Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
MIMAROPA Region

NOV 28 2023

DENR MIMAROPA
RECORDS SECTION
RECEIVED
DEC 04 2023
☐ INCOMING ☐ OUTGOING
BY: DATS NO.
TIME:

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region
1515 DENR By the Bay Building, Roxas Blvd.
Barangay 668, Ermita, Manila

THRU : The Assistant Regional Director
For Technical Services

FROM : The OIC, PENR Officer
Mamburao, Occidental Mindoro

SUBJECT : RESOLUTION NO. 2023-025 [P-2023-00011154]

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated November 23, 2023 pertaining to the result of administrative adjudication on the apprehension of one hundred seventy four (174) pieces of Bangkal lumber with a total volume of 975.00 board feet at So. BArombong Canturoy, Barangay Mapaya , San Jose , Occidental Mindoro.

For your information and record.

"For and in the absence of the OIC, PENRO"

ROMUALDO S. TRIA
LMO III/Chief, MES

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

NOV 23 2023

MEMORANDUM

FOR	:	The Regional Executive Director 1515 DENR By the Bay Building, Roxas Boulevard, Barangay 668, Ermita, Manila
THRU	:	The OIC-PENR Officer Mamburao, Occidental Mindoro
FROM	:	The CENR Officer
SUBJECT	:	RESOLUTION NO. 2023-025

Respectfully submitted herewith is the Resolution No. 2023-025 as a result of administrative adjudication on the apprehended one hundred seventy four (174) pieces Bangkal lumber having an aggregate total volume of 975.00 board feet at So. Barombong, Brgy. Mapaya, San Jose, Occidental Mindoro by personnel of DENR-CENRO San Jose on November 6, 2023.

For your information and record.

EFREN L. DELOS REYES

DENR-PENRO MAMBURAO
RECORDS
RECEIVED
BY:
DATE: 11-23-2023
TIME:

RECEIVED
DATE
RELEASED BY:
DATE: TIME:

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457-0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

RE: APPREHENSION OF ONE HUNDRED SEVENTY-FOUR (174) PIECES OF ABANDONED BANGKAL LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 975.00 BOARD FEET AT SITIO BAROMBONG, BARANGAY MAPAYA, SAN JOSE, OCCIDENTAL MINDORO ON NOVEMBER 06, 2023
X----------X

RESOLUTION No. 2023-025

This pertains to the apprehension of One Hundred Seventy-Four (174) pieces of abandoned Bangkal lumber with different dimensions having an aggregate volume of 975.00 board feet at Sitio Barombong, Barangay Mapaya, San Jose, Occidental Mindoro on November 06, 2023.

The facts of the subject case are as follows, to wit:

1. That, on November 06, 2023 at 10:45 in the morning, as a result of monitoring and verification that was conducted by the personnel from Enforcement and Monitoring Section (EMS) of the DENR-CENRO, San Jose, Occidental Mindoro, in response to a report that there were lumber stock piled within the vicinity of Sitio Barombong, Barangay Mapaya, San Jose, Occidental Mindoro yielded to the apprehension of One Hundred Seventy-Four (174) pieces of Bangkal lumber with different dimensions having an aggregate volume of 975.00 board feet.

2. That, the corresponding Apprehension Receipt with CENRO Control No. 2023-F503 was issued by the apprehending officer headed by Forest Technician II Loren Kaye A. Garcia. (*Please see attached Apprehension Receipt*)

3. That, the Seizure Order and Seizure Receipt with CENRO Control Number 2023-F503 were issued by the Seizure Officer, LMO III Rhodora A. Garcia. (*Please see attached Seizure Order and Seizure Receipt*)

4. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on November 7, November14, and November 21, 2023 at the conspicuous places such as Public Market of San Jose and at the Brgy. Hall of Barangay Mapaya. (*Please see attached* PABATID SA PUBLIKO)

5. That, no administrative hearing was conducted due to the absence of claimant of the said abandoned forest products who appeared/coordinated with this Office despite the posting of Pabatid sa Publiko on three (3) separate dates and at the conspicuous places of the area of concern.

The issue to be resolved in this case is whether or not the One Hundred Seventy-Four (174) pieces of abandoned Bangkal lumber with different dimensions having a total aggregate volume of 975.00 board feet **be confiscated in favor of the government.**

The grounds for apprehension and seizure of the forest products are valid as the apprehended forest products are not supported with any cutting or transport permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Under the following provisions, to wit.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 389 otherwise known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and Republic Act No. 7161, states that:

> ***SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License.*** *– Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code.*
>
> *xxx*
>
> ***SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation.*** *– In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.*
>
> *xxx*
>
> Department Administrative Order No. 97-32
>
> ***Section 1, Paragraph e. FOREST PRODUCTS*** *— Refers to timber including lumber, pulpwood, firewood, bark, tree top, resin, gum, wood, oil, honey, beeswax, nipa, rattan, charcoal, or other forest growth, such as but not limited to grass, shrub, flowering plants in forest lands, and others.*
>
> ***Section 2. Items subject to apprehension, seizure, confiscation and forfeiture***
>
> a. ***ILLEGAL FOREST PRODUCTS*** *- Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.*
>
> *xxx*

The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, show that the apprehended One Hundred Seventy-Four (174) pieces of abandoned Bangkal lumber with different dimensions having a total aggregate volume of 975.00 board feet **shall be confiscated in favor of the government since those lumbers are product of an illegal act.**

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705, as amended by Executive Order No. 277 and Republic Act No. 7161, thus, subject to confiscation.

Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, Section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DENR Administrative Order 98-24 (Manual of Approvals), it is hereby recommended:

1. The apprehended One Hundred Seventy-Four (174) pieces of abandoned Bangkal lumber with different dimensions having a total aggregate volume of 975.00 board feet **be confiscated in favor of the government** since those lumber are products of an illegal act.

Issued this _____ day of _____at DENR-CENRO San Jose, Occidental Mindoro.

Prepared by:

RHODORA A. GARCIA
LMO III
Hearing Officer/Seizure Officer

Noted by:

EFREN L. DELOS REYES
CENR Officer

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

EMAIL FOR TRANSMISSION
November 6, 2023

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE HAD APPREHENDED ONE HUNDRED SEVENTY FOUR (174) PCS. ~~BANGKAL~~ LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE TOTAL VOLUME OF 975.00 BDFT ON NOVEMBER 6, 2023 AT AROUND 10:45 IN THE MORNING AT SO. BAROMBONG CMA BRGY. MAPAYA CMA SAN JOSE CMA OCCIDENTAL MINDORO PD

BE FURTHER INFORMED THAT THE SAID FOREST PRODUCTS WERE FOUND ABANDONED AND NO CLAIMANT APPEARED DURING THE TIME OF APPREHENSION PD SAID UNDOCUMENTD FOREST PRODUCTS WAS BROUGHT TO MONITORING SATION AT BRGY MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

ENGR. SALVADOR

SENDER:

NILO P. SALVADOR
DMO IV/ Deputy, CENRO
In-Charge, Office of the CENRO

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457-0236/(043) 742-6627
Email: cenrosanjose@denr.gov.ph

GEOTAGGED PHOTOGRAPHS (1/3)

November 06, 2023





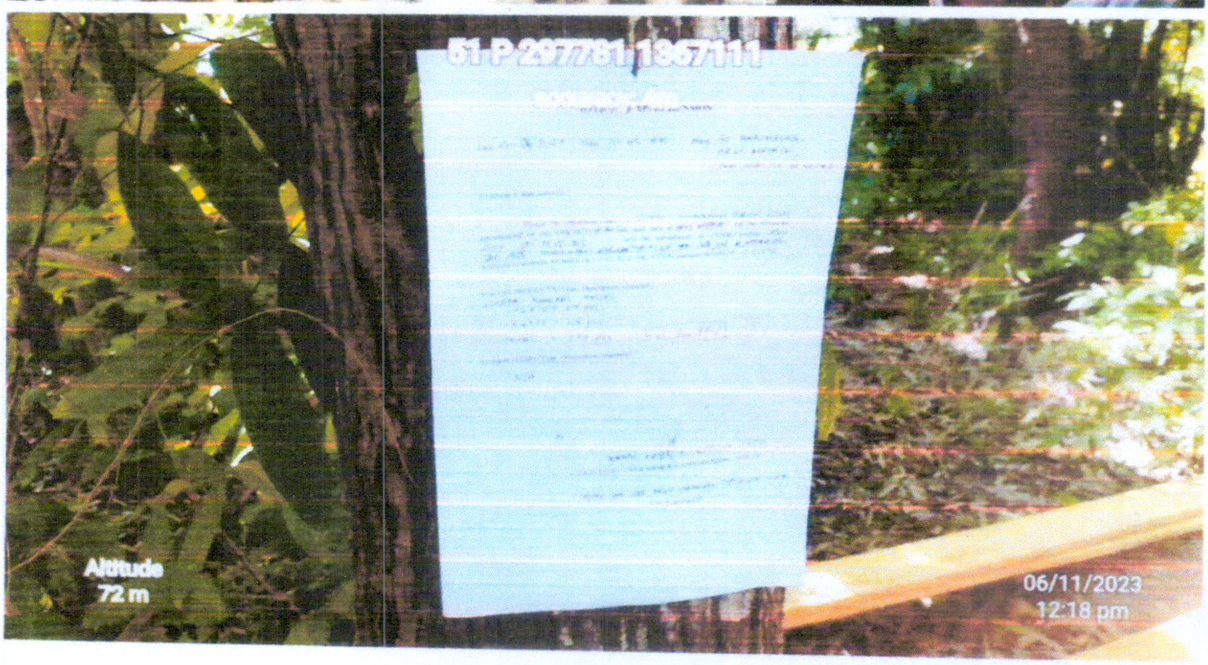


GEOTAGGED PHOTOGRAPHS (2/3)

November 06, 2023







TALLY SHEET
APPREHENDED ABANDONED & UNDOCUMENTED BANGKAL LUMBERS
SO. BAROMBONG, BRGY. MAPAYA,
SAN JOSE, OCCIDENTAL MINDORO
(November 06, 2023)

SPECIES	PIECES	MEASUREMENT	VOLUME
Bangkal	69	1x6x10	345.00
Bangkal	105	1x6x12	630.00
Total Pieces	**174 PIECES**	Total Volume	**975.00 BOARDFEET**
Estimated Value		45.00 PHP/boardfeet	**43,875.00 PHP**

Prepared by:

LOREN KAYE A, GARCUA
Forest Technician II

NOTICE OF APPREHENSION

Date: Nov. 06, 2023 Time: 10:45 AM Place: SO. BAROMBONG, BRGY. MAPAYA, SAN JOSE, OCC. MINDORO

To whom it may concern:

Please be informed that FOLLOWING ABANDONED FOREST ITEMS apprehended on this 11-06-23/10:45 AM date and time at BRGY. MAPAYA for the following offense SEC. 77, PD 705 will be turned-over to CENRO/Seizure Officer SAN JOSE located at BRGY. LABANGAN POBLACION, SAN JOSE, OCC. MINDORO (office Address) to undergo ADMINITRATIVE ADJUDICATION pursuant to DAO 97-32 of DENR:

FOREST PRODUCTS (Type, Description, Quantity):

LUMBER - BANGKAL SPECIES

1 x 6 x 10 = 69 PCS

1 x 6 x 12 = 105 PCS

TOTAL = 174 PCS 975 boardfeet

OTHER ITEMS (Type, Description, Quantity):

N/A

By:

WREN KAYE A. GARCIA / FT II

SIGNATURE OVER NAME OF APPREHENDING OFFICER

CENRO SAN JOSE, BRGY. LABANGAN POBLACION, SJOM.

OFFICE ADDRESS

Received by:

VOLT SONNY TABACA

P.P.

12:45 PM / 11/06/23

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.:	2023- F503
E-FMS No:	2023- 175110 - F523

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following Forest Products, Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS

Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
LUMBER	1			BANGKAL	69	1X6X10= 345.00	15,525	MURTHA MONITORING STATION	
	2				105	1X6X12= 630.00	28,350		
					—	—			
					174	975.00	43,875		

Minor Forest Products				
Kind	**Unit of Measurement**	**No. of Units**	**Estimated Value**	**Custodian**
N/A	N/A	N/A	N/A	N/A

Conveyance involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

Implements Involved	
Type	Quantity
N/A	N/A

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
NOV. 6, 2023 10:45AM	OCC. MINDORO	SAN JOSE	MAPAYA	BAROMBONG	DENR PERSONNEL	SEC. 77, PD 705

Is/are hereby declare under apprehension on the following FACTUAL reasons:

-
- ABANDONED
-

The subject forest products, conveyances, machinery/equipment, tool and implements and others apprehended should be kept and protected from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 6th day of NOVEMBER, year 2023 at SAN JOSE, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. LOREN KAYE A. GARCIA
   Position: FTI II
   Address: SJDM

2. _____
   Position: _____
   Address: _____

3. _____
   Position: _____
   Address: _____

WITNESSES:

_____ _____

OWNER/CLAIMNANT/REPRESENTATIVE/DRIVER
(Signature over Printed Name)

1. _____
   Position: _____
   Address: _____

2. _____
   Position: _____
   Address: _____

3. _____
   Position: _____
   Address: _____

4. _____
   Position: _____
   Address: _____

Copy Received by:

_____ _____
Signature over Printed Name Date/Time

Remarks:

_____

_____

_____.

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2023-F503
E-FMS No: 2023-175110-F503

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products are hereby ordered seized, to wit:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS

Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
lumber	1			Bangkal	69	1x6x10=345.00	15,525.00	Murtha Monitoring Station	LMO III Rhodora A. Garcia
	2				105	1x6x12=630.00	28,350.00		
TOTAL					174	975.00	43,875.00		

Minor forest products

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

If Animal

Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

The subject Forest Products and other items were apprehended while under the possession/ control/ownership of.

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

2. The subject Forest Products and other items have undergone the following Seizure proceedings.

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Sitio		
November 6, 2023 2:30 pm	Occ. Mdo.	San Jose	Labangan	N/A	LMO III Rhodora A. Garcia	Section 77, PD 705 as amended

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated **November 6, 2023** and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

Hence, the foregoing forest products/conveyance/equipment/implement are hereby ordered seized and now under government custody (except government-owned vehicles).

So ordered this **6th day of October, 2023** at Brgy. Labangan, San Jose, Occidental Mindoro.

RHODORA A. GARCIA
Seizure Officer/
Hearing Officer

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan San Jose, Occidental Mindoro

SEIZURE RECEIPT

CENRO Control No.: 2023-F503
E-FMS No: 2023-175110-F503

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TOTAL					174	975.00	43,875.00		

Minor forest products

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

If Animal

Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

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RHODORA A. GARCIA
Seizure Officer/
Hearing Officer

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

NOV 07 2023

UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAHULING ISANDAAN AT PITUMPU'T APAT (174) PIRASONG BANGKAL NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 975.00 BDFT. NA INIWAN SA SO. BAROMBONG, BRGY. MAPAYA, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-6 NG NOBYEMBRE, 2023 SA GANAP NA ALAS 10:45 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA MURTHA MONITORING STATION NA MATATAGPUAN SA BRGY. MURTHA , SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

RHODORA A. GARCIA
LMO III/ Chief, RPS
Seizure Officer/ Hearing Officer

NOTED BY:

NILO P. SALVADOR
DMO IV/ Deputy, CENRO

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

NOV 14 2023

IKALAWANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAHULING ISANDAAN AT PITUMPU'T APAT (174) PIRASONG BANGKAL NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 975.00 BDFT. NA INIWAN SA SO. BAROMBONG, BRGY. MAPAYA, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-6 NG NOBYEMBRE, 2023 SA GANAP NA ALAS 10:45 NG UMAGA.

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LUBOS NA GUMAGALANG,

RHODORA A. GARCIA
LMO III/ Chief, RPS
Seizure Officer/ Hearing Officer

NOTED BY:

NILO P. SALVADOR
DMO IV/ Deputy, CENRO

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

NOV 21 2023

IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAHULING ISANDAAN AT PITUMPU'T APAT (174) PIRASONG BANGKAL NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 975.00 BDFT. NA INIWAN SA SO. BAROMBONG, BRGY. MAPAYA, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-6 NG NOBYEMBRE, 2023 SA GANAP NA ALAS 10:45 NG UMAGA.

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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

RHODORA A. GARCIA
LMO III/ Chief, RPS
Seizure Officer/ Hearing Officer

NOTED BY:

EFREN L. DELOS REYES
CENR Officer