako at ang aking kasamahan ay gumawa ng affidavit;

23. T: Pinatutunayan mo ba na ikaw ay hindi pinilit, tinakot, binayaran o tinuruan upang ihayag ang mga nakasaad dito?

S: Opo:

24.. T: Handa ka bang lumagda sa dokumentong ito bilang patunay na ang lahat ng nakalahad dito ay pawang katotohanan lamang?

S: Opo;

25. T: Pansamantala ay wala na akong maitatanong sa iyo, may nais ka

bang idagdag o ibawas sa iyong salaysay?

S: Wala na po sa kasalukuyan, ngunit kung mayroon man ay sa husgado ko na lamang sasabihin at para suportahan ang pagsampa ng

kaukulang kaso para sa paglabag sa Republic Act No. 9175 o Chainsaw Act, at PD 705 "Revised Forestry Code of the Philippines" laban kina Mr. PETER MIKE GRASULA Y DELA CRUZ at kanyang mga

kasaman.

xxx Wakas ng Salaysay xxx

Ginawa ko ang salaysay na ito ng kusang loob at bilang patunay ay aking nilagdaan ngayun ika- 9 ng Jehombic taong 2022 dito sa lungsod ng Puerto Princesa.

May Salaysay

NILAGDAAN AT PINANUMPAAN sa harapan ko ngayong ika 19 ng John Dr. 2022 dito sa Lungsod ng Puerto Princesa. Aking pinapatunayan na personal kong nakaharap at nakausap ang nagsasalaysay at ako ay lubos na naniniwala na batid niya ang nilalaman ng kanyang sinumpaang salaysay at ang mga nilalaman nito ay kusang loob niyang ibinigay, siya ay hindi tinakot, pinilit, pinangakuan o binigyan ng anuman bilang kapalit.

Ooc. No. Page No. Book No.

Series of

NOTARY PUBLIC FOR PALAWAN AND PPC UNTIL DEG. 31, 2022

ROLL NO. 75776 NPL NO. 2021-001 PTR NO. 1636808 IBP NAT'L. NO. 196238 01/05/2022 IBP LOCAL NO. 002089 01/05/2022 01/05/2022

PCSDS BLDG., BRGY, STA. MONICA, PPC



Republic of the Philippines CITY HEALTH OFFICE Puerto Princesa City





MEDICAL CERTIFICATE

THIS IS TO CERTIFY that

PUROK MASAGANA, BGY. IRAWAN, PUERTO PRINCESA CITY Gender:

MALE Civil Status:

was seen and examined by the undersigned and

PETER MIKE DELA CRUZ GARSULA

MARRIED

found him/her with the following vital signs and findings:

mmHg

RR.

吊 cbm

Temp mdq

NO SIGNS OF EXTERNAL PHYSICAL INJURY AT THE TIME OF EXAMINATION CHEST X-RAY: NOT DONE

PRESUMPTIVE TB

Diagnosis:

FOR SAFEKEEPING Reccomendations:

ANTIGEN TEST: NOT DONE VITAL SIGNS: NOT DONE

of PNP. STATION 2 For SAFEKEEPING purposes.

Issued this

19th day of September, 2022 upon request of

PSSg DODIE A. BENDECIO

SUSAN A. ZAMBRANO, MD, CFP

Medical Officer III

License No.

CERTIFIED PHOTOCOPY



Republic of the Philippines (Republic Act 9147) PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT PCSD Bldg., Sports Complex Rd., Sta. Monica, Puerto Princesa City

TURN OVER RECEIPT

Ich wilks	Jea cruz (Sprauls	ere seized/confiscated from th	e custody/direct control of
at Panok Mas	crema itomoun, Pla	on cale.	9. 2024 are
hereby turn over	rto PCSOU	for Custody.	- Comment of the Comm
MARK NO.	QUANTITY	DESCRIPTION	ITEM
Done this	Und day of St	No Grial no. No Mchal Scal wo we quidebar in charage coppor! pravage (errall Characa)	am
DENR-CE	DREGES WRO-PPC		
Received by: MAWAJ. (Receiving Emple	oyee/Custodian)		
Witnesses:	Domonoon	Jastos	e. PATO
DEXIR C	EXIZO PPC.		

Signature: Wemby

"PCSDs: Working together towards sustaining the future."



Republic of the Philippines (Republic Act No. 7611) PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT

CHAINSAW CERTIFICATE OF NO REGISTRATION NO.: 2022-029

CERTIFICATION

This is to certify that based from the Central Database of the PCSDS, Permitting Section-ECAN Zones Management and Enforcement Division (EZMED), from the year 2005 up to present, the chainsaw unit (no serial number, no metal seal number, with guide bar and chain orange) in the possession of Mr. Peter Mike Garzula y Dela Cruz which was confiscated by DENR-CENRO and tuned-over to the PCSD Evidence Custodian on September 19, 2022 has no existing Chainsaw Certificate of Registration (COR) as required under PCSD Revised Administrative Order No. 7, as amended, otherwise known as "Revised Implementing Rules and Regulations of the Chainsaw Act of 2002". Moreover, PCSD Records also show that no COR was issued in favor of the above named person.

This further certifies that any chainsaw unit without a Certificate of Registration must not be used by anybody for whatever purposes including possession and/or transport among others, that may be allowed pursuant to the PCSD AO No. 7, as amended.

This certification is being issued for whatever legal purposes this may serve.

Given this 19th day of September 2022 at PCSDS, Sta. Monica Heights, Puerto Princesa City, Palawan.

Verified and checked from the records of PCSD Permitting Staff by:

MICHAEL EUGENE VENTURILLO

AIZA N ARANGORIN
Project Development Officer II

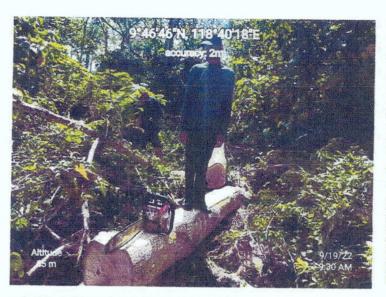


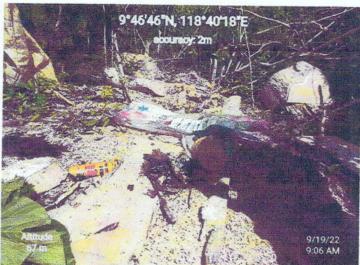
Republic of the Philippines partment of Environment and Natural Resources

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PUERTO PRINCESA CITY

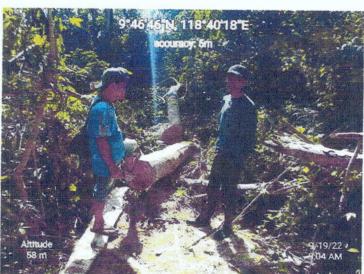
South National Highway, Bgy. Sta. Monica Puerto Princesa City Email Address: centroprincesa@denr.gov.ph Tel. Fax No.: (048) 717-0702

GEOTAGGED PHOTOS









CERTIFICATION

TO WHOM IT MAY CONCERN:

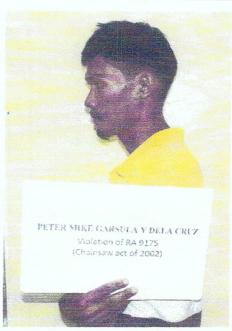
THIS IS TO CERTIFY, that the above geo-tagged pictures were taken by the undersigned to show the freshly cut gmelina log, the apprehended person and 1 unit chainsaw at Purok Masagana, Brgy. Irawan, Puerto Princesa City.

Picture taken on September 19, 2022 at Purok Masagana, Brgy. Irawan, Puerto Princesa City.

RYAN DOMONDON Forest Ranger









CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the above photos showing Mr. Peter Mike Garsula y Dela Cruz were taken by the undersigned, on September 20, 2022, while he was under the custody of DENR CENRO Puerto Princesa for violation of Chainsaw Act of 2002- RA 9175.

RYAN S. DOMONDON Forest Ranger

Republic of the Philippines Department of Environment and Natural Resources COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE Barangay Sta. Monica, Puerto Princesa City

CENRO Control No.:

E-FMS No.:

APPREHENSION RECEIPT

This APP	REHENSIO	N RECEIPT is issued to -							
	Name	Address	Civil Status	Date of B	irth/Age	Partic	ipation	Status of	the Person
Peter	Mike Po	la Purok, Masagun	a Married	Oct 23	, 1998	Operato		Dorehen	
CTUZ	Garsa	The state of the s		27 413		- Operary		App) enen	d 80
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		Bray Irawan				40.83 nd 81	2,275.03	CENT-UGICO	
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Republic of the Philippines (Republic Act 9147) PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT PCSD Bldg., Sports Complex Rd., Sta. Monica, Puerto Princesa City

TURN OVER RECEIPT

The following	items/articles, which were Dela Cruz Garzula	re seized/confiscated from the cust	ody/direct control of
at Punok	Marzana, Irava	nillo on Sept. 19. 2	22 are
hereby turn ov		for Custo day .	
MARK NO.	QUANTITY	DESCRIPTION	ITEM
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		(small chainsal)	
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City.	_	at PCSD BLdg., Sta. Mo	nica, Puerto Princesa
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Received by:			
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MAMAN. B			2
(Receiving Em	ployee/Custodian)		
Witnesses:	2	. 0	
		Soll	
RYAN 84	DOMENDON	JOSHVAJ C. PAU	D
BENR C	DOMENDON ENRO PPC.		

Tally sheet of apprehended Gmelina lumber at Purok Masagana, Barangay Irawan, Puerto Princesa City on September 19, 2022.

PCS	SPECIES]	DIMEN	SION		VOLUME (BD.FT.)	REMARKS
1	Gmelina	7	X	7	X	10	40.8	Log/Lumber
1	TOTAL						40.8	

Inventoried by:

DINWAR P. DIAZ

Forest ranger

-REYMOND LUNA

Forest Technician I



Republic of the Philippines

Department of Environment and Natural Resources

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica Puerto Princesa City Email Address: cenropuertoprincesa@denr.gov.ph

Tel. Fax No.: (048) 717-0702

September 20, 2022

MEMORANDUM

FOR

The Provincial Environment and

Natural Resources Officer

Sta. Monica, Puerto Princesa City

FROM

The OIC, Community Environment and

Natural Resources Officer

SUBJECT

SPOT REPORT RE: APPREHENSION ONE (1) UNIT UNDOCUMENTED CHAINSAW, OPERATED BY PETER MIKE

DELA CRUZ GARZULA AT PUROK MASAGANA, BGY.

IRAWAN, PUERTO PRINCESA CITY.

Respectfully forwarded is the spot report re: the apprehension of one (1) unit undocumented chainsaw, operated by Mr. Peter Mike Dela Cruz Garsula on September 19, 2022 at Purok Masagana, Barangay Irawan, Puerto Princesa City.

For information, record and further action.

PEDRO A. VELASCO
Development Management Officer IV

OIC-CENRO

MES/RCS

DENR MIMAPOPA REGION
CENRO PULHIO PRIMICESA

NO: 72508
DATE: 9-20-22



Republic of the Philippines artment of Environment and Natural Resource

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica Puerto Princesa City Email Address: centroprincesa@denr.gov.ph

Tel. Fax No.: (048) 717-0702

September 19, 2022

MEMORANDUM

FOR

The Community Environment and Natural Resources Officer

Puerto Princesa City

THRU

Chief, Monitoring and Enforcement Section

FROM

Sicsican Forest Product Monitoring Station

SUBJECT

SPOT REPORT OF APPREHENSION OF ONE (1) UNIT UNDOCUMENTED CHAINSAW, OPERATED BY PETER MIKE DELA CRUZ GARSULA AT PUROK MASAGANA, BRG. IRAWAN,

PUERTO PRINCESA CITY

1. What:

Violation of RA 9175 and PD 705

2. Where:

Purok Masagana, Brgy. Irawan, Puerto Princesa City.

3. When:

September 19, 20022 at around 9:00 AM.

4. Who:

Peter Mike Dela Cruz Garzula

5. How/Why: On or about 7:45 in the morning, FT I Rommel Adato received information that chainsaw sounds were heard at Purok Masagana, Brgy. Irawan, this City. The area has been under surveillance for almost three (3) months because of the reports of rampant illegal cutting of trees. Immediately, upon receipt of the report, the team was organized and the operation was done.

Upon arrival at the area, the team still heard the chainsaw sounds. The team went directly to the area where the sound was coming. While on the way going up to the forest, a lookout was seen who immediately fled going to the area where the chainsaw was heard. A hot pursuit happened and two persons escaped while the chainsaw operator was apprehended who identified himself as Mr. Peter Mike Dela Cruz Garzula. He was informed of his Miranda Rights by FT Reymond Luna.

In the area, the chainsaw was recovered and the freshly cut Gmelina tree was seen with a dimension of 7x7x10 lumber/logs with a total volume of 40.83 bd.ft. However, the two companions of the operator identified by him as Mark dela Cruz and Alvin whose family name is not known have fled. According to the operator, he was the owner of the chainsaw which was bought from Shopee for clearing purposes after Typhoon Odette. The chainsaw has no legal documents from PCSD.

6. Attached are geotagged photos and apprehension receipt.

RYANDOMONDON

Forest Ranger

REYMOND-LUNA Forest Technician L

Forest Technician I

STEPHEN KÆR BEATINGO

Forest Ranger

FanagaPangan

Forest Ranger

Forest Technician I



Republic of the Philippines partment of Environment and Natural Resources

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica Puerto Princesa City Email Address: centroprincesa@denr.gov.ph Tel. Fax No.: (048) 717-0702

GEOTAGGED PHOTOS









CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY, that the above geo-tagged pictures were taken by the undersigned to show the freshly cut gmelina log, the apprehended person and 1 unit chainsaw at Purok Masagana, Brgy. Irawan, Puerto Princesa City.

Picture taken on September 19, 2022 at Purok Masagana, Brgy. Irawan, Puerto Princesa City.

RYAN BOMONDON
Forest Ranger



Republic of the Philippines

Department of Environment and Natural Resources

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica Puerto Princesa City Email Address: cenropuertoprincesa@denr.gov.ph Tel. Fax No.: (048) 717-0702

September 19, 2022

PMAJ. NOEL A. MANALO Station Commander Station II, Irawan, PPC

Sir:

This pertains to the apprehension of Mr. Peter Mike D. Grasula, which transpired this morning at around 8 o'clock, for the violation of Section 77 of PD 705 and the Chainsaw Act at purok Masagana, Bgy. Irawan, Puerto Princesa City.

The preparation for the filing of a criminal case thru inquest proceeding for the said accused is currently on-going. However, the filing will be done tomorrow morning. Unfortunately, this office has no holding facility to detain the said accused.

In line with this, may we request for the temporary detainment of Mr. Grasula, in your facility beginning tonight until tomorrow morning, while the preparation for the necessary documents is ongoing.

We will fetch him tomorrow at 9 o'clock in the morning for his appearance before the City Prosecutor for the inquest proceeding.

Thank you very much.

Truly yours,

ARJAY ... CREGAS

In-Charge, MES

DENR MIMAROPA REGION CENRO PUERTO PRINCESA

RELEASED

DATE: 9-19-2022

RY:

M ENGWETTIN SOS

ZEIVEL

9/19/62 - 6:27TM

(CUTTING AND GIRDLING WERE PERPETRATED BY MR. RENE E. BENECITO AND ADELO A. ANTEPUESTO) APPREHENDED ON JANUARY 20, 2020 AT SO. OLD SITE BARANGAY POBLACION, ABORLAN, PALAWAN STATEMENT OF DAMAGES OF FRESH CUT AND GIRDLED MANGROVE TREE

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NOTE:

Statement of timber damaged based on the Scale Sheet Submitted by FR Denmar Diaz and FTI Reymund Luna

Market Value based on Prevailing price in town.

Forest Charges based on DAO # 2000-63 dated July 31, 2000

Surcharges based on DAO #87-80 dated December 28, 1987

Environmental damages based on DAO 97-32 dated October 10, 1997.

CERTIFICATION

TO WHOM IT MAY CONCERN:

and environmental damages of fresh cut Gmelina tree apprehended on September 19, 2022 in Purok Masagana, Bgy. Irawan, Puerto Princesa City. THIS IS TO CERTIFY that the total value of the forest products amounting to PhP 23,177.48 represents the market value, forest charges, surcharges

Prepared and Computed by:

Attested by:

ARJAY T. GREGAS

Forester-I

PEDRO A. VELASCO CENRO