



Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
Regional Office No. VIII

MacArthur Park, Candahug, Palo, Leyte 6501

Tel. No. (+63 53) 832-4214; E-mail: region8@mgb.gov.ph; Website: region8.mgb.gov.ph



Ref. No. MGB-MMD-2022-244

MEMORANDUM

FOR : **REYNALDO B. BARRA, PME**
OIC Regional Director
Environmental Management Bureau
Regional Office VIII
DENR 8 Compound, Barangay 2
Jones Extension, Tacloban City

FROM : **THE REGIONAL DIRECTOR**
Mines and Geosciences Bureau
Regional Office VIII
Candahug, Palo, Leyte

SUBJECT : **ALLEGED ILLEGAL SAND AND GRAVEL OPERATION
IN BARANGAY TAGKIP, DAGAMI, LEYTE**

DATE : **MARCH 17, 2022**

This refers to your Memorandum dated February 11, 2022, received by this Office on February 16, 2022 relative to the abovementioned subject.

Relative thereto, we are respectfully furnishing herewith a copy of the Investigation Report dated February 22, 2022 prepared by the technical and legal personnel of this Office.

For your information and reference.


CARLOS A. TAYAG, CESE



**"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT
IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE"**



MEMORANDUM

FOR : **CARLOS A. TAYAG, CESE** *with [signature]*
Regional Director
Mines and Geosciences Bureau-RO8
Candahug, Palo, Leyte

THRU : **MARGARITO JERRY S. BARRETO** *[signature] 3/17/2022*
Chief, Mine Management Division

FROM : **CHRISTIAN GILBERT M. DADO**
Attorney III

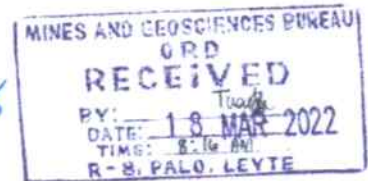
AYRA MAE T. ARAGON
Engineer III

JOLAME M. PONCE-DECENA
Engineer II

ELIAZAR E. LANDAGAN
Science Research Specialist II

SUBJECT : **INVESTIGATION REPORT ON THE ALLEGED ILLEGAL
SAND AND GRAVEL OPERATION IN BRGY. TAGKIP,
DAGAMI, LEYTE**

DATE : **FEBRUARY 22, 2022**



I. INTRODUCTION

Pursuant to Travel Order No. 2022-02-068 dated February 14, 2022, the team composed of Christian Gilbert M. Dado, Attorney III, Ayra Mae T. Aragon, Engineer III, Jolame M. Ponce-Decena, Engineer II and Eliazar E. Landagan, embedded personnel to PENRO-Leyte conducted an investigation on February 17, 2022 in Barangay Tagkip, Dagami, Leyte.

This investigation aims to confirm the veracity of the complaint letter and provide recommendation and conclusion based on the gathered relevant facts and information.

The complaint letter of Mr. Rodolfo C. Ortega dated January 29, 2022, received by this Office on February 8, 2022, alleging that certain persons have trespassed and deliberately extracted sand, soil, and other minerals from his titled property, Lot 3259, Case 17, Cad. 503-D containing an area of Nineteen Thousand Six Hundred Sixty-Eight (19,668) square meters covered by Original Certificate of Title (OCT) No. P-34693 located at Barangay Tagkip, Dagami Leyte without his consent. In his letter, Mr. Ortega stated that:

"It has come to my attention that certain persons have trespassed and deliberately extracted sand, soil, and other minerals from the aforementioned property without my knowledge and consent. These

**"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT
IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE"**

persons claim that they are properly authorized by various government agencies, in particular, from the Honorable Office to enter the property and extract on my land.

The said illegal extraction has caused damaged and prejudice to me and deprived me of any unrealized income that I am supposed to receive from my property. Their illegal activities resulted in the land becoming barren and useless for its intended purpose. Furthermore, these people have the audacity to continue to cut trees and extract sand and gravel thereon even when they were already notified that the land is privately-owned.

What is worse is the fact that there are clear violations of the Philippine Mining Act and its implementing rules and regulations, more particularly the requirements of the ECC and P.D. No. 984.

Thus, I am writing this letter with your good office as the registered owner of the land covered by OCT No. P-34593 to request for any information (e.g. name of the corporation or individual, addresses, exploration permits, licenses, etc.) about the mining activities conducted in Brgy. Tagkip, Dagami, Leyte particularly those that were given the authority to extract land surrounding or near the above-mentioned property."

II. METHODOLOGY

The team went to the Barangay Hall of Tagkip, Dagami, Leyte to coordinate with the Barangay Captain. Unfortunately, the Barangay Captain had an important matters to attend so in behalf of him, Ma. Cristina L. Montizina, the Barangay Secretary and Hon. Antonio S. Omoy, one of the Barangay Councilors were the persons who assisted and guided the team towards the concerned area.



Figure 1. Courtesy call to Hon. Antonio S. Omoy (center), Barangay Councilor of Tagkip, Dagami, Leyte

After brief introduction and discussion with the team's purpose with Hon. Omoy, the team then proceeded to the property of Mr. Ortega and unto the site where there is an alleged illegal sand and gravel operation.

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Figure 2. Coordination with Mr. Hamin, caretaker of Mr. Ortega's property.

In the site, the team interviewed Mr. Hamin, the caretaker of Mr. Ortega's property and served also as the guide towards the property. Ground inspection of the subject area as well as photo documentation were made.

III. FACTS OF THE CASE

A. Background of the case (based on existing records)

A.1	Permit Holder	:	JOSE MERCADO
	Area (has)	:	1.00
	Approved Date	:	May 8, 2014 (Area Clearance)
	Expiration Date	:	January 28, 2022 (SAG-92-2015)
	Location	:	Brgy. Tagkip, Dagami, Leyte
	Commodity	:	Sand and Gravel
	Issued by	:	LGU Leyte
	Permit Holder	:	CARIDAD B. CABIDOG
	Area (has)	:	3.367
	Approved Date	:	May 8, 2014 (Area Clearance)
	Expiration Date	:	No Data
	Location	:	Brgys. Tagkip and Sto. Domingo, Dagami, Leyte
	Commodity	:	Sand and Gravel
	Permit Holder	:	RUTH R. CABANGANGAN
	Area (has)	:	3.00
	Approved Date	:	January 24, 2019 (Area Clearance)
	Expiration Date	:	No Data
	Location	:	Binahaan River, Brgys. Tagkip and Sto. Domingo, Dagami, Leyte
	Commodity	:	Sand and Gravel
	Permit Holder	:	RAINIER D. MANCERA
	Tenement No.	:	IP-2019-005-VIII (1 st Renewal)
	Area (has)	:	18.2058

Approved Date : July 8, 2019
 Expiration Date : July 7, 2024
 Location : Binahaan River, Brgys. Bahay, Rizal, Sto. Domingo, Pastrana and Dagami, Leyte
 Commodity : Sand and Gravel
 Issued by : MGB Regional Office VIII

 Permit Holder : **RONALD G. ORTEGA**
 Tenement No. : IP-2017-006-VIII (1st Renewal)
 Area (has) : 19.9879
 Approved Date : November 2, 2017
 Expiration Date : November 1, 2022
 Location : Panda River, Brgys. Caanislagan and Sto. Domingo, Dagami, Leyte
 Commodity : Sand and Gravel
 Issued by : MGB Regional Office VIII

B. No previous investigations regarding the complaint.

IV. ISSUE/S

1. Whether the sand and gravel extraction operations of certain persons are covered with valid permits.
2. Whether there is an extraction inside the property of the complainant.

V. FINDINGS AND OBSERVATIONS

1. The team coordinated with Hon. Antonio S. Omoy, Brgy. Kagawad of Tagkip, Dagami, Leyte. According to Hon. Omoy, Mr. Ortega does not reside within their Barangay, but he owns a parcel of land located within the barangay.
2. The team proceeded to the lot of Mr. Ortega, along the way, the team meet with Mr. Jeffrey Hamin, caretaker of the private lot of Mr. Ortega. According to him, a certain Jose Mercado is conducting extraction operation in the private lot of Mr. Ortega. A barricade was observed in the entrance of private lot of Mr. Ortega.
3. On the actual ground inspection along Binahaan River, no ongoing extraction were observed, however, Mr. Hamin pointed out an area where Mr. Mercado is allegedly illegally extracting, traces of recent extraction were observed along Binahaan River. There are five (5) total concessionaires in the vicinity of the private lot of Mr. Ortega;

a. Issued by this Office:

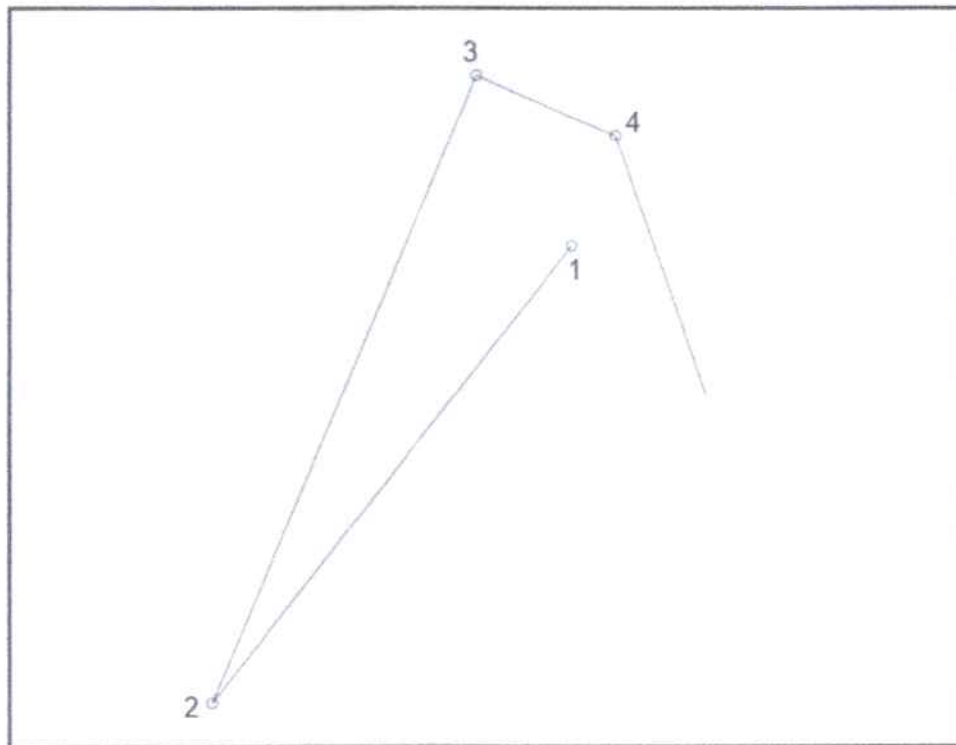
- i. RAINIER D. MANCERA
- ii. RONALD G. ORTEGA

b. Issued by the Province of Leyte

- i. BUSINESS FRONTIER CORP BY JOSE MERCADO
- ii. CARIDAD B. CABIDOG
- iii. RUTH R. CABANGANGAN

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4. The team were able to interview Ms. Eugenie Ortega, wife of Mr. Ortega, thru phone call and she wanted to know the identity and legality of the persons that are conducting extraction operation within her private lot and its surrounding area.
5. The technical description indicated in the complaint letter is erroneous (refer to the figure below) and with an inconsistent Title Number. The team asked for the original and/or duplicate copy of the title but unfortunately the complainant's wife failed to make the document available.



VI. ANALYSIS

The team was able to verify the traces of Mr. Jose Mercado's SAG extraction operations within his ISAG permit area at the time of inspection. Based on the List of Existing Permittees as of December 2021 by the Provincial Sand and Gravel Task Force Leyte, Mr. Mercado is one of their permittees with Permit No. SAG-92-2015 and an expiration date of January 28, 2022. The traces of extraction are outside Lot 3259, Case 17, Cad. 50-D, the titled lot of Mr. Ortega.

Furthermore, under Section 2 of RA 7942 or the Philippine Mining Act of 1995, states that "All mineral resources in public and private lands within the territory and exclusive economic zone of the Republic of the Philippines are owned by the State. It shall be the responsibility of the State to promote their rational exploration, development, utilization and conservation through the combined efforts of government and the private sector in order to enhance national growth in a way that effectively safeguards the environment and protect the rights of affected communities.", which is contrast to the claim of Mr. Ortega regarding his deprived of any income he supposed to received from his property.

VII. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings/gathered informations during the conduct of investigation, the following are the recommendations, to wit:

1. For this Office to furnish Mr. Ortega the copy of the permits issued to Mr. Rainier Mancera and Mr. Ronald Ortega.
2. For this Office to recommend to the Province of Leyte to provide a copy of their issued permit of the LGU concessionaires to Mr. Ortega.


CHRISTIAN GILBERT M. DADO
Attorney III


AYRA MAE T. ARAGON
Engineer III


JOLAME M. PONCE-DECENA
Engineer II

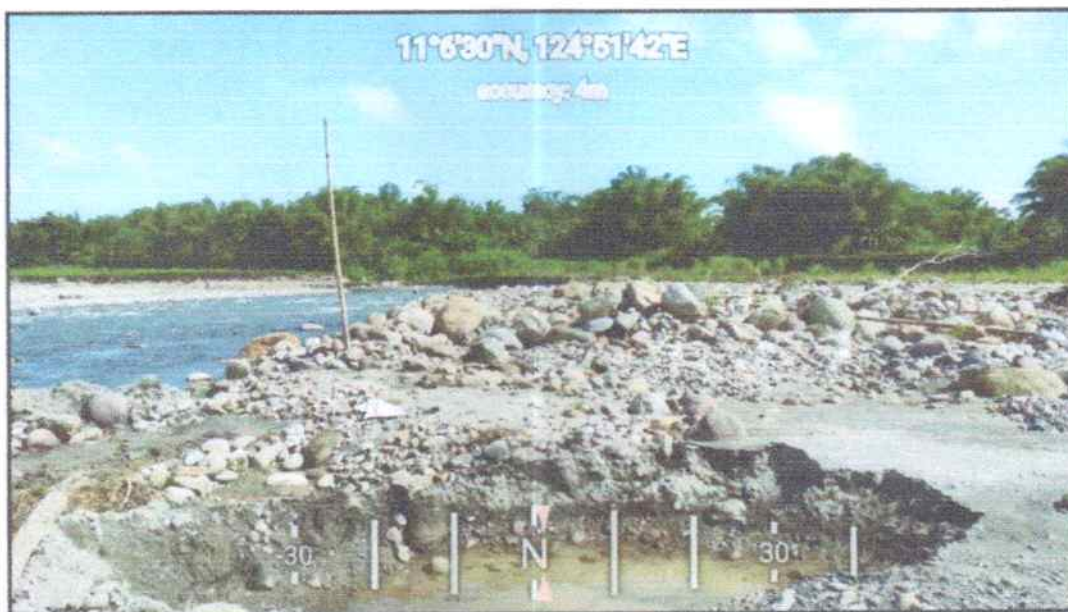

ELIAZAR E. LANDAGAN
Science Research Specialist II

VIII. PHOTO DOCUMENTATION



Coordination with Hon. Antonio S. Omoy and Ms. Montizina at Barangay Hall of Tagkip.

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The traces of extraction operation within the permit area of Mr. Mercado.

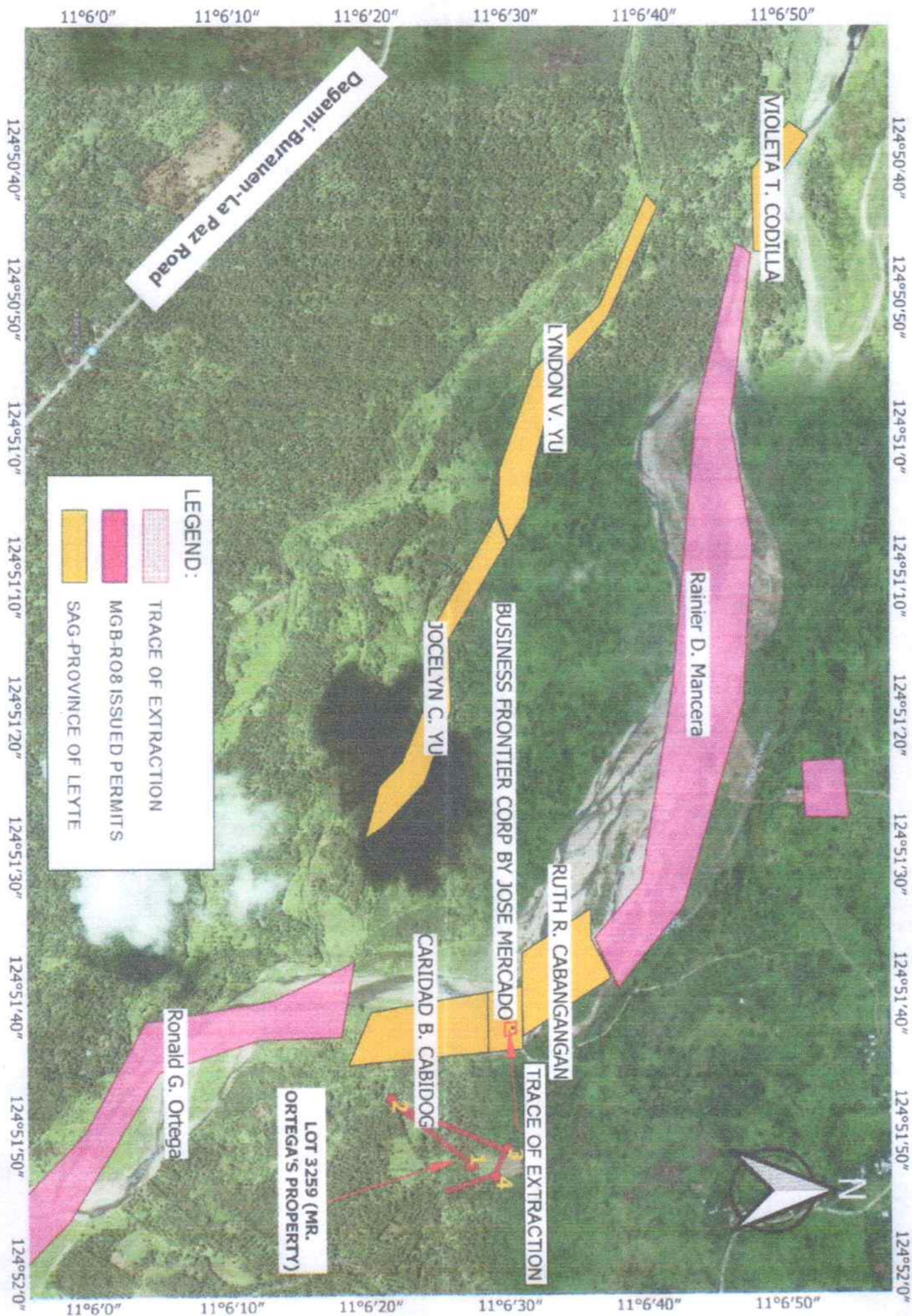


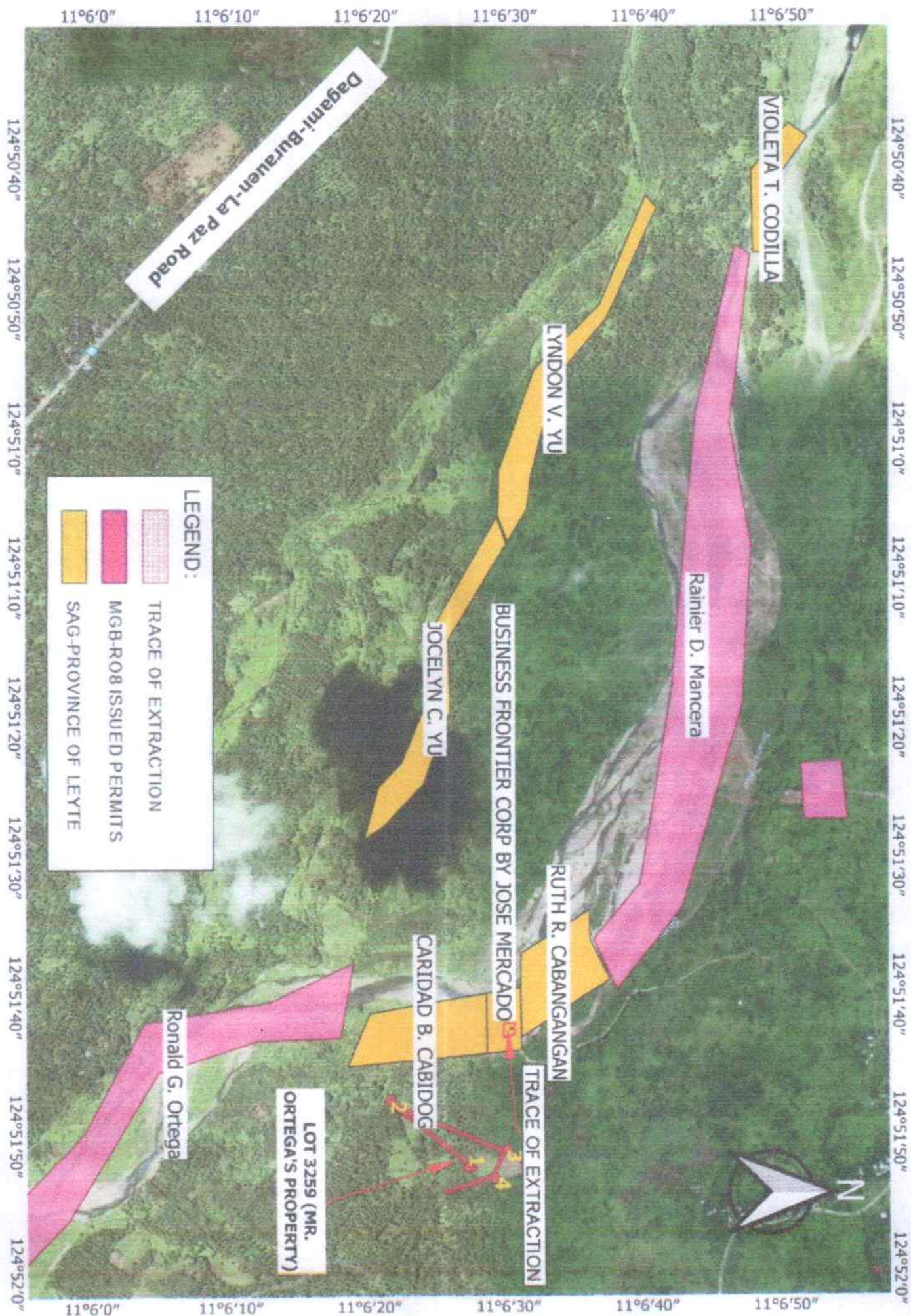
Barricade at the entrance of the property of Mr. Ortega.

IX. ATTACHMENTS

1. Travel Orders
2. Maps
3. List of Existing Permittees as of December 2021 (PMRB Leyte)
4. Complaint Letter

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Republic of the Philippines
PROVINCIAL SAND AND GRAVEL TASK FORCE
Province of Leyte

List of Existing Permittees
As of December 2021

Permit No.	Name of Permittee	Location		River	Type of Permit	Expiry Date
		Municipality	Barangay			
SAG-123-2017	Acebo, Rosalia	Barugo	Can-tsak & Amahit	Pongso	SAG-IP	January 2, 2022
SAG-107-2016	Aguilo, Carmelita	Dulag	Alegre	Daguitan	SAG-IP	July 22, 2020
SAG-173-2021	Alcala, Benedicto	Leyte	Consuegra	Agahang	SAG-IP	January 30, 2022
SAG-145-2019	Andrade, Ferdinand	Burauen	San Jose West	Leyte	SAG-IP	April 28, 2022
SAG-128-2018	Andrade, Johanna	Dagami	Plaridel	Leyte	SAG-IP	Jan 8, 2022
SAG-177-2021	Andrade, William	Dagami	Plaridel	Leyte	SAG-IP	Jan 8, 2022
SAG-60-2013	Ang, Anthony Roy Y.	Leyte	Belén	Leyte	SAG-IP	Dec 12, 2021
SAG-154-2020	Ang, Anthony Roy Y.	Leyte	Lemon	Leyte	SAG-IP	Jan 16, 2022
SAG-07-2013	Ampac, Peter	Baybay City	Butigán	Pagbangan	SAG-CP	January 26, 2022
SAG-170-2021	Aninso, Robert	Jaro	Sari-sari	Minulho	SAG-IP	April 21, 2022

SAG-40-2013	Andig, Uldarico	Albura	Panhugan	Panlathan	SAG-IP	April 24, 2020
SAG-20-2013	Ayes, James Rowel	Barugo	Hinugayan	Arbunog	SAG-IP	Jan 30, 2022
SAG-67-2013	Aquino, Manuel	Tanauan	Balud		QP	Jan 20, 2022
SAG-178-2021	Badiale, Teresita	Barugo	Picas	Pomgso	SAG-IP	March 24, 2022
SAG-161-2020	Bague, Edd Anthony	Jaro	Sari-sari	Minulho	SAG-IP	October 29, 2021
SAG-135-2018	Baltonado, Violeta	Albura	Sherwood	Panlathan	SAG-IP	June 20, 2022
SAG-174-2021	Baring, Alcher	Capoccan	San Joaquin	Leyte	SAG-IP	November 24, 2021
SAG-127-2017	Barola, Alberto	Mahaplag	Pinamonoan	Pinamonoan	SAG-IP	October 21, 2020
SAG-129-2017	Basister, Lemuel	Burauen	Calsadabay	Dagutan	SAG-IP	June 12, 2020
SAG-149-2019	Bensig, Rodolfo	Albura	Seguinon	Pangal-alan	SAG-IP	November 11, 2021
SAG-10-2013	Berenguer, Allan	Jaro	Sta. Cruz	Binaha-an	SAG-CP	April 3, 2019
SAG-116-2017	Bertis, James	San Miguel	Cabatianuhan	Sapinton	SAG-IP	November 9, 2021
SAG-125-2017	Besa, Isidoro	Burauen	Balorinay	Dagutan	SAG-IP	Nov 20, 2021
SAG-176-2021	Blanca, Kenneth	Capoccan	Leyte	Dagutan	SAG-IP	March 15, 2022
SAG-31-2013	Bracero, Magdalino	Jaro	Kalinawan	Cabayongan	SAG-IP	May 12, 2022

SAG-36-2013	Bulacan, Loreta	Baybay City	Makinias	Pagbangan	SAG-CP	December 19, 2020
SAG-72-2013	Butaya, Jerome	Albuera	Baliugo	Palanas	SAG-IP	September 6, 2019
SAG-99-2015	Cabintoy, Butch	Albuera	Tinagan	Cabalganan	SAG-IP	December 25, 2021
SAG-17-2013	Cabrera, Joselito Vicente L.	Jaro	Buenavista	Cabayongan	SAG-IP	May 18, 2018
SAG-162-2020	Cagara, Evangeline	Julta	San Andres	Marabong	SAG-IP	May 11, 2022
SAG-156-2020	Cagara, Sheena Marie	Burauen	Limburan	Marabong	SAG-IP	March 11, 2022
SAG-26-2013	Cogon Reservist Coop	Palo	Cangumbang	Binaha-an	SAG-CP	February 28, 2021
SAG-37-2013	Cornejo, Elizabeth	Tanauan	Cabalagnan	Binaha-an	SAG-CP	April 30, 2022
SAG-106-2016	Chiu, Sinto	Jaro	Kallinawan	Cabayongan	SAG-IP	August 24, 2021
SAG-122-2017	Conde, Vengle T.	La Paz	Sta. Ana	Gibuga	SAG-IP	February 15, 2022
SAG-117-2017	Consebido, Glenn	Burauen	Ilihan & East	Marabong	SAG-IP	February 25, 2022
SAG-166-2020	Consebido, Napoleon P.	Burauen	Brgy. San Jose East	Marabong	SAG-IP	January 4, 2022
SAG-148-2019	Copino, Jhonavie Khen	Burauen	Paghudlan	Marabong	SAG-IP	April 30, 2020
SAG-169-2021	Cuayzon, Myrna	Burauen	Balorinay	Daguitan	SAG-IP	October 7, 2021
SAG-138-2018	Deia Cruz, Ma Stephanie	MacArthur	Salvacion, Batug & Killing	Balire	SAG-IP	July 6, 2021


SAG-12-2013	Dollina, Jose Jr.	Palo	San Joaquin	Binh-an	SAG-CP	October 30, 2021
SAG-164-2020	Dizon, Aida L.	Mahaplag	Hiluctogan & Mahayahay	Layog	SAG-IP	June 11, 2021
SAG-178-2021	Dumduma, Placido	Albuera	San Pedro	Hiluctogan	SAG-IP	March 24, 2022
SAG-177-2021	Estrada, Carlota	Jaro	Malibago	Mainit	SAG-IP	March 24, 2022
SAG-171-2021	Gantuangco, Gil	Kananga	Agutling and Masarayao	Bao	SAG-CP	May 14, 2022
SAG-55-2013	Go, Bengie, R.	Hilongos	Lunang	Bangquerochan	SAG-CP	November 22, 2021
SAG-33-2013	Gomez, Allan	Mahaplag	Hiluctogan	Layog	SAG-IP	November 23, 2021
SAG-09-2013	Gozano, Saturnino	Jaro	Olotan	Cabayongan	SAG-IP	May 15, 2022
SAG-126-2017	Granaderos, Rommel	Baybay City	Bubon	Pagbangan	SAG-IP	April 15, 2021
SAG-126-2017	Guantero, Beinvenido	Palo	Campetic		Quarry	June 20, 2021
SAG-163-2020	Holanda, Eleuteria B.	San Miguel	Caraycaray	Taghawill	Quarry	December 11, 2021
SAG-21-2013	Jovero, Sheryl	Alangalang	Ikeran	Cabadsan	SAG-IP	October 6, 2021
SAG-165-2020	Labrador, Nenita	Sta Fe.	San Miguelay		Quarry	January 4, 2022
SAG-150-2019	Lagancia, Erwin L.	Kananga	Probiacion	Canaugan	SAG-IP	May 14, 2022
SAG-157-2019	Lagaday, Jonathan	San Miguel	Patong	Arabunog	SAG-IP	March 9, 2021

SAG-141-2019	Landia, Francis Niño A.	Mahaplag	Uguis	Layog	SAG-IP	November 16, 2020
SAG-168-2020	Lleve, Manolito T.	Mahaplag	Poblacion	Layog	SAG-IP	April 2, 2021
SAG-114-2016	Mangle, Aldren	Albuera	Salvation		Quarry	October 11, 2021
SAG-152-2019	Magno, Maricel P.	Albuera	Talisayan	Talisayan	SAG-IP	November 11, 2021
SAG-42-2013	Magno, Editha P.	Albuera	Panhugan	Panlilahan	SAG-IP	May 20, 2020
SAG-153-2019	Magno, Mary Chris P.	Albuera	Talisayan	Talisayan	SAG-IP	November 11, 2021
SAG-01-2013	Margallo, Geoffrey A.	Palo	Cangunbang	Binaha-an	SAG-CP	October 4, 2021
SAG-131-2018	Mendoza, Hendrix	Javier	Rizal	Bito	SAG-IP	July 18, 2019
SAG-115-2016	Mercado, Elizabeth	Jaro	Malobago	Mainit	SAG-IP	February 7, 2021
SAG-92-2015	Mercado, Jose	Dagami	Tagkip	Binaha-an	SAG-IP	January 28, 2022
SAG-65-2013	Metante, Edwin	Javier	Rizal	Naliwatan	SAG-IP	December 21, 2021
SAG-160-2020	Morales, Nida	Dagami	Sirab	Binaha-an	SAG-IP	March 14, 2022
SAG-13-2013	Morales, Rexes	Albuera	Sherwood	Pangalalan	SAG-IP	February 16, 2022
SAG-136-2018	Morales, Robert	Tanauan	Guinguan	Binaha-an	SAG-IP	November 10, 2020
SAG-128-2017	Nerves, Matias	Julita	Tagkip & Bonifacio	Daguitan	SAG-IP	May 12, 2021

SAG-102-2015	Nerves, Marisa	Albuera	Salvacion	Bacan	SAG-IP	March 2, 2021
SAG-137-2018	Newvillamor, Rolando	Jaro	Buenavista	Cabayongan	SAG-IP	July 10, 2019
SAG-172-2021	Ofernia, Maria Trixia	Jaro	Sta. Cruz	Minulho	SAG-IP	March 24, 2022
SAG-85-2014	Palco, Jill H.	Albuera	Danulaan	Bacan	SAG-IP	September 6, 2019
SAG-167-2020	Palconit, Doroteo	Burauen	Brigv. San Jose East	Marabong	SAG-IP	January 4, 2022
SAG-149-2019	Palma, Rudolf John	Mahaplag	Makinhas	Pagbanganan	SAG-IP	May 4, 2021
SAG-143-2019	Pormida, Ian Ray	Jaro	Sari-Sari	Minulho	SAG-IP	August 8, 2021
SAG-03-2013	Puga, Philip Brian U.	MacArthur	Causawagan	Ibawon	SAG-IP	May 11, 2022
SAG-159-2020	Raquel, Nilo A.	Jaro	Pitogo	Agong-ongan	SAG-IP	January 27, 2021
SAG-15-20193	Relatorres, Marlou	Burauen	Iraya	Daguitan	SAG-IP	November 5, 2021
SAG-144-2019	Roldan, Rogelio R.	Palo	Cangunbang	Binah-an	SAG-IP	May 21, 2020
SAG-45-2013	Servande, Delida M.	Jaro	Olotan	Cabayongan	SAG-IP	March 6, 2022
SAG-179-2021	Sila, Charito	Lapaz	Luneta	Ibawon	SAG-IP	June 20, 2022
SAG-22-2013	Suplengco, Cipriano	Javier	Talsayan	Talsay	SAG-CP	January 19, 2021

SAG-142-2019	Tan, Adelfa R.	Albuera	Benolto & Seguinon	Benolto	SAG-IP	April 22, 2022
SAG-151-2019	Tan, Lanie F.	Baybay	Bubon	Pagbanganan	SAG-IP	November 21, 2021
SAG-139-2018	Topia, Felicto, Jr.	Abuyog	Combs	Can-odog	SAG-IP	July 30, 2021
SAG-121-2017	Veloso, Sandra M.	San Miguel	Guindaman	Busay	SAG-IP	December 3, 2021
SAG-132-2018	Victorino, Felix	Javier	Rizal & Naliwatan	Bito	SAG-IP	July 18, 2019
SAG-147-2019	Villareal, Elena	Burauen	Paghudian	Marabong	SAG-IP	April 30, 2020
SAG-146-2019	Villareal, Humprey Keith	Burauen	Paghudian	Marabong	SAG-IP	April 30, 2020
SAG-140-2018	LGU - BATO	Bato	Tabunok	Bangkerohan	Gratuitous	May 27, 2019
SAG-140-2018	LGU - KANANGA	Kananga	Poblacion	Canawagan	Gratuitous	Sept 26, 2021

Prepared by:


NED B. GANATA
 Member - PSAGTF



Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU - REGION 8
MacArthur Park, Candahug, Palo, Leyte
Document Action Tracking System

Document Routing Slip

Print Date: Tuesday, 8 February 2022

Sender: RODOLFO ORTEGA

Doc. No. 020822-R08-39037

Subject: LETTER-REQUEST FOR INVESTIGATION, INSPECTION AND PRODUCTION OF DOCUMENTS

Addressee: ENGR. CARLOS A. TAYAG

Date/Time Received: 8 Feb 2022

Routing and Action Info

FROM	DATE/TIME RECEIVED	TO	DATE/TIME RELEASED	ACTION REQUIRED/TAKEN REMARKS/STATUS
Records	8 Feb 2022	ORD		
MSG	2-9-22	MONITORING/LEGAL/ SURVEY	2-9-22	<p><i>Chief Mining</i> <i>For RA ps,</i> <i>ORD</i></p> <p>GIVE COPY TO ATTY DADO, PIC. CALAY, PIC. FURNISH ALSO SIR JERRY FOR HIS INSTRUCTION ON THIS. THANKS PO.</p>

*RIT/Envy ps. plot
to determine which
permit is in the area,*

*for investigt ps. would be
w/ Atty. Dado
2/10/2022*

29 January 2022

CARLOS A. TAYAG
CESE MGB VIII Regional Director
Office of the Regional Director
Mines and Geosciences Bureau
Palo, Leyte

RECEIVED
JAN 31 2022
10:55
BY

**Re: Letter-Request for Investigation,
Inspection, and Production of Documents**

Dear Dir. Tayag:

I am the registered owner of a parcel of land containing **Nineteen Thousand Six Hundred Sixty-Eight (19,668) square meters** located at Brgy. Tagkip, Dagami Leyte covered by **OCT No. P-34693**, known as Lot 3259, and with technical description as follows:

"xxx

Lot 3259, Case 17. Cad 503-D M-6

TIE LINE: N 40-39 W., 6620.70 M. from BLLM No. I, Cad 503-D;

Dagami Cadastre to corner I of Lot; thence -

LINES	BEARINGS	DISTANCE
1-2	S 38-10 W.,	226.32 M
2-3	N 22-49 E.,	264.72 M.
3-4	S 66-50 E.,	58.83 M.
4-1	S 19-19 E.,	107.55 M.

xxxx

BOUNDED AS FOLLOWS;

SE : line 1-2 by lot 8057, Case 17. Cad 503-D;
W : line 2-3 by lot 5260. Case 17, Cad 503-D;
: corner 2 is common to Binaha-an River;
N : line 3-4 by lot 5263, Case 17, Cad 503-D;
: corner 3 is common to lot 5262, Case
17, Cad
503-D;
E : line 4-1 by lot 5258, Case 17, Cad 503-D;
: corner I is common to lot 8245, Case 17 Cad
503-D;
xxx"

It has come to my attention that certain persons have trespassed and deliberately extracted sand, soil, and other minerals from the aforementioned property without my knowledge and consent. These persons claim that they are properly authorized by various government agencies, in particular, from the Honorable Office to enter the property and extract on my land.

The said illegal extraction has caused damage and prejudice to me and deprived me of any unrealized income that I am supposed to receive from my property. Their illegal activities resulted in the land becoming barren and useless for its intended purpose. Furthermore, these people have the audacity to continue to cut trees and extract sand and gravel thereon even when they were already notified that the land is privately-owned.

What is worse is the fact that there are clear violations of the Philippine Mining Act and its implementing rules and regulations, more particularly the requirements of the ECC and P.D. No. 984.

Thus, I am writing this letter with your good office as the registered owner of the land covered by OCT No. **P-34593** to request for any information (e.g. name of the corporation or individual, addresses, exploration permits, licenses, etc.) about the mining activities conducted in Brgy. Tagkip, Dagami, Leyte particularly

those that were given the authority to extract land surrounding or near the above-mentioned property.

I would also like to request for any information whether these people have the appropriate documents, permits, and licenses issued by the Honorable Office.

On that note, I seek your assistance to immediately conduct an investigation and inspection with respect to the illegal mining activities being made at the above-mentioned location to put an end to this problem once and for all.

It will be a helpful endeavor to know the identity of these persons/corporations. Your immediate investigation will likewise give me the necessary information I need as I am now constrained to explore all legal remedies at my disposal to protect my interest by filing the appropriate criminal and/or civil case and seek compensation for damages and interests, among others, against these persons.

I hope you will give this your prompt and preferential attention.

Sincerely,

Rodolfo C. Ortega
RODOLFO C. ORTEGA

Registered Owner