



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

DEC 19 2022



MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2022-067

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated December 09, 2022 pertaining to the result of administrative adjudication on the apprehended eight (8) pieces of Bulabog lumber having an aggregate volume of 21.33 board feet at Barangay Buri, San Jose., Occidental Mindoro.

For your information and record.


ERNESTO E. TAÑADA

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

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

DEC 09 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
Roxas, Blvd., Ermita, Manila

THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

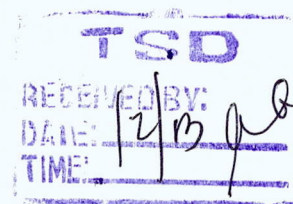
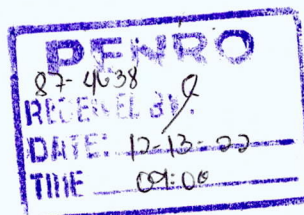
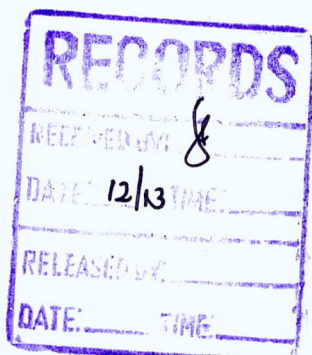
FROM : The CENR Officer

SUBJECT : RESOLUTION NO. 2022-067

Submitting respectfully is the Resolution No. 2022-067 as a result of administrative adjudication on the apprehended eight (8) pcs of Bulabog lumber with different dimensions having an aggregate volume of 21.33 bdft. at Brgy. Buri, San Jose, Occidental Mindoro by DENR personnel on October 26, 2022.

For your information and record.

EFREN L. DELOS REYES



Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457-0236 / (043) 742-6627



**RE: APPREHENSION OF ABANDONED EIGHT (8) PCS. OF
BULABOG LUMBER WITH AN AGGREGATE VOLUME OF
21.33 BDFT. AT BRGY. BURI, SAN JOSE, OCCIDENTAL MINDORO
ON OCTOBER 26, 2022 AT AROUND 10:17 IN THE MORNING.**

X-----X

RESOLUTION No. 2022-067

This pertains to the apprehension of abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft. at Brgy. Buri, San Jose, Occidental Mindoro by the Personnel of Enforcement and Monitoring Section (EMS) DENR-CENRO, San Jose, Occidental Mindoro.

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

1. That, on October 26, 2022 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office conducted a monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there were a stockpiled of lumber believed to be illegally cut at the vicinity of Brgy. Buri, San Jose, Occidental Mindoro.
2. That, indeed the report was confirmed, the team apprehended the above-subject forest products and hauled to Brgy. Hall of Brgy. Buri San Jose, Occidental Mindoro for temporary safekeeping. *(Please see attached temporary custody receipt.)*
3. That, the corresponding Apprehension Receipt with CENRO Control No.2022-F467 was issued by the apprehending officer headed by Deputy Chief, EMS, Jomar B. Serquiña *(please see attached apprehension receipt)*
4. That, the Seizure Order with CENRO Control Number 2022-F467 was issued by the Seizure Officer, Land Management Officer III Rhodora A. Garcia *(please see attached seizure order)*
5. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on October 27, November 3 and November 10, 2022 at the conspicuous places such as at Public Market of San Jose and at the Brgy. Hall of Barangay Buri, San Jose, Occidental Mindoro. *(please see attached Pabatid sa Publiko)*
6. That, no Administrative hearing was made because there were no claimant of the said abandoned forest products even though a Pabatid sa Publiko has been posted on three (3) separate dates and at the conspicuous places of the area of concern. *(please see attached Pabatid sa Publiko)*

The issues to be resolved in this case are as follow;

1. Whether or not the abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft will be confiscated in favor of the government.

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

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 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.*

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Department Administrative Order No. 97-32

Sec. 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.*

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2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft shall be confiscated in favour 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 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 2022-10 (Revised DENR Manual of Authorities for Technical Matters) the following are hereby recommended:

1. The abandoned eight (8) pcs. of Bulabog lumber with a dimension of 2x2x8 and an aggregate volume of 21.33 bdft shall be confiscated in favour of the government since those lumber are products of an illegal act.

Issued this _____ day of DEC 07 2022, _____ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:


RHODORA A. GARCIA

LMO III

Hearing Officer/ Seizure Officer



Noted By:


EFREN L. DE LOS REYES

CENR Officer

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

EMAIL FOR TRANSMISSION
OCTOBER 27, 2022

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 EIGHT (08) PIECES OF BULABOG LUMBERS CMA WITH DIMENSION OF 2X2X8 AND TOTAL VOLUME OF 21 BOARDFEET ON OCTOBER 26, 2022 AT AROUND 10:30 IN THE MORNING AT BARANGAY BURI CMA ILIN ISLAND 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 UNDOCUMENTED MAJOR FOREST PRODUCTS WERE BROUGHT TO THE BARANGAY HALL OF BARANGAY BURI CMA ILIN ISLAND CMA SAN JOSE CMA OCCIDENTAL MINDORO PD FOR SAFEKEEPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

NILO P. SALVADOR

SENDER:

For the CENR Officer:


NILO P. SALVADOR

DMO IV

In-Charge, Office of the CENRO



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

October 27, 2022

MEMORANDUM

FOR : The CENR Officer

THRU : The Chief EMS

FROM : The Deputy Chief EMS
Team Leader of San Jose

SUBJECT : REPORT ON THE APPREHENDED ABANDONED EIGHT (8) PIECES
OF BULABOG LUMBERS AT BRGY. BURI, ILIN ISLAND, SAN
JOSE, OCCIDENTAL MINDORO

Submitted herewith is the report regarding the apprehension of the above mentioned subject:

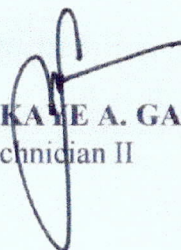
1. That on October 25, 2022, the Enforcement and Monitoring Section received a vital information regarding an alleged cutting of trees at Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro.
2. That on October 26, 2022, the team composing of the undersigned together with Forest Technician I Dominic Vidal, Forest Ranger Emmanuel Ignacio, and Forest Protection Officers Roniel Saulong and Ednor Legaspi Jr. travelled to Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro to conduct investigation to verify the said matter.
3. The team coordinated with the Barangay Local Government Unit of Buri, San Jose, Occidental Mindoro with Brgy. Kagawad Wenifredo L. Enelda on duty wherein Kagawad Enelda provided the team with IAMBAG (Ilin and Ambulong Islands Bantay Gubat) Members and Brgy. Police of Buri to accompany them at the said area.
4. After that, the team proceeded to the said area of alleged cutting and it was discovered that cutting of trees occurred in the said area. The team conducted inventory of the four (4) stumps and eight (8) pieces of Bulabog Lumbers with dimension of 2x2x8 and total volume of 21 boardfeet with no claimant.
5. The team together with IAMBAG Team and Brgy. Police of Buri brought the apprehended abandoned eight (8) pieces of lumbers to the Brgy. Hall of Brgy. Buri, San Jose, Occidental Mindoro for temporary safekeeping.

The team recommends to strengthen the monitoring against illegal forestry and environmental activities and collaborate vividly with the Local Governments for effective monitoring.

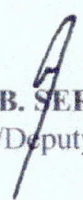
Attached are the geotagged photographs, map, tally sheet and pertinent documents.

For your information and further instruction.

Prepared by:



LOREN KAYE A. GARCIA
Forest Technician II



JOMAR B. SERQUINA
Forester I/Deputy Chief, EMS

GEOTAGGED PHOTOGRAPHS
October 26, 2022



The team coordinating with Brgy Kagawad Wenifredo Enelda (2nd to the left) and IAMBAG Chairperson Reynold Villaram (front)



The team with the apprehended abandoned 8 pieces of Bulabog Lumbers apprehended at Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro



The team with the carrying the abandoned 8 pieces of Bulabog Lumbers going to the Brgy. Hall of Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro



T said abandoned 8 pieces of Bulabog Lumbers at the Brgy. Hall of Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro for safekeeping.

GEOTAGGED PHOTOGRAPHS
Stumps at Brgy. Buri, Ilin Island, San Jose, Occidental Mindoro



TALLY SHEET OF STUMPS

Species	Diameter
Bayog	49 cm
Bayog	35 cm
Bulabog	38 cm
Bulabog	50 cm

TALLY SHEET OF THE APPREHENDED BULABOG LUMBERS

Species	Pieces	Dimension	Volume
Bulabog	8	2x2x8	21.33 boardfeet

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

APPREHENSION RECEIPT

CENRO Control No.: 2022- F 4676
E-FMS No: 2022- 175110- F 4676

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person

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				BULABOG	8	2 x 2 x 8 = 8	21.33		
						21.33			
						BD. FT.			
					8	21.33	1,173.15		

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian

Conveyance involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories

If Animal			
Kind	Quantity	Gender	Color

Equipment Involved	
Type	Quantity

Implements Involved	
Type	Quantity

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		
OCT. 26, 2022 10:17 AM	OCCIDENTAL MINDORO	SANTOSE	BURI		DEMR PERSONNEL IAMBATE	ABANDONED

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 26 day of OCT. year 2022 at

APPREHENDING OFFICER
(Signature over Printed Name)

1. JOHNS B. SERQUINA
Position: Forester I
Address: STOM

2. DOMINIC UDAZ
Position: Forest Technician I
Address: STOM

3. LOREN KAYE GARUD
Position: Forest Technician II
Address: STOM

4. EMMANUEL ILONAGO
Position: Forest Ranger
Address: STOM

5. _____
Position: _____
Address: _____

6. _____
Position: _____
Address: _____

WITNESSES:

REYNOLDS GILGARAN JR.
CHAIRMAN, CIANGAY

KARL EDWIN UNAB

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

1. _____
Position: _____
Address: _____

3. _____
Position: _____
Address: _____

2. _____
Position: _____
Address: _____

4. _____
Position: _____
Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

TEMPORARY CUSTODY RECEIPT OF APPREHENDED FOREST PRODUCTS(S) OR ITEM(S) OF EVIDENCE

I, the undersigned KATO DANWIT GUNAB of BRUY BUNI (Government Office) situated in Sitio/Barangay of _____ Municipality of SAN JOSE Province of OCCIDENTAL MINDORO do hereby acknowledge to have received from DENR-CEMUN SAN JOSE, forest Officer of DENR, the following described items apprehended in Sitio BRUY. BUNI, Barangay of BRUY. BUNI Municipality of SAN JOSE province of OCCIDENTAL MINDORO

A. Forest Products

[illegible]

B. Conveyance, machinery, Tools, Etc.

Kind/make/Plate Number	Certificate of Registration	Engine and Chassis No.	Remarks (accessories, appearance, etc.)	Owner Address

The same have been this day left in my possession pending investigation by the DENR. I promise that I will faithfully and to the best of my ability keep and protect the said articles from defacement, loss or destruction, in any number, that I will neither alter, nor remove the same, and that I release and deliver said articles only upon orders of the DENR or a court of competent jurisdiction to the place designated. The said forest products and items were marked with government marking hatched no.

items were marked with g

[Handwritten signature]

RECEIVED 11 MAR

Custodian

Brcay. katarawari
Designation

Witnesses:

JOMAR B. SORQUINA

forster 1

Apprehending Officer

LOREN KAYE A. CARCITA

Forest Technician II

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

SEIZURE ORDER

CENRO Control No.: 2022-F466
E-FMS No: 2022-175110-F466

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	Specie s Groupi ng	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lum ber				Bulabog	8	2x2x8=21.33	1,173.15	Brgy. hall of Brgy. Buri, SJOM	Kag. Darwin Linab

Minor forest products				
Kind	Unit of Measureme nt	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.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

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		
October 26, 2022 4:00 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	LMO III Rhodora A. Garcia	Section 77, PD 705

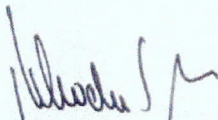
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated October 26, 2022 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 26th day of October, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.


RHODORA A. GARCIA
Hearing Officer/ Seizure Officer



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

OCT 27 2022

UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG WALO (8) NA PIRASO NG BULABOG NA KAHUY NA MAY SUKAT NA 2X2X8 AT MAY KABUUANG DAMI NA 21.00 BDFT. SA BRGY. BURI ILIN ISLAND, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-26 OKTOBRE 2022 SA GANAP NA ALAS 10:30 NG UMAGA.

ANG NASABING KAHUY AY DINALA SA BRGY. HALL NG BRGY. BURI ISLAND SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

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

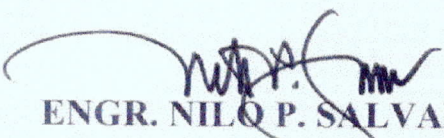
LUBOS NA GUMAGALANG,


RHODORA A. GARCIA

LMO III

Seizure Officer/ Hearing Officer

NOTED BY:


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



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Department of Environment and Natural Resources
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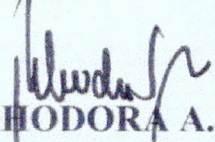
IKALAWANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG WALO (8) NA PIRASO NG BULABOG NA KAHOY NA MAY SUKAT NA 2X2X8 AT MAY KABUUNANG DAMI NA 21.00 BDFT. SA BRGY. BURI ILIN ISLAND, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-26 OKTOBRE 2022 SA GANAP NA ALAS 10:30 NG UMAGA.

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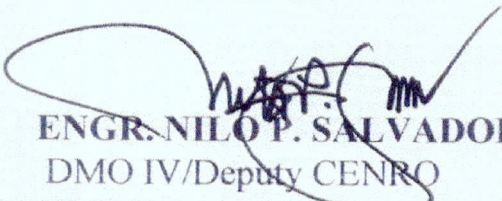
KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III

Seizure Officer/ Hearing Officer

NOTED BY:


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



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

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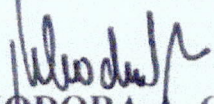
IKATLONG PABATID SA PUBLIKO

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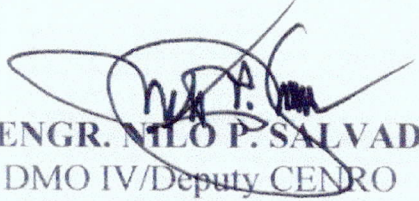
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LUBDS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III

Seizure Officer/ Hearing Officer

NOTED BY:


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