



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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Email Add: [penropalawan@denr.gov.ph](mailto:penropalawan@denr.gov.ph)

DENR MIMAROPA RECORDS SECTION	
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OFFICE	DATE NO.

November 3, 2022

## MEMORANDUM

**FOR :** The Regional Executive Director  
DENR MIMAROPA Region  
1515 DENR By the Bay Building, Roxas Boulevard,  
Barangay 668, Ermita, MANILA

**:** The Regional Director  
MGB –MIMAROPA Region  
1515 DENR By the Bay Building, Roxas Boulevard,  
Barangay 668, Ermita, MANILA

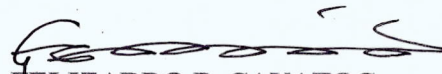
**THRU :** The OIC, ARD for Technical Services

**FROM :** Provincial Environment and  
Natural Resources Officer

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

Forwarded is the Memorandum dated 21 October 2022 from CENRO Roxas transmitting the appended memorandum report of MGB embedded personnel assigned at that office regarding the above subject.

For information and further instruction/s.

  
FELIZARDO B. CAYATOC

Copy Furnished:  
The Provincial Mining Provincial Board (PMRB)  
Puerto Princesa City  
RGT/EMU Doc. No. 9789

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**  
By:   
Date: 08 NOV 2022 CN 22-2986



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.**

DENR PENRO  
PALAWAN RECORDS  
RECEIVED  
BY: *[Signature]*  
DATE: 11-24-2022 22.9789

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

For your action and recommendation.

*[Signature]*  
PABLO L. CRUZ

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

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

DENR-CENRO ROXAS  
RELEASED  
DATE: OCT 21 2022  
BY: *[Signature]*  
REG. NO. 2022-10-1644



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Department of Environment and Natural Resources  
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Email address: [cenroroxaspalawan@denr.gov.ph](mailto:cenroroxaspalawan@denr.gov.ph)

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*



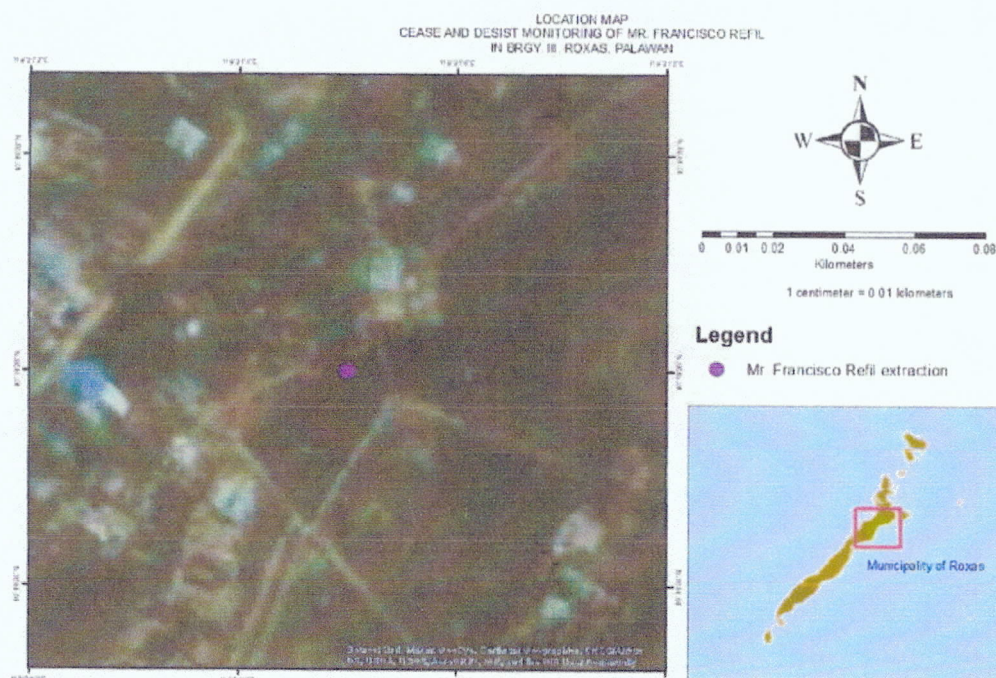


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*Photo 3. Hollow Blocks production in Brgy. III, Roxas, Palawan*

### MAPS



*Figure 1. Location Map*






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*Annex*

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

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

**LONDA M. SERRIO**  
Committee on Social Welfare, Women, Elderly, Patient and Family, Disability and Trapped  
09208531658

**ELAINE K. LAYLA**  
Committee on Agriculture, Water and Forest, Housing, Land, Migration and Environment  
09208531658

**GILDA C. MABERT**  
Committee on Human Health and Sanitation, Tourism, Cultural Heritage and Protection  
09208531658

**ROSA ANN P. ARZAGA**  
Committee on Education and Children Affairs  
ACPD/ GAD/ VAWG Officers  
09121715297

**LEONILLO A. BOSAS**  
Committee on Public Work/ Infrastructure Development, Transportation and Communication  
07506108819

**MERILYN S. PEREZ**  
Committee on Peace and Order and Public Safety, PWD and Senior Citizen Affairs  
09208531658

**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  
09097035203

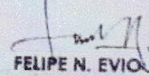
**KASUNDIRAN**

Ang pamunuan ng Provincial Mining Regulatory Board (PMRB) sa katauhan ni **G. Felipe N. Evio** empleyado nang nasabing pamunuan ay nagtungo sa pamahalaan ng nasabing Barangay upang maipaabit 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 usapin.

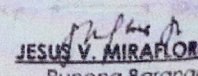
Araw ng Byernes July 12, 2019 ganap na ikalawa ng hapon ay nagkaharap ang mga empleyado ng nasabing pamunuan sa pangunguna ni **G. Felipe Evio** at si **G. Francisco Refil** sa pamahalaan ng nasabing Barangay upang mapag-usapan ang nasabing problema. Bahagi ng napag kasunduan na ako si **G. Francisco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

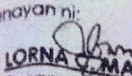
Patunay nito ang aming mga lagda sa harap ng Punong Barangay ngayong ika - 12 ng Hulyo, 2019.

  
**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

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

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