



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

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July 01, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 L&S Bldg., Roxas Blvd.
Ermita, Manila

: The Regional Director
MGB –MIMAROPA Region
1515 L&S Bldg., Roxas Blvd.
Ermita, Manila

FROM : Provincial Environment and
Natural Resources Officer

SUBJECT : **ON THE SPOT REPORT PERTAINING TO SAND AND
GRAVEL EXTRACTION ALONG BENECAN RIVER IN BRGY.
DECALACHAO, CORON, PALAWAN**

Forwarded is the Memorandum dated 09 June 2022 of CENRO Coron endorsing the appended report of the MGB, EMB and CENRO Coron Personnel Staff dated 30 May 2022 regarding the above cited subject.

For your information and consideration.

Copy Furnished:
The Provincial Mining Provincial Board (PMRB)
Puerto Princesa City
RGT/EMU Doc. No. 2022-5210


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By _____
Date: 5 JUL 2022 CN 12-1608



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office
Barangay 5, Calamianes Island, Coron, Palawan
Telephone No. +63 917 504 2633

E-mail: cenrocoron@denr.gov.ph Website: www.denr.gov.ph

09 June 2022

MEMORANDUM

FOR : **The OIC-Regional Executive Director**
1515 L & S Bldg., Roxas Blvd.
Ermita, Manila


The Regional Director
Mines and Geosciences Bureau-MIMAROPA
DENR Building, Roxas Blvd., Ermita, Manila

THRU : **Provincial Environment and
Natural Resources Officer**
Sta. Monica, Puerto Princesa City

FROM : **The Community Environment and
Natural Resources Officer**
Coron, Palawan

**SUBJECT : ON-THE-SPOT REPORT PERTAINING TO SAND AND
GRAVEL EXTRACTION ALONG BENECAN RIVER IN BRGY.
DECALACHAO, CORON, PALAWAN**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

BY: 
DATE: 06-15-2022 22:5210

Respectfully endorsing is the report of the MGB, EMB, and CENRO Coron personnel staff dated 30 May 2022 regarding the abovementioned subject.

Last 30 May 2022, a field campaign was conducted along the Benecan River in Brgy. Decalachao. A backhoe and a truck were caught in the act of extracting sand and gravel. Based on the result of the investigation, Mr. Tejada was the owner of these quarry equipment. It was mentioned by the owner that the SAG was for the construction of his warehouse in Poblacion 6.

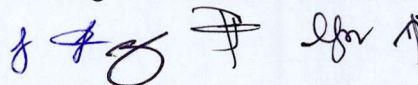
For your information and record.

For and in the absence of the CENRO



JEFFREY C. CASTRO
Forester II

In-Charge of the Office of CENR





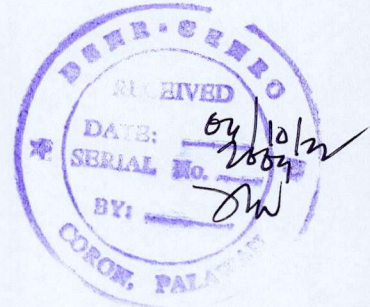
02 June 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer
Coron, Palawan

FROM : The Undersigned

SUBJECT : ON-THE-SPOT REPORT PERTAINING TO SAND AND
GRAVEL EXTRACTION ALONG BENECAN RIVER IN BRGY.
DECALACHAO, CORON, PALAWAN



Background Information

Last 30 May 2022, a field campaign was conducted along the Benecan River in Brgy. Decalachao. Prior to the investigation in Eleanor's Happy Farm, one empty green dump truck was observed along the road. Based on the accompanying Forest Rangers of CENRO-Coron, the truck was owned by former SB Efren Tejada. Upon closer observation, the aggregates extracted from the river were delivered and piled approximately 130 m away from the source. Along the river, one backhoe was caught in the act of extracting aggregates.

Findings and Observations

1. The subject area is located along Benecan River, Brgy. Decalachao. Geographically at 12° 07' 44" N, 120° 07' 27" E. This is ~23 km away from CENRO which can be reached within an ~30-minute drive (Figure 1).
2. During the investigation in Eleanor's Happy Farm, an empty green dump truck was observed by the undersigned. The accompanying CENRO staff identified the owner of the vehicle to be the former SB Efren Tejada. With closer observation, a stockpile station was noted ~130 m away from the river source. Moreover, stacks of hollow blocks and a transport truck were observed (*see Photo Documentation*).
3. As the undersigned continued its investigation in Eleanor's Happy Farm, a backhoe and the, previously seen, green truck were caught in the act of extracting aggregates from the Benecan River channel (*see Photo Documentation*).



Figure 1. Location map of the spotted sand and gravel extraction along Benecan River. The white line represents the approximate boundary of Brgy. Decalachao. The image is from Google Earth.

4. The undersigned visited the actual area and was greeted by Mr. Tejada (*see Photo Documentation*). He confirms that he is the owner of the truck and backhoe previously noted along the river. According to Mr. Tejada, the truck's capacity is ~15 cu. m. He mentioned that the aggregates quarried were used for the ongoing construction of his warehouse building in Sitio Dipolao, Poblacion 6, Coron. He also explained that none of the extracted sand and gravel were sold commercially.
5. Mr. Tejada further mentioned that he was a former subcontractor to certain projects of BCT Construction Inc. and previously supplied aggregates to the government water system projects.
6. The undersigned asked if he holds a permit to conduct such activity and he replied that he formerly holds a government gratuitous permit for his government-related projects, however, he admitted that at present he is extracting without a valid permit. ECC and SEP clearances were also requested but he also does not hold the following. The undersigned also reminded Mr. Tejada that he is operating within the Busuanga Pasture Reserve and exploitation in the area is deemed prohibited.
7. Mr. Tejada also mentioned about the plan, together with Mr. Fe Chi of Eleanor's Happy Farm, to rehabilitate the river back to its previous morphology prior to bridge construction (Figure 2).



Figure 2. Comparison of Google Earth images of before and during the bridge construction in the area. The blue annotation shows the river original path of the river channel while the red annotation is the altered channel as an alleged result of the bridge construction. Image **A** shows a Google Earth Image taken on 29 November 2018 while image **B** was taken on 15 December 2020.

Comments and Recommendations

1. It was mentioned to Mr. Tejada that extracting without a valid permit is considered to be illegal. The undersigned recommended to secure first the necessary permits prior to sand and gravel extraction. In his case, given that the purpose is for a private project, an Exclusive Sand and Gravel Permit is suggested to be acquired and secured. As per Section 48 of Republic Act 7942, otherwise known as the Philippine Mining Act of 1995;

*Any qualified person may be granted an exclusive sand and gravel permit by the provincial governor to **quarry and utilize sand and gravel** or other loose or unconsolidated materials **from public lands** for his own use, provided that there will be **no commercial disposition** thereof.*

2. As to conducting extraction without a permit, this may constitute “Theft of Minerals” pursuant to Section 103 of RA 7942.

Theft of Minerals – Any person extracting minerals and disposing the same without mining agreement, lease, permit, license, or steals minerals or ores or the products thereof from mines or mills or processing plants shall, upon conviction, be imprisoned from six (6) months to six (6) years or pay a fine from ten thousand pesos (Php 10, 000.00) to twenty thousand pesos (Php 20,000.00), or both, at the discretion of the appropriate court. In addition, he shall be liable to pay damages and compensation for the minerals removed, extracted, and disposed of. XXX

3. In addition, the extracted materials are considered to be illegally sourced mineral/mineral products. Section 116 Chapter XII of DAO 2010-21 defines this as,

Illegally sourced minerals/mineral products are those which are mined, extracted, removed, and/or disposed of without the authority or permit under existing mining laws, rules and regulations.

4. For issuance of Notice of Violation for implementing a project without an approved Environmental Compliance Certificate (ECC) in violation of Section 4 of P.D. 1586.
5. The quarry site is also located within the BPR. This constitutes to violation of Presidential Proclamation No. 1387 and Presidential Proclamation No. 663. Any development activities within the BPR must acquire clearance from the Forest Management Bureau before any movements.

Whereas, Proclamation No. 1387 (s. 1975) withdrew from any form of disposition exploration or exploitation, and reserved as pasture reserve a parcel of land of the public domain in Busuanga, Palawan.

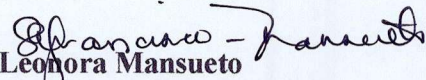
Repealing Proclamation No. 2057 and transferring the administration of the Busuanga Pasture Reserve to the DENR-Forest Management Bureau (DENR-FMB).

6. To endorse this to BPRMO for their proper evaluation of the violation of the proponent.
7. It is also suggested to the proponent that if he wishes to rehabilitate the area, consent from the PMRB must be granted. Furthermore, BPRMO must be informed prior to the rehabilitation activity.

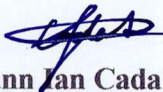
For your reference, record, and further instruction(s).



Casandra Lynda Jalac
Science Research Specialist II
MGB MIMAROPA – Embedded Personnel



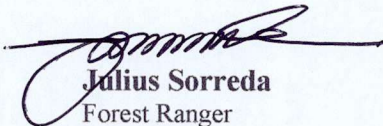
Leonora Mansueto
Senior Environmental Management Specialist
EMB MIMAROPA – Embedded Personnel



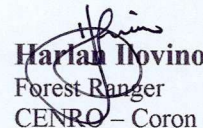
Vann Ian Cadalso
Science Research Specialist II
MGB MIMAROPA – Embedded Personnel



Arwin Del Rosario
EnMO-PMS
EMB MIMAROPA

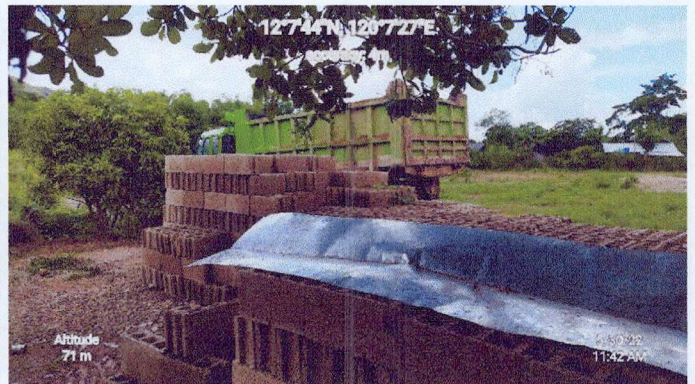
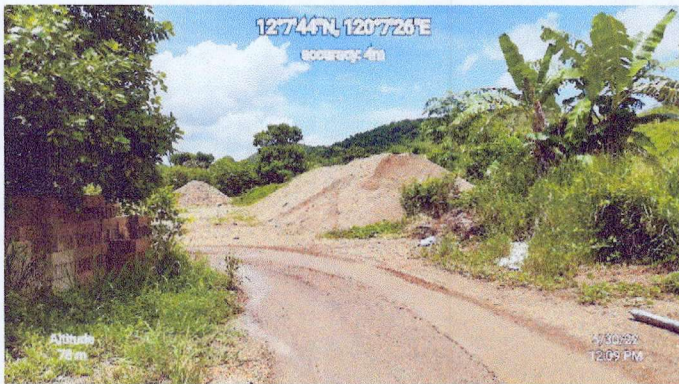


Julius Sorreda
Forest Ranger
CENRO – Coron

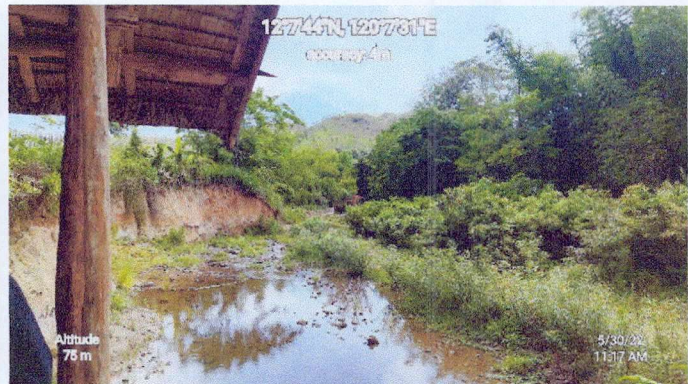


Harlan Ilovino
Forest Ranger
CENRO – Coron

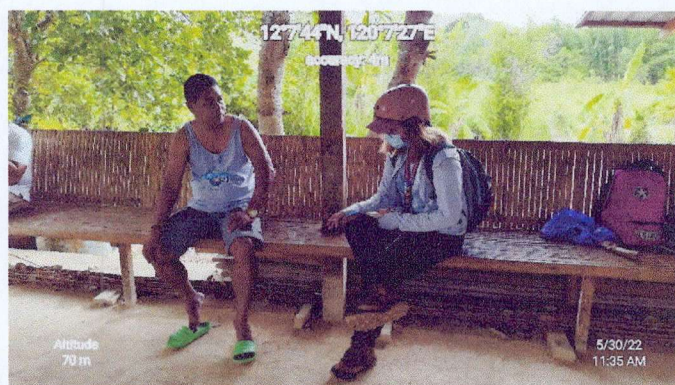
Photo Documentation



The observed stockpiles of aggregates and stacks of hollow blocks, and truck in the area. This station is ~130 meters away from Benecan River.



Observations of actual act of extraction of sand and gravel along Benecan River. A backhoe was taking aggregates directly from the river and loading it directly to a truck.



MGB embedded personnel interviewing the proponent, Mr. Efren Tejada.