



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. (632) 929-66-26/28; 929-6635/929-3618/929-4028
IP Phone Trunkline No. 988-3367
Website: <http://www.denr.gov.ph/> E-mail: web@denrgov.ph



MEMORANDUM

TO : **The Administrator**
National Mapping and Resource Information Authority (NAMRIA)

The Regional Executive Directors
DENR Region II, VII and X

The Directors
Biodiversity Management Bureau
Mines and Geosciences Bureau
Forest Management Bureau
Policy and Planning Service
Legal Affairs Service

FROM : **The Assistant Secretary**
Field Operations- Mindanao and Legislative Affairs

SUBJECT : **INVITATION FROM THE COMMITTEE ON NATURAL RESOURCES**

DATE : 20 January 2021

This pertains to the letter dated 19 January 2021, from Representative **ELPIDIO F. BARZAGA, JR.**, Chairperson, Committee on Natural Resources, inviting DENR to a virtual Committee meeting on **27 January 2021 (Wednesday) at 9:30AM via Zoom Video Conferencing with Meeting ID: 829 4050 0262 Password: 424330**, for consideration of the following proposed measures, to wit:

- **HB 430**, entitled: "AN ACT DECLARING THE CITY OF CAGAYAN DE ORO A MINING FREE ZONE," by *Rep. Rufus B. Rodriguez*;
- **HB 431**, entitled: "AN ACT IMPOSING A LOGGING BAN IN CAGAYAN DE ORO CITY," by *Rep. Rufus B. Rodriguez*;
- **HB 2795**, entitled: "AN ACT ESTABLISHING FIVE MEMORIAL ECO-PARKS AND SHRINES TO BE KNOWN AS "CDO SENDONG MEMORIALS" IN DIFFERENT AREAS IN CAGAYAN DE ORO TO SERVE AS A FINAL RESTING PLACE FOR THE DEAD AND MISSING CAUSED BY TYPHOON SENDONG LAST DECEMBER 16, 2011 AND AS A CONSTANT REMINDER THAT WE ALL HAVE TO PROTECT OUR ENVIRONMENT TO PREVENT CALAMITIES AND FOR OTHER PURPOSES," by *Rep. Rufus B. Rodriguez*;
- **HB 6082**, entitled: "AN ACT DECLARING THE ISLAND OF MINDORO A MINING FREE-ZONE AND PROVIDING PENALTIES THEREFOR," by *Rep. Josephine Ramirez-Sato*;
- **HB 6592**, entitled: AN ACT ESTABLISHING THE FINAL FORESTLAND BOUNDARY OF THE PROVINCE OF SIKUIJOR," by *Rep. Jake Vincent Villa*;

- **HB 3562**, entitled: “AN ACT ESTABLISHING A MECHANISM FOR THE SUSTAINABLE DEVELOPMENT AND USE OF THE ISLAND OF BORACAY, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, DEFINING THE MODE OF ACQUISITION FOR CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN CLASSIFIED AS AGRICULTURAL LAND OPEN TO DISPOSITION UNDER PROCLAMATION NO. 1064, PROVIDING ENVIRONMENTAL SAFEGUARDS THEREFOR, AND FOR OTHER PURPOSES,” by *Rep. Teodorico T. Haresco Jr.*;
- **HB 7748**, entitled: “AN ACT DECLARING AS AGRICULTURAL LAND PORTIONS OF FORESTLAND LOCATED IN BARANGAY MANOC-MANOC, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, AMENDING FOR THE PURPOSE PROCLAMATION NO. 1064, ENTITLED “CLASSIFYING BORACAY ISLAND SITUATED IN THE MUNICIPALITY OF MALAY, PROVINCE OF AKLAN INTO FORESTLAND (PROTECTION PURPOSES) AND INTO AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE) PURSUANT TO THE PRESIDENTIAL DECREE NO. 705 (REVISED FORESTRY REFORM CODE OF THE PHILIPPINES),” by *Rep. Carlito S. Marquez*;
- **HB 7785**, entitled: “AN ACT TO RECLASSIFY 264 HECTARES OF LAND IN BARANGAY TRINIDAD, MUNICIPALITY OF MALLIG, PROVINCE OF ISABELA FROM FOREST LAND INTO ALIENABLE AND DISPOSABLE LAND, AND FOR OTHER PURPOSES,” by *Rep. Faustino Michael Carlos III T. Dy; and*
- **HB 3395**, entitled: “AN ACT TO PROTECT MARINE MAMMALS AND ENSURE THEIR SURVIVAL FOR THE BENEFIT OF FUTURE GENERATIONS,” by *Rep. Estrellita B. Suansing and Rep. Horacio P. Suansing Jr.*

Kindly inform this Office of your attendance before the scheduled date of the meeting and submit presentation, comments and/or position paper in hard and soft at the Legislative Liaison Office at telephone number 8920-1761 and e-mail address denrlegislative@yahoo.com, on or before **25 January 2020**, for consolidation

You may contact the Committee Secretariat through naturalresources.hrep@gmail.com for any questions or clarifications.


 JOAN A. LAGUNDA, D.M., D.P.A.

Encls:

As stated.

/juo002

Invitation/Committee Meeting on 27 January 2021 9:30AM via Zoom re HB Nos. 430, 431, 2795, 6082, 6592....

From: legis lative (denrlegislative@yahoo.com)

To: director@bmb.gov.ph; adirector@bmb.gov.ph; zitroaim@gmail.com; central@mgb.gov.ph; mgb.lsd@gmail.com; legal@mgb.gov.ph; fmb@denr.gov.ph; forestryrecords@gmail.com; odpps@yahoo.com; las.denr@gmail.com; r2@denr.gov.ph; redder7@yahoo.com; ord@r10.denr.gov.ph

Date: Wednesday, January 20, 2021, 10:53 AM GMT+8

Dear Sir/Mam,

Good Day!

Please see the attached invitation letter from the Committee on Natural Resources for your perusal. Kindly acknowledge receipt of the email. Thank you.

Department of Environment and Natural Resources Legislative Liaison Office

Visayas Avenue, Diliman, 1100 Quezon City, Philippines
denr.gov.ph
Tel: 9201761



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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Committee on Natural Resources

☒ Committee Affairs Department, 3/F Speaker Ramon V. Mitra Building, Batasan Complex, Quezon City, Philippines
☎ +63 (2) 931-5001 local 7161; Telefax: +63(2) 951-3003

19 January 2021

Hon. Roy A. Cimatu
Secretary
Department of Environment and Natural Resources
Visayas Avenue, Diliman,
1104 Quezon City

Dear Secretary Cimatu:

The Committee on Natural Resources of the House of Representatives will be holding a virtual Committee Meeting via Zoom on **27 January 2021 (Wednesday), 9:30 in the morning**, for the consideration of the following measures:

1. **HB 430**, entitled: "AN ACT DECLARING THE CITY OF CAGAYAN DE ORO A MINING FREE ZONE," *by Rep. Rufus B. Rodriguez;*
2. **HB 431**, entitled: "AN ACT IMPOSING A LOGGING BAN IN CAGAYAN DE ORO CITY," *by Rep. Rufus B. Rodriguez;*
3. **HB 2795**, entitled: "AN ACT ESTABLISHING FIVE MEMORIAL ECO-PARKS AND SHRINES TO BE KNOWN AS "CDO SENDONG MEMORIALS" IN DIFFERENT AREAS IN CAGAYAN DE ORO TO SERVE AS A FINAL RESTING PLACE FOR THE DEAD AND MISSING CAUSED BY TYPHOON SENDONG LAST DECEMBER 16, 2011 AND AS A CONSTANT REMINDER THAT WE ALL HAVE TO PROTECT OUR ENVIRONMENT TO PREVENT CALAMITIES AND FOR OTHER PURPOSES," *by Rep. Rufus B. Rodriguez;*
4. **HB 6082**, entitled: "AN ACT DECLARING THE ISLAND OF MINDORO A MINING FREE-ZONE AND PROVIDING PENALTIES THEREFOR," *by Rep. Josephine Ramirez-Sato;*
5. **HB 6592**, entitled: AN ACT ESTABLISHING THE FINAL FORESTLAND BOUNDARY OF THE PROVINCE OF SQUIJOR," *by Rep. Jake Vincent Villa;*
6. **HB 3562**, entitled: "AN ACT ESTABLISHING A MECHANISM FOR THE SUSTAINABLE DEVELOPMENT AND USE OF THE ISLAND OF BORACAY, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, DEFINING THE MODE OF ACQUISITION FOR CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN CLASSIFIED AS AGRICULTURAL LAND OPEN TO DISPOSITION UNDER PROCLAMATION NO. 1064, PROVIDING ENVIRONMENTAL SAFEGUARDS THEREFOR, AND FOR OTHER PURPOSES," *by Rep. Teodorico T. Haresco Jr.;*
7. **HB 7748**, entitled: "AN ACT DECLARING AS AGRICULTURAL LAND PORTIONS OF FORESTLAND LOCATED IN BARANGAY MANOC-MANOC, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, AMENDING FOR THE PURPOSE PROCLAMATION NO. 1064, ENTITLED "CLASSIFYING BORACAY ISLAND SITUATED IN THE MUNICIPALITY OF MALAY, PROVINCE OF AKLAN INTO

FORESTLAND (PROTECTION PURPOSES) AND INTO AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE) PURSUANT TO THE PRESIDENTIAL DECREE NO. 705 (REVISED FORESTRY REFORM CODE OF THE PHILIPPINES)," by *Rep. Carlito S. Marquez*;

8. **HB 7785**, entitled: "AN ACT TO RECLASSIFY 264 HECTARES OF LAND IN BARANGAY TRINIDAD, MUNICIPALITY OF MALLIG, PROVINCE OF ISABELA FROM FOREST LAND INTO ALIENABLE AND DISPOSABLE LAND, AND FOR OTHER PURPOSES," by *Rep. Faustino Michael Carlos III T. Dy*; and
9. **HB 3395**, entitled: "AN ACT TO PROTECT MARINE MAMMALS AND ENSURE THEIR SURVIVAL FOR THE BENEFIT OF FUTURE GENERATIONS," by *Rep. Estrellita B. Suansing and Rep. Horacio P. Suansing Jr.*

In this regard, may we invite you to attend the said meeting. May we also request your **position paper** on the aforementioned measures. Kindly submit the same on or before **25 January 2021**.

The zoom link is as follows:

Topic: Committee on Natural Resources
Time: Jan 27, 2021 09:30 AM Asia/Manila

Join Zoom Meeting
<https://us02web.zoom.us/j/82940500262?pwd=R1dBUXNlWDBDeVlBZUorNG4xR1M2dz09>

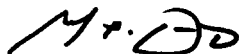
Meeting ID: 829 4050 0262
Passcode: 424330

May we also request the submission of your sign-in details for the Zoom Meeting. In particular, please provide the name of the resource person and email address. Your presence in the meeting will be highly appreciated. For inquiries, we may be reached through our office email at naturalresources.hrep@gmail.com.

We are looking forward to having a fruitful discussion with you on the said measures. Thank you very much and stay safe!

Very truly yours,

FOR CHAIRPERSON
REP. ELPIDIO F. BARZAGA, JR



RAUL G. TERSO
Committee Secretary



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Committee on Natural Resources

✉ Committee Affairs Department, 3/F Speaker Ramon V. Mitra Building, Batasan Complex, Quezon City, Philippines
☎ +63 (2) 931-5001 local 7161; Telefax: +63(2) 951-3003

19 January 2021

ATTY. WILFREDO G. MONCANO

OIC, Director
Mines and Geosciences Bureau

Dear Director Moncano:

The Committee on Natural Resources of the House of Representatives will be holding a virtual Committee Meeting via Zoom on **27 January 2021 (Wednesday), 9:30 in the morning**, for the consideration of the following measures:

1. **HB 430**, entitled: "AN ACT DECLARING THE CITY OF CAGAYAN DE ORO A MINING FREE ZONE," by **Rep. Rufus B. Rodriguez** and
2. **HB 6082**, entitled: "AN ACT DECLARING THE ISLAND OF MINDORO A MINING FREE-ZONE AND PROVIDING PENALTIES THEREFOR," by **Rep. Josephine Ramirez-Sato**

In this regard, may we invite you to attend the said meeting. May we also request your **position paper** on the aforementioned measures. Kindly submit the same on or before **25 January 2021**.

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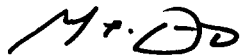
Meeting ID: 829 4050 0262
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May we also request the submission of your sign-in details for the Zoom Meeting. Your presence in the meeting will be highly appreciated. For inquiries, we may be reached through our office email at naturalresources.hrep@gmail.com.

We are looking forward to having a fruitful discussion with you on the said measures.
Thank you very much and stay safe!

Very truly yours,

**FOR CHAIRPERSON
REP. ELPIDIO F. BARZAGA, JR**

A handwritten signature in black ink, appearing to read "Mr. Terso". The signature is stylized and cursive.

RAUL G. TERSO
Committee Secretary

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

COMMITTEE ON NATURAL RESOURCES

January 27, 2021 (Wednesday)
9:30 AM
Zoom Virtual Meeting

Committee Meeting

AGENDA

- I. Call to Order/Roll Call**
- II. Acknowledgement of Members and Resource Persons**
- III. Opening Remarks of the Chairperson**
- IV. Deliberation on the following measures:**
 1. **House Bill No. 430**, entitled: "AN ACT DECLARING THE CITY OF CAGAYAN DE ORO A MINING FREE ZONE," *by Rep. Rufus B. Rodriguez*
 2. **House Bill No. 431**, entitled: "AN ACT IMPOSING A LOGGING BAN IN CAGAYAN DE ORO CITY," *by Rep. Rufus B. Rodriguez*
 3. **House Bill No. 2795**, entitled: "AN ACT ESTABLISHING FIVE MEMORIAL ECO-PARKS AND SHRINES TO BE KNOWN AS "CDO SENDONG MEMORIALS" IN DIFFERENT AREAS IN CAGAYAN DE ORO TO SERVE AS A FINAL RESTING PLACE FOR THE DEAD AND MISSING CAUSED BY TYPHOON SENDONG LAST DECEMBER 16, 2011 AND AS A CONSTANT REMINDER THAT WE ALL HAVE TO PROTECT OUR ENVIRONMENT TO PREVENT CALAMITIES AND FOR OTHER PURPOSES," *by Rep. Rufus B. Rodriguez*
 4. **House Bill No. 6082**, entitled: "AN ACT DECLARING THE ISLAND OF MINDORO A MINING FREE-ZONE AND PROVIDING PENALTIES THEREFOR," *by Rep. Josephine Ramirez-Sato*
 5. **House Bill No. 6592**, entitled: "AN ACT ESTABLISHING THE FINAL FORESTLAND BOUNDARY OF THE PROVINCE OF SIQUIJOR," *by Rep. Jake Vincent Villa*

6. **House Bill No. 3562**, entitled: “AN ACT ESTABLISHING A MECHANISM FOR THE SUSTAINABLE DEVELOPMENT AND USE OF THE ISLAND OF BORACAY, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, DEFINING THE MODE OF ACQUISITION FOR CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN CLASSIFIED AS AGRICULTURAL LAND OPEN TO DISPOSITION UNDER PROCLAMATION NO. 1064, PROVIDING ENVIRONMENTAL SAFEGUARDS THEREFOR, AND FOR OTHER PURPOSES,” by *Rep. Teodorico T. Haresco Jr.*
7. **House Bill No. 7748**, entitled: “AN ACT DECLARING AS AGRICULTURAL LAND PORTIONS OF FORESTLAND LOCATED IN BARANGAY MANOC-MANOC, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, AMENDING FOR THE PURPOSE PROCLAMATION NO. 1064, ENTITLED “CLASSIFYING BORACAY ISLAND SITUATED IN THE MUNICIPALITY OF MALAY, PROVINCE OF AKLAN INTO FORESTLAND (PROTECTION PURPOSES) AND INTO AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE) PURSUANT TO THE PRESIDENTIAL DECREE NO. 705 (REVISED FORESTRY REFORM CODE OF THE PHILIPPINES),” by *Rep. Carlito S. Marquez*
8. **House Bill No. 7785**, entitled: “AN ACT TO RECLASSIFY 264 HECTARES OF LAND IN BARANGAY TRINIDAD, MUNICIPALITY OF MALLIG, PROVINCE OF ISABELA FROM FOREST LAND INTO ALIENABLE AND DISPOSABLE LAND, AND FOR OTHER PURPOSES,” by *Rep. Faustino Michael Carlos III T. Dy*

V. Other Matters

House Bill No. 3395, entitled: “AN ACT TO PROTECT MARINE MAMMALS AND ENSURE THEIR SURVIVAL FOR THE BENEFIT OF FUTURE GENERATIONS,” by *Rep. Estrellita B. Suansing and Rep. Horacio P. Suansing Jr.*

VI. Adjournment

Zoom Meeting Link:

<p>Topic: Committee on Natural Resources Time: Jan 27, 2021 09:30 AM Asia/Manila</p> <p>Join Zoom Meeting https://us02web.zoom.us/j/82940500262?pwd=R1dBUXNlWDBDeVlBZUorNG4xR1M2dz09</p> <p>Meeting ID: 829 4050 0262 Passcode: 424330</p>

House Rules for the Virtual Meeting:

1. The meeting link will open thirty (30) minutes before the scheduled meeting. Please enter the Zoom link at least 15 minutes before the meeting, and use this time to set up your camera, microphone and check your internet connection.
2. Please change your Zoom name to this format: "Name of Agency: (Abbreviation), Complete Name)". This is for easy identification during the meeting.
3. Please put your Microphone and Video on mute upon entering the Zoom Meeting. Also ensure that your Microphone is on mute while the meeting is ongoing, unless recognized or allowed by the Chairperson or Presiding Officer to speak.
4. During the meeting, please wait to be recognized by the Chairperson before speaking. For questions and clarifications, you may use the chat box, or the raise hand function in Zoom and wait to be recognized. Upon recognition by the Chairperson or Presiding Officer, you may then unmute your microphone.
5. To facilitate the speedy and smooth conduct of our meeting, please limit the initial statement of position and comments to a **MAXIMUM OF THREE (3) MINUTES**. Moreover, please keep all comments and responses succinct, brief and straight to the point.
6. You may opt to turn your video off unless specifically asked by the Chairperson to turn the video on. When speaking before the Committee, please inform the Committee beforehand if you are going to turn the video off (e.g. to save on bandwidth in case of intermittent or weak internet connection.)
7. The Committee Meeting is being recorded by the Committee/House Secretariat.



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Committee on Natural Resources

✉ Committee Affairs Department, 3/F Speaker Ramon V. Mitra Building, Batasan Complex, Quezon City, Philippines
☎ +63 (2) 931-5001 local 7161; Telefax: +63(2) 951-3003

19 January 2021

Asec. Ricardo Calderon
Assistant Secretary and
Director Biodiversity Management Bureau
DENR
Ninoy Aquino Parks and Wildlife Center
Diliman, Quezon City

Attention: Atty. Theresa M. Tenazas
OIC Wildlife Resources Division

Dear Asec. Calderon:

The Committee on Natural Resources of the House of Representatives will be holding a virtual Committee Meeting via Zoom on **27 January 2021 (Wednesday), 9:30 in the morning**, for the consideration of several measures including:

House Bill No. 3395, entitled: "AN ACT TO PROTECT MARINE MAMMALS AND ENSURE THEIR SURVIVAL FOR THE BENEFIT OF FUTURE GENERATIONS," by *Rep. Estrellita B. Suansing and Rep. Horacio P. Suansing Jr.*

In this regard, may we invite you to attend the said meeting. May we also request your **position paper** on the aforementioned measure. Kindly submit the same on or before **25 January 2021**.

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Meeting ID: 829 4050 0262

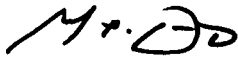
Passcode: 424330

May we also request the submission of your sign-in details for the Zoom Meeting. Your presence in the meeting will be highly appreciated. For inquiries, we may be reached through our office email at naturalresources.hrep@gmail.com.

We are looking forward to having a fruitful discussion with you on the said measure. Thank you very much and stay safe!

Very truly yours,

**FOR CHAIRPERSON
REP. ELPIDIO F. BARZAGA, JR**

A handwritten signature in black ink, appearing to read "R. Terso".

RAUL G. TERSO
Committee Secretary

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills
Quezon City



EIGHTEENTH CONGRESS
First Regular Session
6082
House Bill No. _____

Introduced by: Rep. Josephine Y. Ramirez-Sato

EXPLANATORY NOTE

The island of Mindoro is a separate biogeographical region that has social, economic, and ecological importance. There are at least seven (7) Key Biodiversity Areas (KBAs) that are home to many endemic flora and fauna species with national and global significance. This include the Tamaraw (*Bubalus mindorensis*), the largest wildlife mammalian species in the Philippines and one of the globally most critically endangered mammals. Other notable species are *Cynanchum malampayae*, *Murina aenea*, Mindoro bleeding-heart pigeon, Philippine warty pig, Philippine deer, and more. Mindoro Island is also the home to 8 different Mangyan groups. Each has its own language, beliefs, and customs, with culture deeply rooted to nature. This makes Mindoro as one of the cultural centers of our country.

The only remaining intact forests in the island are found along the top of the mountain ridge. While there are secondary growth forests, these are always under threat and frequent disasters (such as flood) makes the whole island to be continuously vulnerable to climate risks and hazards. Both Occidental and Oriental Mindoro have at least 80% of the respective total land area classified as moderately to highly susceptible to floods and landslides. Recent typhoons and floods brought havoc to Mindoro leaving millions of damages in infrastructure and agriculture, and lives lost.

At least 183 thousand hectares of watersheds spanning 9 river basins were identified as priority for irrigation systems in Mindoro Island. It supports more than 50 thousand hectares of cropland areas enabling the provinces to produce at least 1 million metric tons of palay. Thereby helping the country to become rice sufficient and food secure. Therefore, restoration of critical watersheds and maintaining the ecosystem health are on the top of priority list of the Mindoro provinces.

The local governments and Mindorenos are well aware on the need to safeguard environment, people, culture, property, and propel economic development. To realize this, Oriental and Occidental Mindoro's thrust is to conserve and enhance its natural capital. Both provinces are unified to continue its contribution to nation building by ensuring food security and remain to be a food basket in the country. Moreover, be a catalyst for economic growth by sustaining its gains and investment, like ecotourism.

The Mindoro provinces have been unwavering in its efforts to conserve biodiversity and its natural heritage. Its protection measures have been incorporated in the Environmental Code and consistent to the 25-year mining moratorium issued by the two provinces. While the latter will soon expire, this legislative measure will ensure that the two decades of people's efforts to defend our natural resources is institutionalized.

As our provinces are dependent on the island's fragile environment and watersheds to survive, we cannot allow destructive mining to take its place. This bill aims to ensure that our national, cultural, and natural heritage will be pass on to future generations.

The approval of this bill is urgently requested.



HON. JOSEPHINE Y. RAMIREZ-SATO
Lone District of Occidental Mindoro

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6082

Introduced by: Rep. Josephine Y. Ramirez-Sato

**AN ACT DECLARING THE ISLAND OF MINDORO A MINING FREE-ZONE
AND PROVIDING PENALTIES THEREFOR**

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* - This Act shall be known as the "**Mindoro Island Mining Free Zone Act.**"

SEC. 2. *Statement of Policy.* - It is the policy of the State to protect and advance the right of the people to a balance and healthful ecology in accord with the rhythm and harmony of nature.

It is likewise the responsibility of the State to promote the rational exploration, development, utilization, and conservation of the mineral resources of the country in a way that effectively safeguards the environment and protects the rights of affected communities.

Towards this end, the State shall institute measures to protect the people and the environment in Mindoro Island from the adverse effect of mining.

SEC. 3. *Mining-Free Zone* - The Mindoro Island covering the Provinces of Occidental and Oriental Mindoro is hereby declared a mining-free zone. All forms of mining operations and activity, whether large-scale or small-scale, within its jurisdiction are hereby prohibited. The provisions of Republic Act No. 7942, otherwise known as the "Mining Act of 1995," Republic Act No. 7076, otherwise known as the "People's Small-scale Mining Act" and other laws, rules, and regulations on mining

inconsistent with this Act shall have no application within the territorial jurisdiction of the locality.

SEC. 4. Coverage. - This Act covers all mining operations and activities, including quarrying, within the territorial jurisdiction of the Provinces of Occidental and Oriental Mindoro.

As used in this Act, "mining" shall refer to the extraction of valuable minerals or other geological materials from the earth and shall include such mining activities as exploration, conduct of geological feasibility studies and surveys, development, utilization and processing, as well as quarry operations involving cement raw materials, marble, granite, sand and gravel construction aggregates, and other similar activities related to excavating and quarrying minerals and ores.

SEC. 5. Recognition of Existing Mining Contracts, Agreements and Permits. - All valid and existing mining contracts, exploration permits, licenses, technical and financial agreements and mineral production sharing agreements in accordance with Republic Act. 7942, otherwise known as the "Mining Act of 1995", covering any area of the Province at the date of effectivity of this Act, shall be recognized by the Government and shall remain valid until exploration or termination thereof. Thereafter, no further extension or renewal of the contract, permit, license or agreement shall be granted. Moreover, the government shall not issue new exploration permits nor enter into new mineral agreements or similar other agreements covering lands within the jurisdiction of the Province.

SEC. 6. Prohibition Against Exploration Activities in Areas Covered by Mineral Agreements. - At the date of the effectivity of this Act, no exploration permit to conduct further exploration activities or an application for extension thereof shall be granted even during lifetime of existing mineral contracts, technical and financial assistance agreements and mineral production sharing agreements.

SEC. 7. Dormant Exploration Permits and Mineral Agreements. - Exploration activities and mining operations under existing exploration permits, mineral agreements and other similar agreements shall be undertaken immediately by the permittee or contractor. In case of failure to initiate or undertake any exploration activity or mining operation permit or mineral agreements within (1) year from the effectivity of this Act, the exploration permit or mineral agreement shall be declared dormant by the Department of Environment and Natural Resources (DENR).

Dormant permits and agreements shall *ipso facto* be cancelled upon declaration of dormancy.

SEC. 8. Cancellation of Small-scale Mining Contracts. - All small-scale mining contracts as enunciated in Republic Act No. 7076, or the "People's Small-Scale Mining

Act of 1991" are hereby cancelled upon the effectivity of this Act. Affected small-scale mining contractors have one (1) year from the time of this law takes effect to undertake rehabilitation, regeneration and reforestation of mineralized areas, slope stabilization of mind-out and tailing-covered areas, watershed development, and water preservation.

SEC. 9. Quarry Permits. - Issuance of a quarry permit in the mining-free zone shall be under the direct supervision of the DENR. Existing quarry permits issued by provincial government at the time of the adoption of this Act shall likewise be recognized. Thereafter, quarry permits issued by the provincial governor shall be reviewed and monitored by the DENR.

The maximum area which a qualified person may hold at any one time within the territorial jurisdiction of the province shall be five (5) hectares. The DENR shall impose strict regulations in ensuring that no more than one quarry is granted to the same person, corporation, its affiliates, subsidiary or any entity that has essentially the same legal personality as the applicant or holder of an existing quarry permit in the province.

A quarry permit shall immediately be cancelled by the provincial governor for areas up to five (5) hectares, when, in the guise of quarrying activities, the holder of a quarry permit engages in activities that are properly authorized by exploration permits, mineral agreements or mining contracts, upon investigation conducted by the DENR for the purpose.

SEC. 10. Penal Provisions. - Any person, natural or juridical, or any public officer, who violates the provisions of this Act shall suffer the penalty imprisonment of not less than six (6) years but not more than twelve (12) years, and a fine of not less than One million pesos (PhP1,000,000), but not more than Ten million pesos (PhP10,000,000).

In addition, a public officer who violates this Act, shall also be dismissed from service and perpetually disqualified from holding public office.

If the offender is a juridical entity, the highest ranking official and the members of its board of directors or trustee who authorized the violations therein shall suffer the penalty imposed under this Act.

SEC. 11. Implementing Rules and Regulations. - Within three (3) months from the passage of this Act, the DENR shall promulgate the necessary rules and regulations for its effective implementation.

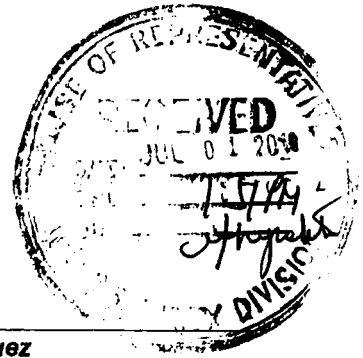
SEC. 12. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SEC. 13. *Repealing Clause.* - All laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby amended or modified accordingly.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 430

EXPLANATORY NOTE

This bill was originally introduced as House Bill No. 5888 during the Fourteenth Congress and again in the Fifteenth Congress as House Bill No. 1064. It was approved by the Committee on Natural Resources during both the Fourteenth and Fifteenth Congresses, was approved by the House of Representatives and transmitted to the Senate where it was not acted upon. It was re-filed during the 16th Congress where it was once again approved by the House of Representatives and transmitted to the Senate. It was again re-filed during the 17th Congress where it was approved but was recommitted.

Mining has adverse effects both to humans and the environment. Aside from adding toxic chemicals to the ore, it strips-off large areas of top soil of all flora and fauna. Just recently, Cagayan de Oro City has suffered flash floods and mining operations in barangays Dansolihon, Mambuaya, Taglimao, Tagpangi, Tuburan and Tumpago are blamed for such flashfloods. The flashfloods destroyed not just properties but agricultural areas and farm-to-market roads as well. Based on the Progress Reports of the Regional Disaster Coordinating Council of Region 10 based in Cagayan de Oro City, the flashfloods of January 3, 2009 has affected 21,605 persons or 5,223 families in the city. It has also totally damaged 141 houses and partially damaged 1,410 house amounting to an estimated cost of 1.9 million as of January 8, 2009 only.

In the January 11, 2009 floods that befell Cagayan de Oro City, 37,086 persons or 7,410 families were affected with 94 houses totally damaged and 71 partially damaged.

Further, typhoon Sendong brought about the worst destruction in the history of Cagayan de Oro City.

To prevent flashfloods from recurring, mining operations in Cagayan de Oro City must be totally prohibited. Hence this bill, which seeks to declare the City of Cagayan de Oro a mining-free zone.

In view thereof, immediate approval of this Bill is sought.


RUFUS B. RODRIGUEZ

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 430

AN ACT
DECLARING THE CITY OF CAGAYAN DE ORO A MINING FREE ZONE

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Statement of Policy.* – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Towards this end, the State shall ensure the protection of the environment in and the residents of Cagayan de Oro City from the adverse effects of mining.

SEC. 2. *Declaration of Cagayan de Oro City as a Mining-Free Zone.* – Cagayan de Oro City is hereby declared a mining-free zone and all forms of mining operations in the City of Cagayan de Oro are hereby prohibited.

As used in this Act, mining shall refer to the extraction of valuable minerals or other geological materials from the earth and shall include such mining activities as exploration, feasibility, development, utilization and processing and large-scale quarry operations involving cement raw materials, marble, granite, sand and gravel construction aggregates: *Provided, however,* That the quarrying of gravel and sand for projects directly undertaken by agencies of the national government or by the city government for basic services such as, but not limited to roads and bridges, school buildings, water and energy utilities and similar public works, is exempted from the coverage of this Act, subject, however, to the requirements of existing mining and environment laws: *Provided, further,* That the national government may pursue mineral resource development in any part of the city when the national interest so requires such as in the case of strategic raw minerals for industries critical to national development for scientific, cultural and ecological values.

SEC. 3. *Penal Provisions.* – Any person, employee or employment agency who shall violate the provisions of this Act shall be penalized with imprisonment of at least six (6) years but not more than twelve (12) years and a fine of at least one hundred thousand pesos (P100,000.00) but not more than five hundred thousand pesos (P500,000.00). If the violator is a corporation or association, the president and the manager/s of said corporation or association, or its agent or representative in the Philippines, in case of a foreign corporation or association, shall be held liable.

SEC. 4. *Implementing Rules and Regulations.* – Within three (3) months following the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources shall promulgate the necessary rules and regulations for its effective implementation.

SEC. 5. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 6. *Repealing Clause.* – All laws, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

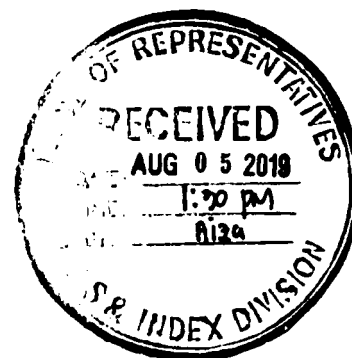
SEC. 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

**Republic of the Philippines
House of Representatives
Quezon City**

**Eighteenth Congress
First Regular Session**

House Bill No. 3395



**Introduced by Representatives
ESTRELLITA B. SUANSING AND HORACIO P. SUANSING, JR.**

EXPLANATORY NOTE

Marine mammal populations are distributed throughout the world's oceans. Their protection and conservation therefore requires a concerted global action.

As predators on top of the food chain, marine mammals play an important role in ensuring the health and balance of the ocean ecosystems. The contribution of marine mammals in sustaining our ocean's ecosystem in turn contributes to the well-being of humanity considering the importance of a balanced and healthy ecosystem to human survival.

Globally, marine mammals face threats from human activities including by-catch from large-scale fishing activities, collision with vessels, depletion of food stocks, hunting and illegal trade, oceanic pollution, habitat destruction and climate change. As a signatory to the Conservation of Migratory Species (CMS) and the Convention on the International Trade in Endangered Species (CITES), it is the Philippine Government's task to protect marine mammals within, outside, and those transiting its territory.

According to the Red List Status of Marine Mammals in the Philippines, a report from the country's top marine mammal scientists, the status of the populations of most marine mammals in the country is 'data deficient.' This means that the different marine mammal populations in the Philippines cannot be evaluated due to insufficient information about their status in the wild. For the populations evaluated, two populations were identified as critically endangered (dugong and the Malampaya Sound Irrawaddy dolphin, one endangered (Irrawaddy dolphin in the Visayas), and four vulnerable (humpback whale, Fraser's dolphin, sperm whale, and the Gray's spinner dolphin).

All resident marine mammals or those transiting through the Philippine territory are part of the natural resources of the country. The protection and conservation of these wildlife is necessary for the education, appreciation, and benefit of the Filipino people, and the generations yet to come.

It is therefore important for the Philippine government to support scientific studies that assess the current marine mammal populations in the Philippines with the aim of conserving local populations.

There are several laws which seek to protect marine mammals/wildlife in the country. These are:

- (a) Fisheries Administrative Order 185, s. 1992 (FAO 185) and Fisheries Administrative Order 185-1 s. 1997 (FAO 185-1) which bans the taking or catching, selling, purchasing and possessing, transporting, and exporting of dolphins and whale species;
- (b) The Animal Welfare Act or RA 8485 bans animal cruelty in the country and makes it illegal for anyone to torture or provide inadequate care for any animal; and
- (c) The Wildlife Resources Conservation and Protection Act of the Philippines or RA 9147 aims, in part, to: *"(c) to pursue, with due regard to the national interest, the Philippine commitment to international conventions, protection of wildlife and their habitats"*.

Despite these laws, however, there are still documented direct takes of dolphins as well as import and export of wild dolphins from inhumane and unsustainable sources that violate existing local laws and international conventions. Some of these are the following:

- (a) Local dolphins are being captured for display and human interaction in Misamis Occidental without appropriate permits in violation of the FAO 185 and 185-1 and the Animal Welfare Act (RA 8485);
- (b) In January 2001, five false killer whales caught in Japan were imported into the country. A sixth one died before it could be exported in the country. Today only one of these animals survives in the Philippines.

In 2004, another 4 bottlenose dolphins caught in Japan were again imported into the country. Only three of these dolphins remain alive today. In 2009, another 4 bottlenose dolphins came into the country from Japan.

All these animals come from what is now known as the Japanese drive hunts. In these hunts, pods of dolphins are driven to shallow waters. After marine parks have selected animals they will buy for the

dolphin-show industry, the rest of the animals are brutally and indiscriminately killed. This practice has been criticized all over the world for its inhumane nature. The 2010 Oscar-winning documentary, 'The Cove' clearly documented the conduct of the hunts.

The World Association of Zoos and Aquariums (WAZA) issued a policy statement condemning the Japanese dolphin hunts as inhumane. A similar policy statement was made by the Alliance of Marine Mammal Parks and Aquariums (AMMPA).

In the Philippines, any cruel or inhumane act against any animal is a criminal offense under the Animal Welfare Act or RA 8485.

- (c) On December 2008, January 2009, and January 2011, the Philippines imported a total of 25 bottlenose dolphins caught in the wild from the Solomon Islands. These dolphins were imported into the country despite the scientific opinion of the International Union for the Conservation of Nature (IUCN) that the export of the dolphins from the Solomon Islands does not have a credible Non-Detriment Finding (NDF). A Non-Detriment Finding is a determination by a credible Scientific Authority of the exporting state that the export will not be detrimental to the survival of that species in the wild. Given the lack of a Non-Detriment Finding, the CITES Scientific Authorities in the Philippines such as the Silliman University and the National Museum supported the ban on the import of dolphins until such time that a credible Non-Detriment Finding from the exporting state is forwarded.


Despite the lack of a credible NDF, the country imported a total of 25 dolphins and subsequently re-exported them in 2012 wherein one dolphin died enroute to Singapore. This issue is a subject of an on-going case for the violation of the Wildlife Act (RA 9147) which was filed by animal welfare and environmental groups led by the Earth Island Institute-Philippines (EII-Phils), the Philippine Animal Welfare Society (PAWS) and the Compassion and Responsibility for Animals (CARA).


Given the legal, humane and sustainability issues raised herein, there is a need to craft a law which would clearly state the Philippine Government's policy in protecting marine mammals in the country as well as to strengthen its commitments in the global conservation effort of marine mammals.

This bill provides for the creation of a body that would promote the protection of marine mammals in order to ensure a healthy and balanced ecosystem in the country. It also provides for the prohibition of certain acts

which would go against efforts by government and the people in protecting marine mammals especially those who are endangered.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


REP. ESTRELLITA B. SUANSING
1st District, Nueva Ecija


REP. HORACIO P. SUANSING, JR.
2nd District, Sultan Kudarat

**Republic of the Philippines
House of Representatives
Quezon City**

**Eighteenth Congress
First Regular Session**

House Bill No. 3395

**Introduced by Representatives
ESTRELLITA B. SUANSING AND HORACIO P. SUANSING, JR.**

**AN ACT
TO PROTECT MARINE MAMMALS AND ENSURE THEIR SURVIVAL FOR
THE BENEFIT OF FUTURE GENERATIONS**

*Be it enacted by the Senate and the House of Representatives of the
Philippines in Congress assembled:*

- 1 **SECTION 1. Short Title.** – This Act shall be known as the “Marine Mammal
2 Protection Act.”
3
- 4 **SECTION 2. Declaration of Policy.** – It is hereby declared the policy of the
5 State to:
- 6 (a) Promote conservation of all marine mammals by encouraging and
7 supporting research of wildlife populations in the Philippines. The State
8 shall partner with local community organizations, academic and
9 scientific institutions in studying and assessing the marine mammal
10 populations of the Philippines in order to form a database that will
11 support conservation programs of wild populations. Marine mammal
12 species belonging to the Taxonomic Orders Carnivora, Cetartiodactyla
13 and Sirenia are covered by this Act.
- 14 (b) Support the creation of Marine Protected Areas and Networks and
15 Marine Corridors, based on the latest scientific information, that shall
16 seek to protect wild populations from heavy industries such as offshore
17 drilling, seismic tests and such other activities on known migration
18 routes, feeding and mating habitats. The State shall involve local
19 communities in the protection and conservation of the marine
20 ecosystem through education and training programs.
- 21 (c) Promote responsible community-based whale and dolphin-watching
22 tours in the wild that shall contribute to public education and enhance
23 the local economy. Protocols in the proper conduct of whale and

1 dolphin-watching tours shall be drafted by the, Biodiversity
2 Management Bureau of the Department of Environment and Natural
3 Resources (BMB-DENR), Bureau of Fisheries and Aquatic Resources of
4 the Department of Agriculture (BFAR-DA) and Department of Tourism
5 (DOT) to protect wild populations from being disturbed by tourism
6 activities. Such protocols will be periodically modified based on the
7 latest scientific information.

- 8 (d) Promote the welfare of all marine mammals by protecting all known
9 habitats and ensuring that wild marine mammal populations in the
10 Philippines as well as captive animals are not subjected to any distress,
11 injury or death arising from human activities and that these animals be
12 allowed to live in their habitat and conform to their natural behaviors.

13
14 **SECTION 3. Definition of Terms. -**

- 15 (a) Animal - For the purposes of this act, 'animal(s)' will refer to marine
16 mammal(s).
- 17 (b) Captive-bred - Refers to animals that are the offspring of animals
18 which were themselves born in captivity and is also referred to a F2
19 Generation. If either of the individual's parents were wild when they
20 were caught, the offspring is regarded as 'captive-reared', rather than
21 'captive-bred'.
- 22 (c) Captive breeding - is the process of breeding animals in human-
23 controlled environments with restricted settings, such as wildlife
24 reserves, zoos and other conservation facilities. Captive breeding for
25 marine mammals should be established in a manner not detrimental
26 to the survival of the species in the wild and must be maintained
27 without addition of animals from the wild. Captive breeding facilities
28 must be managed in a manner that has been demonstrated to be
29 capable of reliably producing second-generation offspring (F2) in a
30 controlled environment.
- 31 (d) CITES - Convention on International Trade in Endangered Species of
32 Wild Fauna and Flora. This was ratified by the Philippines on August
33 18, 1981 and entered into force on November 16, 1981. In 2001 the
34 Philippines enacted the enabling law for its CITES commitment
35 resulting in Republic Act No. 9147 or the Wildlife Resources
36 Conservation and Protection Act.
- 37 (e) Commercial purposes - To use in any profit-oriented activity; to use
38 for commerce or trade.
- 39 (f) Export - means to send or ship out of the country.
- 40 (g) F2 Generation - see *Captive-bred*.
- 41 (h) Import - means to send or ship into the country.
- 42 (i) Live - An animal that is living and in apparent good health.

- 1 (j) Marine Corridor – are geographical features that are used by mobile
2 species for migration between feeding and mating areas.
- 3 (k) Marine Mammals – Any mammal species that lives in salt water
4 and/or derives its food from a saltwater environment. Marine
5 Mammals represents three different mammalian groups: those
6 belonging to the Order Carnivora (polar bears, sea otters, seals, sea
7 lions, and walruses), Order Cetartiodactyla (ceataceans), and Order
8 Sirenia (manatees and dugongs).
- 9 (l) Marine Protected Areas (MPA) and MPA Networks – A clearly defined
10 geographical space, recognized, dedicated and managed, through
11 legal or other effective means, to achieve the long-term conservation
12 of nature with associated ecosystem services and cultural values.
- 13 (m) Possess – means to have actual or constructive possession or control
14 thereof.
- 15 (n) Purchase – means to buy and includes agreeing or offering to buy.
- 16 (o) Purse seine fishing – A fishing technique used to catch large pelagic
17 fish like tuna by a net that hangs vertically in the water with its
18 bottom edge held down by weights and its top edge buoyed by floats.
- 19 (p) Rehabilitation – Wildlife Rehabilitation is the process of removing the
20 animal from the wild to provide professional care to sick, injured, and
21 orphaned animals using methods to prepare them to ultimately
22 return to their natural habitat.
- 23 (q) Release – To return the marine mammal to its natural habitat.
- 24 (r) Rescue – To take any marine mammal immediately out of danger.
- 25 (s) Scientific Authorities – for the purpose of this bill, it shall refer to
26 scientific authorities for marine and aquatic species as designated by
27 the Wildlife Resources Conservation and Protection Act (RA 9147)
28 such as the Bureau of Fisheries and Aquatic Resources (BFAR), the
29 U.P. Marine Science Institute, U.P. Visayas, Silliman University and
30 National Museum.
- 31 (t) Selling – includes barter, exchange or offering or exposing for sale.
- 32 (u) Take or catch- includes the killing, capturing, trapping, snaring and
33 netting of marine mammals.
- 34 (v) Trade – To barter, exchange or sale in any commercial, profit-oriented
35 activity.
- 36 (w) Wild – Any animal that was born and is living or growing in the
37 natural environment. Any animal that is not domesticated or
38 cultivated or captive-bred.

39
40 **SECTION 4. Prohibited Acts.** – It shall be unlawful to:
41

- 1 (a) Intentionally take or catch marine mammals in Philippine waters or to
2 sell, purchase, possess, transport, import or export and trade the same
3 whether dead or alive, in any state or form whether raw or processed.
- 4 (b) Intentionally deploy purse-seine nets or any fishing gear on or to
5 encircle marine mammals in fishing operations or to intentionally
6 wound and kill any marine mammals in the course of catching fish.
- 7 (c) Take any stranded or rescued live marine mammal for trade or other
8 commercial purposes, including for display or exhibition, while being
9 rehabilitated. All rehabilitated marine mammals shall be immediately
10 released to the wild. Monitoring will be done by BMB-DENR with the
11 MMPCC.
- 12 (d) Import and export live, wild, marine mammals including rescued or
13 rehabilitated animals.
- 14 (1) The import/export of parts or tissues of deceased animals may
15 be allowed for research purposes of reputable universities and
16 scientific institutions. All applications to import/export such
17 marine mammal parts for research purposes will be reviewed and
18 evaluated by the BMB-DENR, BFAR-DA and the Scientific
19 Authorities.
- 20 (2) Only live, captive-bred marine mammals of the second generation
21 (F2 generation) from reputable aquariums will be allowed for
22 import and/or export in the country, subject to compliance with
23 existing laws such as the Wildlife Resources Conservation and
24 Protection Act (RA9147), the Animal Welfare Act (RA 8485), and
25 the assessment and evaluation of the BMB-DENR, BFAR- DA and
26 Scientific Authorities.

27
28 **SECTION 5. Creation of the Marine Mammal Protection And**
29 **Conservation Committee (MMPCC).** – A marine mammal protection body
30 called the Marine Mammal Protection and Conservation Committee (MMPCC)
31 shall be established headed by the BMB-DENR and composed of one (1)
32 representative each from: the Bureau of Fisheries and Aquatic Resources, the
33 Scientific Authorities such as the Silliman University, UP Marine Science
34 Institute, UP Visayas, and National Museum, reputable scientists and marine
35 mammal experts, and representatives from concerned nongovernment
36 environmental and animal welfare organizations. The Silliman University
37 shall chair the MMPCC scientific authorities.

38
39 **SECTION 6. Functions of the Marine Mammal Protection and**
40 **Conservation Committee.** – The MMPCC shall have the following functions:

- 41 (a) Develop and coordinate research programs for marine mammals in the
42 Philippines;

- 1 (b) Develop manuals and protocols for the rescue of stranded animals;
- 2 (c) Develop manuals and guidelines for dolphin and whale-watching tours;
- 3 (d) Undertake technical assessments of rescued, stranded or rehabilitated
- 4 marine mammals;
- 5 (e) Help develop the capacity of government offices to address marine
- 6 mammal issues in the Philippines through training; and
- 7 (f) Help develop educational and training programs for local communities,
- 8 concerned organizations and other stakeholders.

9
10 **SECTION 7. Rescue.** – All rescue efforts in response to strandings must
11 provide quick and effective action that will best serve the well-being of the
12 animal in distress and not to add further stress. All rescue efforts must have
13 the objective of releasing marine mammals back in the wild to again be a
14 viable part of the wild population. All stranded marine mammals shall be
15 released immediately to the wild if healthy and alive. The disposition of sick
16 or injured marine mammals will be the responsibility of the BMB- DENR, in
17 accordance to the Protocols in the proper rescue, rehabilitation and release of
18 marine mammals as promulgated by the MMPCC. Dead marine mammals
19 that are washed to the seashore shall be surrendered to the nearest BMB-
20 DENR office for proper disposition.

21
22 **SECTION 8. Rehabilitation.** – Rehabilitation of marine mammals is an option
23 only if there is a high probability that the animal can be restored to health
24 and released back in the wild. Rehabilitation is subject to:

- 25
- 26 (a) Availability of facilities and/or equipment for the species and number
- 27 of animals involved;
- 28 (b) Safe and expeditious transport of the animal that is manageable and
- 29 poses no major risk to others or to facility staff;
- 30 (c) If there are sufficient funds and staff to provide care for a short and
- 31 reasonable period;
- 32 (d) The disposition of any rehabilitated animal that is not suitable for
- 33 release will be determined by the scientific authorities and the MMPCC
- 34 for recommendation to the BMB-DENR;
- 35 (e) Stranded and severely injured animals that are beyond rehabilitation
- 36 may be euthanized on site only by authorized and licensed
- 37 veterinarians if facilities and equipment are available.

38
39 **SECTION 9. Penalty.** – Any violation described in Section 4 of this Act shall
40 be penalized with imprisonment from six (6) months to six (6) years or a fine
41 of at least One Hundred and Twenty Thousand Pesos (P120,000.00) but not
42 more than Three Hundred Thousand Pesos (P300,000.00) or both at the

1 discretion of the court, including forfeiture of the catch subject of the offense
2 and cancellation of his fishing and/or business permit, if applicable.

3
4 If any of the offenses is committed by or has been caused by a
5 corporation or association, the president and each one of its agents or
6 representatives in the Philippines in case of a foreign corporation or
7 association, who shall have knowingly permitted or failed to prevent the
8 commission of such offense, shall be held liable as principals thereof.

9
10 **SECTION 10. Implementing Rules and Regulations.** – Within six (6) months
11 following the effectivity of this Act, the Secretaries of the DENR and the DA,
12 in consultation with Scientific and Management Authorities, shall promulgate
13 the implementing rules and regulations for the effective implementation of
14 this Act. The commitments of the State to international agreements and
15 protocols shall guide the drafting of the implementing rules and regulations.

16
17 **SECTION 11. Appropriations.** – The amount necessary for the
18 implementation of this Act shall be charged from the appropriations of the
19 DENR under the annual General Appropriations Act.

20
21 **SECTION 12. Separability Clause.** – If any provision of this Act is declared
22 invalid or unconstitutional, the other provisions not affected thereby shall
23 continue to be in full force and effect.

24
25 **SECTION 13. Repealing Clause.** – The provisions of Fisheries Administrative
26 Order FAO 185, 185-1, FAO 223, FAO 223-1, and other laws, orders and
27 regulations inconsistent herewith are hereby repealed or amended
28 accordingly.

29
30 **SECTION 14. Effectivity.** – This Act shall take effect fifteen (15) days after
31 publication in the *Official Gazette* or two (2) newspapers of general circulation.

Approved,

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 0431

EXPLANATORY NOTE

This bill was originally introduced as House Bill No. 5887 during the Fourteenth Congress and again in the Fifteenth Congress as House Bill No. 1063. It was approved by the Committee on Natural Resources during both the Fourteenth and Fifteenth Congresses, was approved by the House of Representatives and transmitted to the Senate where it was not acted upon. It was again re-filed during the 16th Congress where it was once again approved by the House of Representatives and transmitted to the Senate. During the 17th Congress, it was re-filed but was not acted upon.

Logging has many adverse effects. It makes a forest less dense and causes soil erosion. It also degrades watersheds and diminishes the quality of drinking water. Just recently, Cagayan de Oro City has suffered from flashfloods and logging operations are blamed for such flashfloods. The flashfloods destroyed not just properties but agricultural areas and farm-to-market roads as well. Based on the Progress Reports of the Regional Disaster Coordinating Council of Region 10 based in Cagayan de Oro City, the flashfloods of January 3, 2009 have affected 21,605 persons or 5,223 families in the city and have damaged houses with 141 totally damaged and 1,410 partially damaged in an estimated cost of 1.9 million as of January 8, 2009 only.

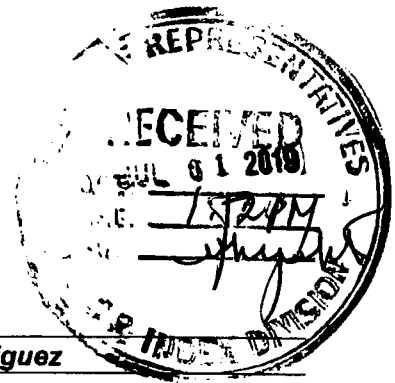
In the January 11, 2009 floods that befell Cagayan de Oro City, 37,086 persons or 7,410 families were affected with 94 houses totally damaged and 71 partially damaged.

Further, typhoon Sendong brought about the worst destruction in the history of Cagayan de Oro City.

To prevent flashfloods from recurring, logging operations in Cagayan de Oro City must be totally prohibited. Hence, this bill which seeks to declare a total log ban in the City of Cagayan de Oro.

In view thereof, immediate approval of this Bill is sought.


RUFUS B. RODRIGUEZ



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

0431

House Bill No. _____

AN ACT
IMPOSING A LOGGING BAN IN CAGAYAN DE ORO CITY

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Statement of Policy.* – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Towards this end, the State shall protect the people and the environment from the adverse effects of logging.

SEC 2. *Imposition of a Logging Ban in Cagayan de Oro City* – A logging ban is hereby imposed within the territorial jurisdiction of Cagayan de Oro City.

SEC 3. For purposes of this Act, "logging" shall refer to the process, work or business of cutting down trees for commercial purposes.

SEC 4. *Exemption from the Logging Ban* – The following shall be exempted from the logging ban:

- (a) planted trees within private lands;
- (b) planted trees within forestlands established and developed by tenurial instrument holders in accordance with the approved plans;
- (c) wood sources necessary for government infrastructure project in predetermined areas, preferably a communal forest;
- (d) trees necessary for extraction as means of silvicultural treatment; and
- (e) trees affected during the road construction and similar other projects approved by the government and only for basic services such as, but not limited to, energy and power development, public works or water utilities. any harvesting or cutting of tree species shall comply with all pertinent forestry and environmental laws such as, but not limited to, Presidential Decree No. 705, otherwise known as the "Revised Forestry Code of the Philippines", as amended; Presidential Decree No. 1586, otherwise known as "Environmental Impact Statement System"; and other applicable rules and regulations."

SEC 5. *Penal Provisions* – Any person, employer or employment agency who shall violate the provisions of this Act shall be penalized with imprisonment of at least six (6) years but not more than twelve (12) years and a fine of at least One Hundred Thousand Pesos (P100,000) but not more than Five Hundred Thousand Pesos (P500,000). If the violator is a corporation or association, the president and the manager/s of said corporation or association, or its agent or representative in the Philippines, in the case of a foreign corporation or association, shall be held liable.

SEC 6. *Implementing Rules and Regulations* – The Secretary of Environment and Natural Resources shall issue the necessary rules and regulations for the effective implementation of this Act within three (3) months from the date of its effectivity

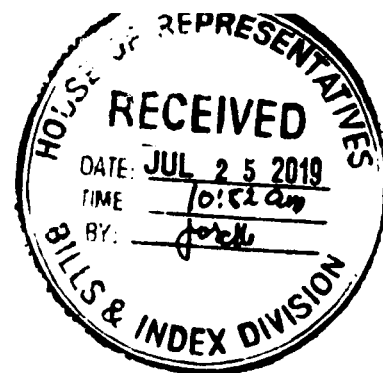
SEC 7. Separability Clause – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC 8. Repealing Clause – All laws, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC 9 Effectivity Clause – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or a newspaper of general circulation in the Philippines.

Approved,

EIGHTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
First Regular Session



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **2795**

EXPLANATORY NOTE

Typhoon Sendong entered the country late night of December 16, 2011 and hit Cagayan de Oro and Iligan City during the wee hours of December 17, 2011. Sendong caused tremendous damage including loss of lives and destruction of property which led President Benigno Aquino to issue Proclamation No. 303 declaring a state of National Calamity.

According to the National Disaster Risk Reduction and Management Council (NDRRMC), typhoon Sendong affected at least 92,964 families or 641,098 persons. Also, there are reported at least 1,010 dead and at least another 200 persons still missing with these number projected to increase as the debris are cleared and more search and rescue operations are conducted.

In order to constantly remind us of what the wrath of Mother Nature can do and to remember both the victims and those involved in rescue, memorial gardens are needed to be built in the areas that were most damaged and where many of the deaths occurred which are now declared "no build zones". These gardens shall be a constant reminder that we should always take care of our environment. It will also serve as a place where kids can play and people and families can gather and spend quality time together.

In view of the foregoing, immediate passage of this bill is earnestly requested.


RUFUS B. RODRIGUEZ

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **2795**

AN ACT

ESTABLISHING FIVE MEMORIAL ECO-PARKS AND SHRINES TO BE KNOWN AS "CDO SENDONG MEMORIALS" IN DIFFERENT AREAS IN CAGAYAN DE ORO TO SERVE AS A FINAL RESTING PLACE FOR THE DEAD AND MISSING CAUSED BY TYPHOON SENDONG LAST DECEMBER 16, 2011 AND AS A CONSTANT REMINDER THAT WE ALL HAVE TO PROTECT OUR ENVIRONMENT TO PREVENT CALAMITIES AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. There shall be established five memorial eco-parks and shrines in Cagayan de Oro City in Sitio KalaKala, Barangay Macasandig, in Isla de Oro, Barangay 13 and Barangay 15, in Isla Delia, Isla Bughaw and in Isla Baksan, all in Barangay Thousolation.

SEC 2. These memorial gardens shall be planted with trees and grasses and shall have an obelisk tower in the center to serve as a symbol and reminder of the people who lost their lives, are missing and injured. Further, river walls/retaining walls shall also be constructed to stabilize the slopes along the parks.

SEC 3. An Inter-agency Council is hereby created to manage and maintain these memorial gardens. Said inter-agency council shall be composed of the Secretary of Department of Environment and Natural Resources as chairman, and one representative each from the National Disaster Risk Reduction Management Council, the Department of Tourism, the Department of Public Works and Highways, the Office of the Representative of the 2nd District of Cagayan de Oro City and the City Government of Cagayan de Oro City as members.

SEC 4. Appropriations. – The total sum of One Hundred Million Pesos is hereby appropriated for the landscaping, planting of trees and grass and the building of the obelisk towers. The appropriations for dredging of the river, the construction of river walls and the elevation of the parks shall be included in the annual appropriations of the Department of Public Works and Highways.

SEC 5. Implementing Rules and Regulations. – The Department of Environment and Natural Resources shall promulgate the Rules and Regulations necessary for the effective implementation of this Act.

SEC 6. *Separability Clause* – Should any of the provisions of this Act or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in full force and effect.

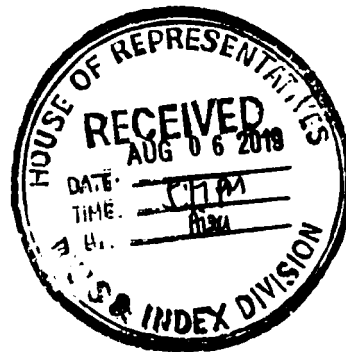
SEC 7. *Repealing Clause* – All laws, presidential decrees and issuances, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC 8. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved:



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



EIGHTEENTH CONGRESS
First Regular Session

H. B. No. 3562

Introduced by Representative TEODORICO "NONONG" T. HARESCO, JR.

EXPLANATORY NOTE

Boracay Island, arguably the most popular destination, is located approximately 315 kilometers (200 miles) south of Manila City and 2 kilometers off the northwest tip of the Island of Panay in the Western Visayas Region of the Philippines. Boracay Island comprises the barangays of Manoc-Manoc, Balabag, and Yapak (3 of the 17 barangays which make up the Municipality of Malay), and is under the administrative control of the Philippine Tourism Authority, in coordination with the Provincial Government of Aklan.

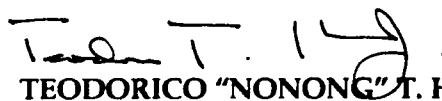
On May 22, 2006, then-President Gloria Macapagal-Arroyo issued Proclamation Number 1064, classifying 628.96 hectares or 60.94 percent of the 1,032 hectare Boracay Island as alienable and disposable on the premise that the whole of the island is government property. The same Proclamation provides for a 15-meter buffer zone on each side of the centerline of roads and trails, which are reserved for road right of way and which would form part of the area reserved for forestland protection purposes. With the issuance of Proclamation No. 1064, there is a need to establish a mechanism wherein the sustainable development and use of the Boracay Island, as part of Municipality of Malay, Province of Aklan, is ensured. The mode of acquisition for certain parcels of its public domain classified as agricultural land open to disposition under the said Proclamation and environmental safeguards to Boracay Island should also be provided clearly.

Considering that the necessary framework for the establishment of the mechanism for the sustainable development and use of Boracay Island was already provided under Proclamation No. 1064 which was sustained by the Supreme Court, it is now left for Congress to flesh out a law that would fortify such mechanism.

This refiled bill, which was previously approved by the House of Representatives and transmitted to the Senate during the 16th Congress, seeks to establish a mechanism for the sustainable development and use of Boracay Island, defining for the purpose the mode of acquisition of certain parcels of land of the public domain classified as agricultural land open to disposition under Proclamation No. 1064, providing environmental safeguards therefor, and for other purposes. Subject to certain limitations in this bill, the Department of Environment and Natural Resources may

alienate parcels of land of the public domain situated at the Boracay Island, Municipality of Malay, Province of Aklan, delineated as agricultural lands open to disposition for agricultural, residential, commercial, industrial, or other productive purposes under Proclamation No. 1064, through the issuance of a free patent to any citizen of the Philippines who, for at least thirty (30) years from the passage of this measure, has continuously occupied and/or cultivated either by himself or through his predecessors-in-interest or who shall have paid the real estate tax thereon while the same has not been occupied by any other person. The bill also provides for the institution of environmental safeguards, including a mandate to respect the rights of the indigenous cultural communities to their ancestral lands.

Given the considerable contribution of Boracay Island to the Philippine economy and the tourism industry, the immediate passage of this bill is earnestly sought.



TEODORICO "NONONG" T. HARESCO, JR.

Introduced by Representative TEODORICO "NONONG" T. HARESCO, JR.

**AN ACT ESTABLISHING A MECHANISM FOR THE SUSTAINABLE
DEVELOPMENT AND USE OF THE ISLAND OF BORACAY, MUNICIPALITY OF
MALAY, PROVINCE OF AKLAN, DEFINING THE MODE OF ACQUISITION FOR
CERTAIN PARCELS OF LAND OF THE PUBLIC DOMAIN CLASSIFIED AS
AGRICULTURAL LAND OPEN TO DISPOSITION UNDER PROCLAMATION
NO. 1064, PROVIDING ENVIRONMENTAL SAFEGUARDS THEREFOR, AND
FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:*

1 **SECTION 1. Declaration of Policy.** - Pursuant to Article XII, Section 1 of the
2 1987 Philippine Constitution, which provides that the goals of the national economy are
3 a more equitable distribution of opportunities, income and wealth, the State shall adopt
4 a policy of ensuring the fair and expeditious titling of alienable and disposable
5 agricultural lands of the public domain. Towards this end, the State shall facilitate the
6 titling of lands in favor of qualified Filipinos to provide them with security of land
7 tenure. Further, in recognition of the need to accelerate the country's development
8 without compromising the protection and conservation of the country's natural
9 resources, the State shall undertake measures to adopt sustainable development
10 strategies of forestlands, national parks and the resources therein and provide
11 environmental safeguards while at the same time spurring local economic growth.

12
13 **SEC. 2. Coverage.** - The provisions of this Act shall apply to the parcels of land of
14 the public domain located in the Island of Boracay, Municipality of Malay, Province of
15 Aklan delineated and declared as agricultural lands open to disposition for agricultural,
16 residential, commercial, industrial or other productive purposes through Proclamation
17 No. 1064, dated 22 May 2006, entitled "*Classifying Boracay Island Situated in the*
18 *Municipality of Malay, Province of Aklan into Forestland (Protection Purposes) and into*
19 *Agricultural Land (Alienable and Disposable) Pursuant to Presidential Decree No. 705 (Revised*
20 *Forestry Reform Code of the Philippines).*" These agricultural lands are likewise hereby
21 excluded from the operation of Proclamation No. 1801, dated 10 November 1978,
22 entitled "*Declaring Certain Islands, Coves and Peninsulas in the Philippines as Tourist Zones*
23 *and Marine Reserve under the Administration and Control of the Philippine Tourism*
24 *Authority.*"

25
26 **SEC. 3. Mode of Acquisition.** - The Department of Environment and Natural
27 Resources (DENR) shall alienate the agricultural lands identified in Section 2 hereof,
28 subject to the limitations provided for in this Act, through the issuance of a free patent
29 over any parcel thereof to any citizen of the Philippines, who for at least thirty (30)
30 years prior to the effectivity of this Act, has continuously occupied and/or cultivated
31 either personally or through predecessors-in-interest or who shall have paid the real

1 estate tax thereon while the same had not been occupied by any other person. Such
2 qualified citizen shall be entitled under this Act to have a free-patent issued for such
3 tract of land not to exceed twelve (12) hectares per applicant: *Provided*, That the DENR
4 shall also reserve lands or lots of sufficient size and strategic location to the local
5 government of Malay, Province of Aklan, and other agencies of the national
6 government for essential public purposes and/or services such as school buildings,
7 public plazas, health centers and similar purposes, including necessary avenues, streets,
8 and alleyways: *Provided, further*, That any title that may be issued over lands for public
9 purposes shall be in the name of the Republic of the Philippines and all roads, avenues,
10 streets, and alleyways shall be in the name of the Province of Aklan.

11
12 The provisions of Commonwealth Act No. 141, as amended, otherwise known as
13 the "*Public Land Act*," not inconsistent herewith, shall be applicable.

14
15 **SEC. 4. *Protected Forestlands.*** - Areas of the public domain within the Island of
16 Boracay classified as forestlands pursuant to Proclamation No. 1064 are hereby declared
17 forestlands, under the subclassification of protection forests. For ecological and rational
18 land use considerations, the following shall also constitute part of the protected
19 forestlands:

20
21 (a) Five (5) meters strip inland from the twenty-five (25)-meter mandatory
22 beach front easement, measured from the mean high water mark;

23
24 (b) Five (5) meters on each side of the centerline of roads, for road protection
25 and widening and drainage; and

26
27 (c) Three (3) meters landward on both sides of creeks and canals.

28
29 Such forestlands shall be conserved, preserved, and regulated by the DENR,
30 jointly with the Municipal Government of Malay, the Provincial Government of Aklan,
31 and concerned national agencies pursuant to the provisions of Presidential Decree No.
32 705, as amended, otherwise known as the Revised Forestry Reform Code of the
33 Philippines, Republic Act No. 9072, otherwise known as the "*National Caves and Cave*
34 *Resources Management and Protection Act*," their implementing rules and regulations, as
35 well as other pertinent laws, proclamations, issuances and administrative orders on
36 conservation and environmental protection.

37
38 **SEC. 5. *Strict Regulation of the Utilization and Development of the Island of***
39 ***Boracay.*** - The utilization and development of all areas along the Island of Boracay
40 shall be strictly regulated by the DENR pursuant to all laws and statutes on the
41 utilization and protection of natural resources and the environment, and must strictly
42 comply with the land use plan approved by the local government unit and the
43 requirements imposed by existing DENR rules, regulations and other issuances, taking
44 into consideration the sustainable use and development of the area and at all times with
45 utmost respect to the right of indigenous cultural communities to their ancestral lands.

46
47 **SEC. 6. *Implementing Rules and Regulations.*** - The DENR, in coordination with
48 the Provincial Government of the Province of Aklan, shall, within ninety (90) days from
49 the effectivity of this Act, promulgate the rules and regulations necessary for its
50 implementation.

51

1 **SEC. 7. Separability Clause.** - If, for any reason, any provision of this Act is
2 declared unconstitutional or invalid, the other provisions hereof which are not affected
3 thereby shall continue to be in full force and effect.

4
5 **SEC. 8. Repealing Clause.** - All laws, decrees, executive orders, proclamations,
6 and administrative regulations or parts thereof inconsistent herewith are hereby
7 repealed or modified accordingly.

8
9 **SEC. 9. Effectivity.** - This Act shall take effect fifteen (15) days after its
10 publication in the Official Gazette or in a newspaper of general circulation.

11
12 *Approved,*