



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

OUTGOING	
Received by: _____	Date: JUN 29 2023

June 22, 2023

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

THRU : The Assistant Regional Director for Technical Services

FROM : The OIC, PENR Officer

SUBJECT : **SUBMISSION OF INVENTORY OR SCALING REPORT ON THE APPREHENDED AND/OR SEIZED UNDOCUMENTED FOREST PRODUCT, CONVEYANCES, TOOLS, EQUIPMENT, AND IMPLEMENT USED LOCATED IN TABLAS ISLAND, ROMBLON**

DENR MIMAROPA LIFEZONES SECTION DISTRICT OFFICE	
JUL 04 2023	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
TIME: _____	DAYS NO. _____

Respectfully forwarding the attached memorandum report pertaining to the above-cited subject.

Please be informed that the inventory or scaling was conducted on May 16, 2023 located in Protected Area Management Office (PAMO) Sibuyan Sub-Station, Brgy, Tampayan, Magdiwang, Romblon.

For information, reference and further instruction.

ARNOLDO A. BRAZA, JR.



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

June 19, 2023

MEMORANDUM

FOR : THE OIC-PENR Officer
Odiongan, Romblon

THRU : The Chief- Technical Services Division

FROM : MENDOZA, JAMES M.
Forester II

SUBJECT : SUBMISSION OF INVENTORY OR SCALING REPORT ON THE
APPREHENDED AND/OR SEIZED UNDOCUMENTED FOREST
PRODUCT, CONVEYANCES, TOOLS, EQUIPMENT, AND
IMPLEMENT USED LOCATED IN SIBUYAN ISLAND, ROMBLON

Respectfully submitting herewith the report regarding the above-cited subject to wit;

FACTS:

In compliance to the Approved Work and Financial Plan C.Y. 2023, under Menu 6
*“Consistent apprehension and mandatory administrative adjudication and confiscation of
apprehended forest products including conveyances and other implements” and under 6.4 “
Inventory or scaling of apprehended and/or seized undocumented forest product, conveyances,
tools, equipment, and implement used”*

ACTIONS:

To conduct inventory, verification and scaling on the apprehended forest products
including conveyances and other implements within the jurisdiction of Tablas and Sibuyan Island;

1. That on May 16, 2023, the undersigned travelled to Sibuyan Island, Romblon to conduct the said activity;
2. That on the same day, the undersigned also coordinated to the personnel of Protected Area Management Office (PAMO) Sibuyan Sub-Station and inform about the activities being undertaken;



Republic of the Philippines
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MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Odiongan, Romblon

3. Conducted inventory and scaling on the apprehended forest products; and
4. Took geotag photos during the actual inventory.

FIELD FINDINGS/ OBSERVATIONS:

5. That the apprehension of the forest products was transpired on different dates and locations as follows:

Date of Apprehensions	Locations of Apprehensions	Volume(bd.ft)	Remarks
March 4, 2018	So. Bato, Brgy. España, San Fernando, Romblon	442.0	Hauled and deposited at the PAMO, So. Logdeck, Brgy. Tampayan, Magdiwang, Romblon
October 12, 2018	So. Dalipi, Brgy. Tampayan, Magdiwang, Romblon	136.40	Hauled and deposited at the PAMO, So. Logdeck, Brgy. Tampayan, Magdiwang, Romblon
March 19, 2020	So. Aglingge, Brgy. Tampayan, Magdiwang, Romblon	199.39	Hauled and deposited at the PAMO, So. Logdeck, Brgy. Tampayan, Magdiwang, Romblon

6. That the apprehended forest products were undertaken by the DENR-PENRO personnel of Tablas and Sibuyan Sub- Station;
7. The apprehended forest products were under the custody of Forest Ranger Mark Adonis Romero;



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PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Odiongan, Romblon

8. That during inventory and scaling, said forest products have an aggregate volume of 777.79 bd.ft. ;
9. That some of the apprehended and confiscated forest products were already deteriorated and open to adverse environmental conditions due to lack of permanent warehouse or storage; and
10. The forest products inventoried/scaled had an issued Notice of Issuance of Order and Certification from the Regional Office.

RECOMMENDATIONS/CONCLUSION

In view of the above findings and observations, the undersigned recommends that Regional Office should allocate a budget for the construction of permanent Warehouse or Storage area in order to prevent the condition and economic value of the apprehended forest products since they are open to adverse environmental conditions.

For information and reference.

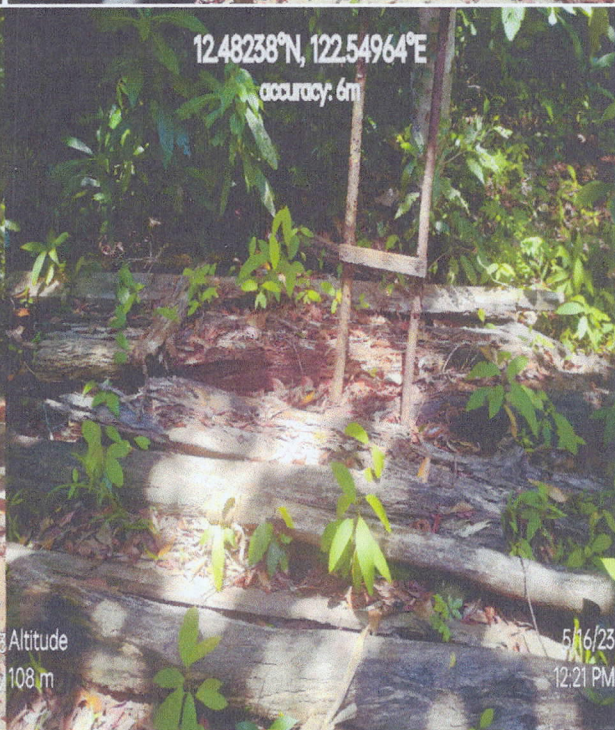
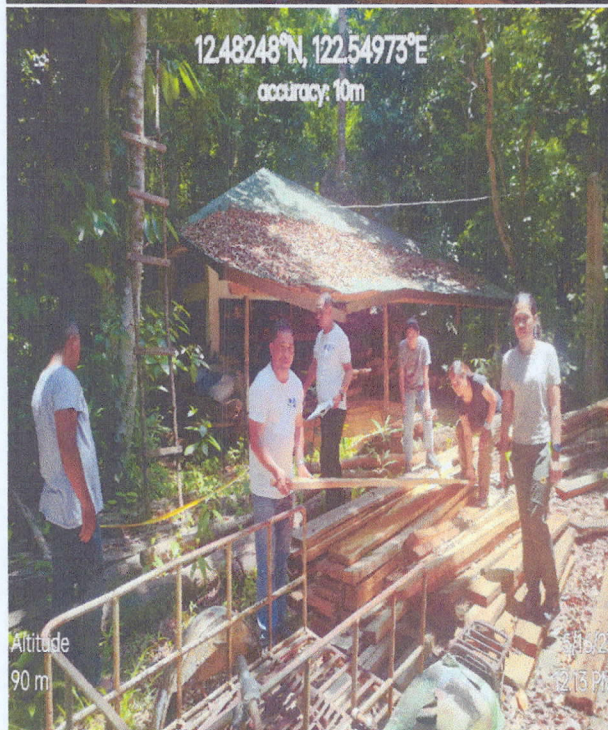
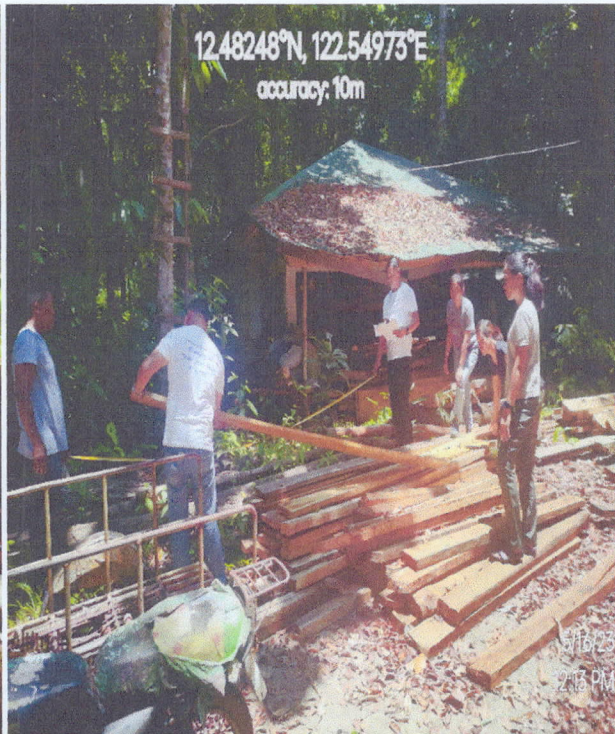

JAMES M. MENDOZA

Noted by:


ARLYN A. BALIBAG
Chief- Monitoring and Enforcement Section



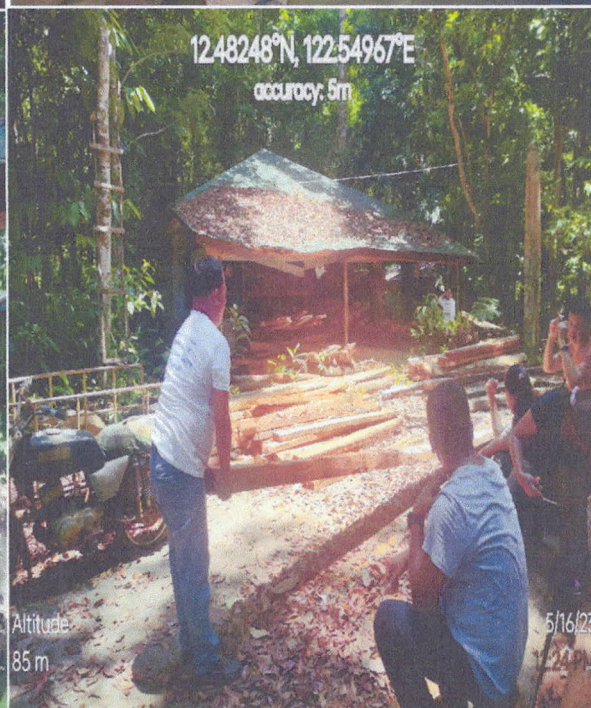
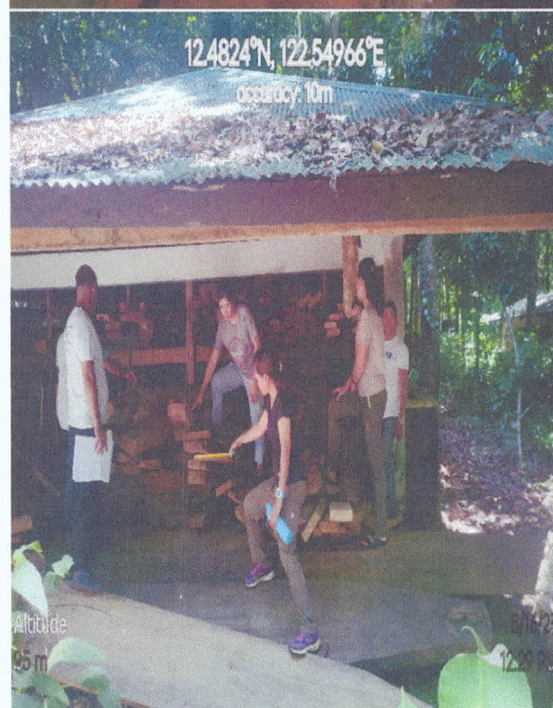
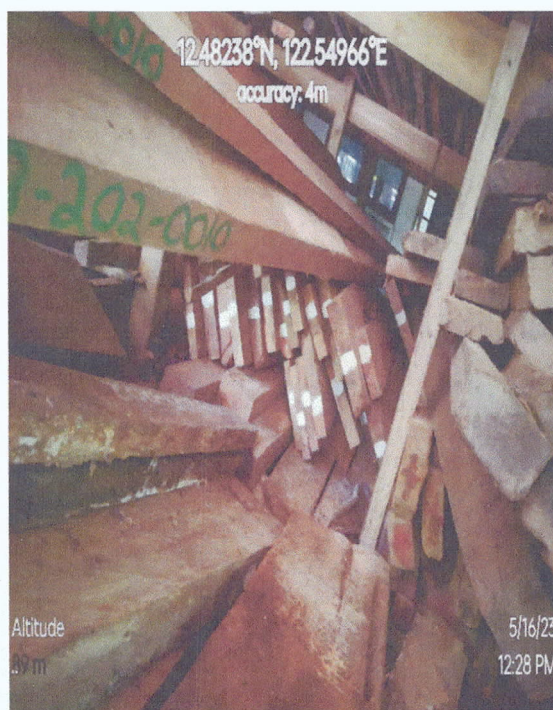
Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Odiongan, Romblon



**DURING THE CONDUCT OF INVENTORY AND SCALING OF THE CONFISCATED
FOREST PRODUCTS LOCATED AT PAMO/ SIBUYAN SUB-STATION, SO. LOGDECK, BRGY.
TAMPAYAN, MAGDIWANG, ROMBLON.**



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



**DURING THE CONDUCT OF INVENTORY AND SCALING OF THE CONFISCATED
FOREST PRODUCTS LOCATED AT PAMO/ SIBUYAN SUB-STATION, SO. LOGDECK, BRGY.
TAMPAYAN, MAGDIWANG, ROMBLON**

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
1515 L&S Bldg., Roxas Boulevard, Ermita, Manila

CENRO Control No.:

E-FMS No:



NOTICE OF ISSUANCE OF ORDER

**IN RE : CONFISCATION OF SEVEN (7) PIECES OF LUMBER OF APITONG SPECIES
HAVING A TOTAL VOLUME OF 1.043 CUBIC METERS (442 BOARD FEET)
APPREHENDED AT SO. BATO, BARANGAY ESPAÑA, SAN FERNANDO,
ROMBLON**

TO:

**DENR-PENRO
Odiongan, Romblon**

Greetings!

Please be informed that an Order dated August 10, 2018 was issued by this Office on the above-entitled subject, copy of which is enclosed. The original copy is on file in this Office.

You are hereby directed to inform this Office within five (5) days from receipt, indicating the date you received the copy of the aforesaid Order.

Please be guided accordingly.

Date: 31 AUG 2018


Atty. GANDHI GAGNI-FLORES
Chief, Legal Division

IN RE: CONFISCATION OF SEVEN (7) PIECES OF LUMBER OF APITONG SPECIES HAVING A TOTAL VOLUME OF 1.043 CUBIC METERS (442 BOARD FEET) APPREHENDED AT SO. BATO, BARANGAY ESPAÑA, SAN FERNANDO, ROMBLON

ORDER

Records show that at around 3:00 o'clock in the afternoon of March 4, 2018, at So. Bato, Barangay España, San Fernando, Romblon, the DENR PENRO Sibuyan Sub-Station Forest Protection personnel apprehended seven (7) pieces of lumber of Apitong species having a total volume of 1.043 cubic meters (442 board feet), with an estimated fair market value of Php 11,050.00. Subject forest products had no claimant during the time it was apprehended and were hauled and deposited at the Police Station compound located in Poblacion, San Fernando, Romblon, under the custody of SPO 1 Roque Altabano, for safekeeping. A Seizure Receipt and Seizure Order both dated March 19, 2018 were issued by PASu Malvin R. Rocero, Seizure Officer.

Pursuant to Section 8 of DAO 97-32, the PENRO Sibuyan Sub-Station concerned posted Notices of Hearing on May 29, 2018, June 07, 2018 and June 15, 2018 in conspicuous public places within the locality, informing the claimant/s to appear and show cause why the said apprehended items should not be confiscated in favor of the government. However, despite said Notices, no one came to claim ownership of the same, hence, considered "**ABANDONED.**"

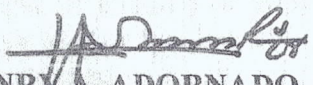
WHEREFORE, PREMISES CONSIDERED, the apprehended seven (7) pieces of lumber of Apitong species having a total volume of 1.043 cubic meters (442 board feet), with an estimated fair market value of Php 11,050.00, are hereby **CONFISCATED** in favor of the government to be disposed of in accordance with existing DENR laws, rules and regulations governing the matter.

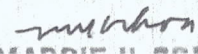
The PENRO concerned is hereby directed to haul and deposit the said forest products at the PENRO Sibuyan Sub-Station compound and take full custody thereof.

SO ORDERED.

Manila, Philippines, AUG 10 2018

CERTIFIED XEROX COPY
DATE: **10 AUG 2018**


HENRY A. ADORNADO, Ph.D.
Regional Director
DENR MIMAROPA Region


MARGIE U. OCHONA
FORESTER/ENFORCEMENT DIVISION



Department of Environment
and Natural Resources
REGION 4B



IN RE: **CONFISCATION OF SEVEN (7) PIECES OF LUMBER OF APITONG SPECIES HAVING A TOTAL VOLUME OF 1.043 CUBIC METERS (442 BOARD FEET) APPREHENDED AT SITIO BATO, BARANGAY ESPAÑA, SAN FERNANDO, ROMBLON**

CERTIFICATION



This is to **CERTIFY** that per records on file in this Office, an **ORDER** dated **August 10, 2018** was issued in the above-captioned case confiscating the seven (7) pieces of lumber of Apitong species having a total volume of 1.043 cubic meters (442 board feet) apprehended at Sitio Bato, Barangay España, San Fernando, Romblon.


In compliance with Section 8(3), DAO 97-32, three (3) Notices of Hearing dated *May 29, 2018, June 07, 2018 and June 15, 2018* over the apprehended items were posted for three (3) consecutive weeks in three (3) conspicuous public places in the locality.

Since no owner, claimant, or other interested party appeared at the proceedings, such failure to appear is deemed as a waiver of the right to appear and of any/all rights to the items apprehended in favor of the Government, as provided under Section 8(3), DAO 97-32.

Moreover, under Section 7, DAO 97-32, a Decision/Order shall become final and executory upon the lapse of fifteen (15) regular business days unless a Motion for Reconsideration is filed. Hence, the said Order is declared **FINAL AND EXECUTORY**. The confiscated items are deemed permanent property of the Government and shall be entered into the books of the concerned PENRO to be disposed of in accordance with the applicable laws, rules and regulations.

Issued on AUG 19 2019 at Manila, Philippines.

CERTIFIED XEROX COPY
DATE: 19 AUG 2019


MARRIE U. OCHOA
FORESTER/ENFORCEMENT DIVISION
Copy furnished

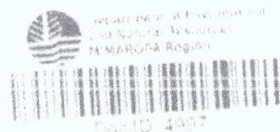
Finance Division, Regional Office

Administrative Division, Regional Office

Resident COA Auditor

PENRO Odiongan, Romblon


HENRY A. ADORNADO, Ph.D.
Regional Executive Director
MIMAROPA Region



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region²⁵⁷⁻⁹²
1515 L&S Bldg., Roxas Boulevard, Ermita, Manila

CENRO Control No.:

E-FMS No:



NOTICE OF ISSUANCE OF ORDER

IN RE : CONFISCATION OF ONE (1) HEAD OF CARABAO (MALE) AND ONE (1) PIECE OF ROUND LOG OF RED LAUAN SPECIES HAVING A TOTAL VOLUME OF 0.537 CUBIC METER (136.40 BOARD FEET) APPREHENDED AT SO. DALIPI, BARANGAY TAMPAYAN, MAGDIWANG, ROMBLON

TO:

**PENRO
Romblon**

Greetings!

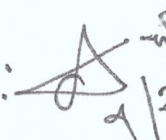
Please be informed that a Confiscation Order dated January 15, 2020 was issued by this Office on the above-entitled subject, copy of which is enclosed. The original copy is on file in this Office.

You are hereby directed to inform this Office within five (5) days from receipt, indicating the date you received the copy of the aforesaid Order.

Please be guided accordingly.

Date: 30 JAN 2020

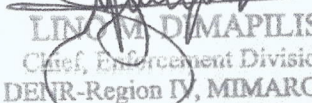

Atty. GANDHI GAGNI-FLORES
Chief, Legal Division

Received by:  1/28/20

CERTIFIED XEROX COPY
DATE: 15 JAN 2020

IN RE:

CONFISCATION OF ONE (1) HEAD OF CARABAO (MALE) AND ONE (1) PIECE OF ROUND LOG OF RED LAUAN SPECIES HAVING A TOTAL VOLUME OF 0.537 CUBIC METER (136.40 BOARD FEET) APPREHENDED AT SO. DALIPI, BARANGAY TAMPAYAN, MAGDIWANG, ROMBLON


LIN M. DIMAPILIS
Chief, Enforcement Division
DENR-Region IV, MIMAROPA

ORDER

Records show that on October 12, 2018 at around 6:20 in the evening, at So. Dalipi, Barangay Tampayan, Magdiwang, Romblon, the personnel of DENR-PENRO Sibuyan Sub-Station, Magdiwang, Romblon apprehended one (1) head of carabao conveying one (1) piece of log of Red Lauan species having a total volume of 0.537 cubic meter (136.40 board feet), with an estimated fair market value of PhP 15,000.00 and PhP 3,410.00, respectively. The subject conveyance and forest product were deposited at the DENR Protected Area Office compound, Magdiwang, Romblon for safekeeping. A Seizure Receipt and Seizure Order, both dated October 15, 2018 were issued by OIC, Sibuyan Sub-Station & Concurrent PASu, MGGNP, Malvin R. Rocero.

Pursuant to Section 7 of DAO 97-32, the administrative hearings were conducted on October 16, 2018 at around 10:02 in the morning and 1:02 in the afternoon, at the DENR Sibuyan Sub-Station/MGGNP-Protected Area Office, Sitio Logdeck, Brgy. Tampayan, Magdiwang, Romblon, presided by Malvin R. Rocero, Hearing Officer.

The first hearing was attended by Mr. Jovencio Rivas, who admitted that he cut one (1) piece of log and hauled it using a carabao from the mountains of Sitio Agcamote on October 12, 2018. Further, he knows that cutting of trees without a permit is prohibited and he failed to secure one from the DENR. Mr. Rivas claimed that he rented the carabao from a certain Verginia Rabo of Tampayan, Magdiwang, in exchange of PhP 300.00.

The second hearing was attended by Ms. Phoebe aka "Verginia" Rabo, owner of the apprehended carabao, who denied that she has knowledge that the carabao will be used by Mr. Rivas to haul lumber. She claimed that the carabao was put under the custody of Mr. Rivas by her husband who was hospitalized in Manila.

In the Pinagsamang Sinumpaang Salaysay dated November 1, 2018 of Ernie L. Forcadas, Rolando Y. Galicia, Ludwin M. Ruado, and Dalvern F. Fesarit, all employees of DENR Sibuyan Sub-Station, So. Logdeck, Brgy. Tampayan, Magdiwang, Romblon, they narrated that on October 12, 2018 at around 6:30 in the evening, as per instruction from PASu Malvin R. Rocero, they proceeded to Sitio Dalipi, Barangay Tampayan, Romblon to verify the information that there was on-going hauling of lumber using a carabao. At around 7:00 in the evening, they saw a man with a carabao conveying one (1) piece of log. The perpetrator identified himself as Jovencio Quarre Rivas, 48 years old. Per verification, the log belongs to the Red Lauan species. The apprehending officers narrated that prior to the conduct of apprehension, they identified themselves as employees of the DENR. They asked Mr. Rivas if he has a permit covering the forest products which he replied in the negative. Hence, Mr. Rivas was informed that he violated Presidential Decree No. 705, as amended and Sec. 27 (a. killing and destroying wildlife species) of Republic Act No. 9147 otherwise known as Wildlife Act. Afterwards, apprehension was effected while the perpetrator was informed of his Miranda rights. The subject conveyance and forest product were deposited to the DENR Sibuyan Sub-Station/Protected Area Office for custody, whereas Mr. Rivas was brought to the Magdiwang Municipal Police Station for proper investigation.

On November 14, 2018, a criminal complaint against Mr. Jovencio Q. Rivas for violation of Section 77 of PD 705, as amended and Section 27 (a) of RA 9147 (Wildlife Act of 2001) was filed before the Office of the Provincial Prosecutor Office, Romblon.


After a careful review of the submitted documents, this Office concurs with the recommendation of the apprehending officers and OIC, Sibuyan Sub-Station & Concurrent PASu, MGGNP for the confiscation of the subject conveyance and forest product in favor of the government.

WHEREFORE, the apprehended one (1) head of carabao and one (1) piece of log of Red Lauan species having a total volume of 0.537 cubic meter (136.40 board feet), with an estimated fair market value of PhP 15,000.00 and PhP 3,410.00, respectively, are hereby **CONFISCATED** in favor of the government to be disposed of in accordance with existing DENR laws, rules and regulations governing the matter.

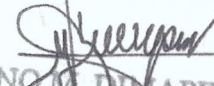
The PENRO concerned is directed to submit updates to this Office on the criminal complaint filed before the Office of the Provincial Prosecutor, Romblon.

SO ORDERED.

Manila, Philippines, JAN 15 2020


HENRY A. ADORNADO, Ph.D.
Regional Executive Director
DENR-MIMAROPA Region

CERTIFIED XEROX COPY
DATE: 15 JAN 2020


LINO M. DINAPILIS
Chief, Enforcement Division
DENR-Region IV, MIMAROPA

Cc:

The PENRO
Romblon

The OIC, Sibuyan Sub-Station &
Concurrent PASu, MGGNP
Magdiwang, Romblon

Mr. Jovencio Rivas
Barangay Tampayan, Magdiwang, Romblon

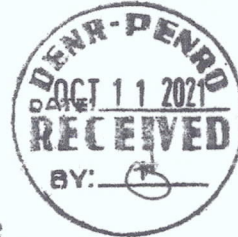
Ms. Phoebe aka "Verginia" Rabo
Barangay Tampayan, Magdiwang, Romblon

The Office of the Provincial Prosecutor
Romblon
(NPS Docket No. IV-10-INV-15K-128)

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
1515 L&S Bldg., Roxas Boulevard, Ermita, Manila

CENRO Control No.:

E-FMS No.:



NOTICE OF ISSUANCE OF ORDER

**IN RE : CONFISCATION OF TWENTY-FOUR (24) PIECES OF LUMBER OF
NARRA SPECIES WITH A TOTAL VOLUME OF 199.39 BOARD
FEET APPREHENDED AT SITIO ANGLINGGE, BARANGAY
TAMPAYAN, MAGDIWANG, ROMBLON**


**TO : PENR Officer
Romblon**

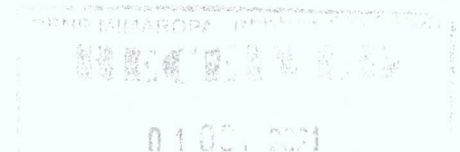
Greetings!

Please be informed that a Confiscation Order dated August 19, 2021 was issued by this Office on the above-entitled subject, copy of which is enclosed. The original copy is on file in this Office.

Kindly inform this Office of the date of your receipt of this Order, for record purposes.

Date: 28 SEP 2021


ATTY. GANDHI GAGNI-FLORES
Chief, Legal Division



IN RE: CONFISCATION OF TWENTY-FOUR (24) PIECES OF LUMBER OF NARRA SPECIES WITH A TOTAL VOLUME OF 199.39 BOARD FEET APPREHENDED AT SITIO ANGLINGGE, BARANGAY TAMPAYAN, MAGDIWANG, ROMBLON

ORDER

Records show that on March 19, 2020 at around 9:42 in the morning, at So. Anglingge, Brgy. Tampayan, Magdiwang, Romblon, the personnel of DENR Sibuyan Sub-station apprehended twenty-four (24) pieces of lumber of Narra species, having a total volume of 199.39 board feet, with an estimated fair market value of PHP11,963.40. Per verification and investigation, Mr. Catalino Riano, *a.k.a.* Tatal, a resident of Bgy. Tampayan, Magdiwang, Romblon was identified as the owner of the apprehended forest products. The forest products were hauled and deposited at the Sibuyan Sub-station, So. Logdeck, Brgy. Tampayan, Magdiwang, Romblon for safekeeping. A Seizure Order dated March 19, 2020 was issued by PASu Malvin R. Rocero.

Pursuant to Sec. 7 of DAO 97-32, administrative hearing was conducted on July 1, 2021 at 9:40 in the morning at the DENR Sibuyan Sub-station Office, So. Logdeck, Brgy. Tampayan, Magdiwang, Romblon presided by PASu Malvin R. Rocero.

During the hearing, Mr. Riano admitted ownership over the undocumented forest products. He stated that it was for the health examination of his prostate.

After a thorough evaluation of the facts pertaining to the apprehension, seizure, and the conduct of administrative adjudication proceedings, this Office finds that there is substantial evidence against Mr. Catalino Riano for violation of Section 77 of P.D. 705, as amended. This Office concurs with the recommendation of the Hearing Officer for the confiscation of the forest products in favor of the government.

Section 77-A of PD 705, as amended, provides for the authority of the Department Head or his duly authorized representative to order confiscation, thus, pursuant to Sections 1 and 2 of DAO No. 97-32, the following items shall be confiscated:

Section 1. (e) Forest Products – Refer to timber including **lumber xxx**

Section 2. Items Subject to Apprehension, Seizure, Confiscation and Forfeiture. –

(a) **ILLEGAL FOREST PRODUCTS** – Any forest product (s) defined in Section 1 (e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit xxx

Furthermore, the *Rules of Procedure for Environmental Cases (AM-09-6-8-SC)* recognizes under *Rule 12 Section 1* thereof that the custody and disposition of seized items shall be in accordance with the applicable laws or rules promulgated by the concerned government agency, hence, this confiscation.

WHEREFORE, PREMISES CONSIDERED, the apprehended twenty-four (24) pieces of lumber of Narra species, having a total volume of 199.39 board feet, with an estimated fair market value of PHP11,963.40, are hereby **CONFISCATED** in favor of the government to be disposed of in accordance with existing DENR laws, rules, and regulations governing the matter.

The CENRO concerned is directed to file a criminal complaint against Mr. Catalino Riano for violation of Sec. 77 of PD 705, as amended, and to submit status reports for monitoring purposes.

SO ORDERED.

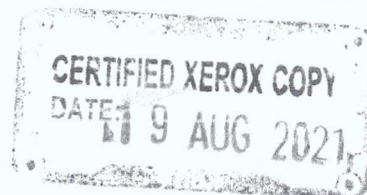
Manila, Philippines, AUG 19 2021.



MARIA LOURDES G. FERRER, CESO III
Regional Executive Director

Copy furnished:

PENRO Romblon

Mr. Catalino "Tatal" Riano
Brgy. Tampayan
Magdiwang, Romblon




MARGIE U. OCHOA
FORESTER/ENFORCEMENT DIVISION