



MEMORANDUM

FOR : **The Directors**
Legal Affairs Service
Policy and Planning Service
Climate Change Service

The Bureau Directors
Environmental Management Bureau
Biodiversity Management Bureau
Forest Management Bureau
Land Management Bureau
Ecosystems Research Development Bureau

The Regional Executive Directors
NCR, Region VIII

The Regional Director
EMB - Region VIII

The Executive Director
Manila Bay Coordinating Office

The Administrator
National Mapping Resource and Information Authority

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **CHANGE OF MEETING TIME ON HB NO. 6577 AN ACT EXPANDING THE BOUNDARIES OF LAS PIÑAS PARANAQUE WETLAND PARK AND ITS VICINITIES AS PROTECTED AREA AND FOR OTHER PURPOSES AND HR NO. 778 INQUIRY, IN AID OF LEGISLATION, INTO THE GAPS AND INCONSISTENCIES OF LAND USE AND ENVIRONMENTAL MANAGEMENT LAWS AND SUBSEQUENT MISUSE AND ABUSE, LEADING TO GROSS SOIL, WATER, AND AIR POLLUTION IN FORESTLANDS, WATERSHED, AND BUFFER ZONES IN THE MUNICIPALITY OF PALOMPON, PROVINCE OF LEYTE, AND REQUEST FOR DOCUMENTS FROM THE COMMITTEE ON NATURAL RESOURCES OF THE HOUSE OF REPRESENTATIVES**

DATE : 29 May 2023

In reference to the electronic mail received on 26 May 2023, the Committee on Natural Resources of the House of Representatives, is informing the Department of the **Change of meeting time on 31 May 2023 (Wednesday), from 10:30 in the morning to 1:00 in the afternoon at Speaker Belmonte Hall, South Wing Annex, House of Representatives and via Zoom (Zoom Meeting ID: 970 5837 3244 Passcode: 522979)** for the continuation of the deliberation on the following:

1. House Bill No. 6577, entitled “An Act Expanding The Boundaries Of Las Piñas Paranaque Wetland Park And Its Vicinities As Protected Area And For Other Purposes,” by Rep. Camille A. Villar, and
2. House Resolution No. 778 “A Resolution Urging The House Committee On Natural Resources To Conduct An Inquiry, In Aid Of Legislation, Into The Gaps And Inconsistencies Of Land Use And Environmental Management Laws And Subsequent Misuse And Abuse, Leading To Gross Soil, Water And Air Pollution In Forestlands, Watershed And Buffer Zones In The Municipality Of Palompon, Province of Leyte”, authored by Rep. Richard I. Gomez, DPA.

During the initial deliberation on the measure on House Resolution No. 778 held on May 15, 2023, the Committee on Natural Resources requested the submission of the following documents from the DENR Region VIII and the EMB Region VIII:

From the DENR Region VIII

1. Copy of the cases to be filed by the DENR VIII (e.g. reversion of titles, criminal cases, etc.), to be submitted by the end of June 2023;
2. Copy of the patents and titles issued by the DENR in the area of the Palompon Watershed Forest Reserve;

From the EMB Region VIII

1. Copy of the Notices of Violation issued by the EMB Region VIII against the DBSN Farms;
2. Timeline specifying the actions taken by the EMB Region VIII against the DBSN Farms; and
3. Table of Penalties for the violations.

In this regard, may we request your physical presence as resource persons at the rescheduled public hearing. We are also reiterating our request for the above-mentioned documents. Kindly submit it on **May 29, 2023, at 5 PM** via email at denrlo@denr.gov.ph for submission to the Committee today. Further, kindly inform us of the name/s of the representative/s from your office who will participate in the meeting so we may include him/her/them as resource person/s.

Attached herewith are the amended invitation letter with the change of meeting time, agenda, and the House Bill and House Resolution for your reference.

Your attendance is highly encouraged.


ROMIROSE B. PADIN

Cc: Undersecretary for Special Concerns and Legislative Affairs
Undersecretary for Field Operations – Luzon, Visayas and Environment



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Committee on Natural Resources

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committee.naturalresources@house.gov.ph, naturalresources.hrep@gmail.com

25 May 2023

NOTICE OF CHANGE OF MEETING TIME

Dear Sir/Madam:

Good day! Please be informed that the hybrid meeting of the Committee on Natural Resources scheduled on **May 31, 2023 (Wednesday)**, will be held at **1:00 in the afternoon at Speaker Belmonte Hall, South Wing Annex, House of Representatives and via Zoom (at Zoom Meeting ID: 970 5837 3244; Passcode: 522979)**. The Committee shall discuss the following measures:

In light of this, we would like to invite you or your authorized representative to attend the said meeting and shed light on the following:

- I. Continuation of the Deliberation on a Local Protected Area Bill:**
House Bill No. 6577, entitled "An Act Expanding The Boundaries Of Las Piñas Paranaque Wetland Park And Its Vicinities As Protected Area And For Other Purposes," by **Rep. Camille A. Villar**

- II. Continuation of the Inquiry in Aid of Legislation:**
House Resolution No. 778
"A Resolution Urging The House Committee On Natural Resources To Conduct An Inquiry, In Aid Of Legislation, Into The Gaps And Inconsistencies Of Land Use And Environmental Management Laws And Subsequent Misuse And Abuse, Leading To Gross Soil, Water And Air Pollution In Forestlands, Watershed And Buffer Zones In The Municipality Of Palompon, Province of Leyte", authored by **Rep. Richard I. Gomez, DPA**

We would also like to request the submission of your **position paper** on the House Resolution on or before **29 May 2023**, in order to give the Committee Members enough time to read through the materials. Attached herewith is a copy of the measure, for your kind reference.

Here are the Zoom details:

<p>Date: May 31, 2023 Time: 1:00 PM Join Zoom Meeting https://zoom.us/j/97058373244?pwd=UnA1Y2RiVE83NTUrUXlEWjNtRTdYUT09</p> <p>Meeting ID: 970 5837 3244 Passcode: 522979</p>
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For confirmation of attendance or further inquiries, the Committee may be reached at committee.naturalresources@house.gov.ph. Should you opt to attend the in-person component of the meeting, kindly submit to the Committee the names of the confirmed resource persons by May 29, 2023 together with a copy of their ID, their email address, and cellphone number to facilitate the request for their entry and antigen testing.

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

Very truly yours,



HON. ELPIDIO F. BARZAGA JR.
Chairperson
Committee on Natural Resources

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

COMMITTEE ON NATURAL RESOURCES
May 31, 2023 (Wednesday), 1:00 PM
Speaker Belmonte Hall, South Wing Annex,
House of Representatives
and Via Zoom

REGULAR COMMITTEE MEETING
(Hybrid Meeting)

AGENDA

- I. Call to Order/Roll Call/Approval of the Minutes of the Previous Meeting**
- II. Acknowledgment of Members and Resource Persons**
- III. Opening Remarks of the Chairperson**
Hon. Elpidio F. Barzaga Jr.
4th District Cavite
- IV. Continuation of the Deliberation on a Local Protected Area Bill:**
House Bill No. 6577, entitled "An Act Expanding The Boundaries Of Las Piñas Paranaque Wetland Park And Its Vicinities As Protected Area And For Other Purposes," by Rep. Camille A. Villar
- V. Continuation of the Inquiry in Aid of Legislation:**
House Resolution No. 778
"A Resolution Urging The House Committee On Natural Resources To Conduct An Inquiry, In Aid Of Legislation, Into The Gaps And Inconsistencies Of Land Use And Environmental Management Laws And Subsequent Misuse And Abuse, Leading To Gross Soil, Water And Air Pollution In Forestlands, Watershed And Buffer Zones In The Municipality Of Palompon, Province Of Leyte", authored by Rep. Richard I. Gomez, DPA
- VI. Other Matters**

Date: May 31, 2023

Time: 1:00 PM

Join Zoom Meeting

<https://zoom.us/j/97058373244?pwd=UnA1Y2RiVE83NTUrUXIEWjNtRTdYUT09>

Meeting ID: 970 5837 3244

Passcode: 522979

Resource Persons

1. Department of Environment and Natural Resources (DENR)
2. DENR Region VIII
3. Environmental Management Bureau Region VIII
4. Biodiversity Management Bureau (BMB)
5. National Mapping and Resource Information Authority (NAMRIA)
6. Mayor of Palompon, Province of Leyte
7. Mayor of Albuera, Province of Leyte
8. Mayor of Villaba, Leyte
9. BPO & License Head, Palompon, Leyte
10. Municipal Assessor, Palompon, Leyte
11. MENRO, Palompon Leyte
12. Municipal Planning Officer, Palompon, Leyte
13. Provincial Agrarian Officer, Leyte
14. PARO, Palompon, Leyte
15. Regional Director, Department of Agrarian Reform
16. Registry of DEEDS, Province of Leyte
17. CENRO- Ormoc
18. Owners of the establishments operating in the area
19. All Barangay Captains in the subject area
20. Representatives from the Academe/NGO

**REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY**

**NINETEENTH CONGRESS
First Regular Session**

House Bill No. 6577



Introduced by Representative

CAMILLE A. VILLAR

**AN ACT
EXPANDING THE BOUNDARIES OF LAS PIÑAS PARAÑAQUE WETLAND PARK
AND ITS VICINITIES AS PROTECTED AREA AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

This bill is filed pursuant of Article II, Section 16 of the 1987 Constitution, which states that "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature." It is also intended to further the country's commitment under the Ramsar Convention, and to promote the conservation and wise use of wetlands.

The Earth is continuously threatened with destruction. Studies show that the loss of biodiversity and climate change are the two main causes that will see the extinction of humans.

The Las Piñas-Parañaque Critical Habitat and Ecotourism Area (LPPCHEA) is a defense against these twin threats and can make Manila Bay as well as the cities of Las Piñas and Parañaque less vulnerable to the onslaught of these two emergencies.

The LPPCHEA, also known as the Las Piñas-Parañaque Wetland Park (LPPWP) is a legislated national protected area by virtue of Republic Act No. 11038 or the Expanded National Integrated Protected Areas Systems (E-NIPAS) Act of 2018, and a

declared "wetlands as it provides invaluable support to both human and wildlife populations".

Despite being in a highly urbanized setting, the LPPWP is a thriving ecosystem. It hosts at least 5,000 individuals of about 82 species of migratory and resident birds, twenty-three (23) species of true and associate mangroves, several economically important fish species and mollusks. The LPPWP currently has a total land area of 181.63 hectares, composed of shallow waters, tidal marshes, mudflats, and mangrove swamp forest.

The expansion and conservation of LPPWP, along with the remaining coastal ecosystems of Manila Bay, is vital as a nature-based solution for several environmental challenges such as climate change, disaster risk reduction and biodiversity loss. LPPWP, being the only remaining viable wetland ecosystem in Metro Manila, serves as a living laboratory and education center for wetland and environment conservation.

The Manila Bay Sustainable Development Master Plan (MBSDMP) provides for the protection of areas critical to the restoration and sustenance of the functions of the natural habitats, one of which is that of LPPWP. The plan, stated as Guiding Principle 2, allows development activities that will not significantly or permanently affect, reduce, and alter the biodiversity integrity for up to 3 kilometers radius from the complex habitats (i.e. LPPWP). The master plan also provides for the protection of natural areas with high biodiversity value and is part of the Strict Protection Zone within Manila Bay. Accordingly, "These areas are to be closed to all human activities except for scientific studies and/or ceremonial activities of IPs, and sustainable fishing/ fishery livelihood activities by local communities traditionally dependent on Manila Bay. Habitats of threatened species or degraded areas that have been designated for restoration and subsequent protection are included in this zone. This zone also includes a buffer zone to maximize the protection of habitats where the majority of dispersing fish and invertebrate larvae are predicted to settle. This zone is closed to all human activities including reclamation activities except religious, scientific, artisanal fishing, and other livelihood activities that adhere to sustainable best practices". In addition, the study of Villanoy and Martin (1997), as cited in the MBSDMP, stresses

the need to maintain the natural flow or tidal movement and water circulation in Manila Bay, and be considered in implementing future plans and developments along the coastline of Manila Bay.

Currently, the LPPWP is under the threat of the potential impacts of proposed reclamation projects immediately adjacent to it. Based on the study commissioned by the DENR- ERDB in 2021, the presence of the proposed reclamation projects within Manila Bay exacerbates erosion, sedimentation, coastal and inland flooding in the adjacent built-up areas of Metro Manila, and reshapes the intertidal mudflats of LPPWP. These reclamation projects neglect the threats posed by sea level rise and ignores the critical importance of the areas as the last few remaining stop overs of critically endangered migratory birds going through the East Asian Australasian Flyway. As we pursue a blue economy, Manila Bay faces continuing challenges from the destruction of habitats, continuing pollution and fisheries decline.

Much effort and resources have been expended by the Government in the conservation of Manila Bay. The Supreme Court has, in fact, ordered 13 Government agencies to plan its rehabilitation and monitors the execution of that plan in a Continuing Mandamus. Any further reduction to the productive areas and ecosystems as rich as diverse as that of LPPWP and its surrounding waters will render such efforts wasted.

As a legislated protected area pursuant to the E-NIPAS, the LPPWP will be better conserved and more ecosystems can be conserved with a buffer zone that will broaden the scope of protection, ensure the integrity of its ecosystems and ensure the free flow of water coming from Parañaque River connected to the Las Piñas River thus ensuring the hydrological flows that the migratory birds as well as the fisheries depend.

This Act proposes to expand the protected area to ensure that ecological integrity of both its land and water is well preserved and managed, and that this shall safeguard said biodiversity critical areas from the tensions of developments. In addition, the proposed 3-km seaward expansion from the current shoreline boundary shall greatly enhance conservation efforts, and will specifically ensure the following:

1. Maximize the protection of mudflats and shallow water habitats serving as foraging sites of migratory birds, spawning and nursery ground of fish, and maintain and protect a greater dispersal area for dispersing fish and invertebrate larvae. It shall also cover intertidal flats not subsumed in the current boundary of LPPWP;
2. Enable the LPPWP Protected Area Management Board (PAMB) to effectively manage allowable activities within the expansion thereby ensuring the maintenance of the natural coastal ecosystems and the overall ecological character of LPPWP; and
3. Considering the primary concern of the Manila Bay Sustainable Development Master Plan (MBSDMP) and the findings of the ERDB-commissioned study on potential interference of certain projects such as reclamation, on water circulation and tidal movement, the proposed boundary expansion shall help preserve natural water circulation that significantly defines the natural regimes, including distribution, diversity, and composition of species, sedimentation, nutrient cycling, and salinity. This shall also help locate large projects away from the coastline, hence minimizing effects to water circulation, tidal movements, the reshaping of intertidal mudflats, and the sedimentation of estuaries as well as on flooding regime.
4. It will also fortify, among others, the flood mitigation mechanisms to afford better protection to our vulnerable coastal communities in the area of LPPWP.

The expansion of the coverage of the LPPWP is being proposed at a critical period when the nation is gearing up its preparedness and capacity to mitigate and adapt to impacts of climate change and reduce risk of disaster, and rebuild a livable urban environment for the post-pandemic era.

A counterpart measure has been filed in the Senate of the Philippines in recognition of the urgency of this bill.

In consideration of all the foregoing, the immediate passage of this bill is respectfully sought.

**REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY**

**NINETEENTH CONGRESS
First Regular Session**

House Bill No. 6577

Introduced by Representative

CAMILLE A. VILLAR

**AN ACT
EXPANDING THE BOUNDARIES OF LAS PINAS PARANAQUE WETLAND PARK
AND ITS VICINITIES AS PROTECTED AREA AND FOR OTHER PURPOSES**

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

Section 1. *Short Title.* – This Act shall be known as the “Expanded Las Piñas Paranaque Wetland Park Act of 2022”.

Sec. 2. *Declaration of Policy.* – By virtue of its legislation as a Protected Area and designation as a Ramsar Site, and in consideration of the diversity of Las Pinas Paranaque Wetland Park’s (LPPWP) biological resources, and its aesthetic, socio-cultural, economic and ecological importance to the nation and globally, and its significant contributions to the biological diversity and ecological characteristics of the Manila Bay, it is hereby declared the policy of the State to ensure its protection and conservation, including the communities of people dependent therein, their culture and way of life in so far as they are in harmony with nature and do not alter the ecological systems and the magnitude of biological diversity of the area. In so doing, the State shall ensure the protection and conservation of the biodiversity of LPPWP through sustainable and participatory development, advance and protect the customs and interests of its legitimate inhabitants, and migrants alike, and foster partnership among government, non-government and people’s organizations, in accordance with

the National Integrated Protected Areas System (NIPAS) Act (RA 7586) as amended by the Expanded NIPAS Act (RA 11038), and international conventions, to which the Philippines is a signatory.

Sec. 3. Declaration and Scope. – Pursuant to and in accordance with the NIPAS Act as amended, Section 5. (A.I.) of RA 11038, specifically the extent of Las Pinas - Paranaque Wetland Park, is hereby amended, expanding the coverage of the protected area from one hundred eighty-one point sixty three hectares (181.63 has.) into one thousand seven hundred sixty one point eighty seven hectares (1,761.87 has), extending seaward from its current shoreline; and its boundaries shall be as follows:

Line	Bearing	Distance
Tie Point - 1	N. 78 ° 43' W.,	1033.31 m.
1-2	S. 88 ° 08' W.,	26.44 m.
2-3	S. 53 ° 29' W.,	16.26 m.
3-4	S. 16 ° 19' E.,	53.23 m.
4-5	S. 06 ° 15' E.,	63.48 m.
5-6	S. 09 ° 06' E.,	111.21 m.
6-7	S. 06 ° 16' W.,	170.68 m.
7-8	S. 12 ° 12' W.,	101.37 m.
8-9	S. 04 ° 52' W.,	63.82 m.
9-10	S. 00 ° 35' W.,	229.70 m.
10-11	S. 11 ° 55' W.,	77.02 m.
11-12	S. 13 ° 48' W.,	53.77 m.
12-13	S. 27 ° 20' W.,	49.03 m.
13-14	S. 55 ° 27' W.,	41.22 m.
14-15	S. 73 ° 04' W.,	107.95 m.
15-16	N. 86 ° 10' W.,	57.19 m.
16-17	S. 71 ° 06' W.,	29.39 m.

17-18	S. 89 ° 55' W.,	60.09 m.
18-19	S. 69 ° 08' W.,	53.32 m.
19-20	S. 38 ° 01' W.,	237.39 m.
20-21	S. 32 ° 30' W.,	230.47 m.
21-22	S. 37 ° 54' W.,	137.34 m.
22-23	S. 35 ° 10' W.,	149.23 m.
23-24	S. 31 ° 03' W.,	79.75 m.
24-25	S. 29 ° 16' W.,	154.46 m.
25-26	S. 38 ° 08' E.,	42.23 m.
26-27	S. 05 ° 40' E.,	15.17 m.
27-28	S. 19 ° 00' W.,	33.55 m.
28-29	S. 32 ° 05' W.,	28.95 m.
29-30	S. 27 ° 16' W.,	99.63 m.
30-31	S. 20 ° 02' W.,	277.76 m.
31-32	S. 00 ° 47' E.,	20.57 m.
32-33	S. 30 ° 54' E.,	10.05 m.
33-34	S. 73 ° 23' E.,	9.93 m.
34-35	S. 08 ° 46' E.,	92.29 m.
35-36	S. 26 ° 37' W.,	139.26 m.
36-37	S. 22 ° 51' W.,	106.73 m.
37-38	S. 10 ° 58' E.,	29.68 m.
38-39	S. 24 ° 14' E.,	31.90 m.
39-40	S. 56 ° 32' E.,	29.01 m.
40-41	S. 67 ° 41' E.,	106.26 m.
41-42	S. 57 ° 06' W.,	830.37 m.
42-43	S. 69 ° 21' W.,	125.08 m.
43-44	S. 81 ° 52' W.,	44.90 m.

44-45	N. 88 ° 27' W.,	58.76 m.
45-46	N. 71 ° 58' W.,	71.79 m.
46-47	N. 57 ° 54' W.,	55.28 m.
47-48	S. 88 ° 35' W.,	96.07 m.
48-49	S. 39 ° 20' W.,	73.89 m.
49-50	S. 19 ° 14' W.,	36.15 m.
50-51	S. 10 ° 32' E.,	69.44 m.
51-52	S. 16 ° 49' E.,	35.66 m.
52-53	S. 41 ° 11' W.,	16.88 m.
53-54	S. 69 ° 03' W.,	450.49 m.
54-55	S. 69 ° 22' W.,	295.15 m.
55-56	S. 71 ° 46' W.,	365.22 m.
56-57	S. 75 ° 44' W.,	193.28 m.
57-58	S. 75 ° 39' W.,	455.17 m.
58-59	N. 24 ° 51' W.,	56.76 m.
59-60	N. 23 ° 10' W.,	110.88 m.
60-61	N. 21 ° 03' W.,	110.88 m.
61-62	N. 18 ° 52' W.,	118.03 m.
62-63	N. 16 ° 37' W.,	118.03 m.
63-64	N. 14 ° 21' W.,	118.03 m.
64-65	N. 12 ° 06' W.,	118.03 m.
65-66	N. 10 ° 40' W.,	81.09 m.
66-67	N. 08 ° 44' W.,	130.88 m.
67-68	N. 06 ° 14' W.,	130.88 m.
68-69	N. 03 ° 44' W.,	130.88 m.
69-70	N. 01 ° 14' W.,	130.88 m.
70-71	N. 01 ° 16' E.,	130.88 m.

71-72	N. 03 ° 46' E.,	130.88 m.
72-73	N. 06 ° 16' E.,	130.88 m.
73-74	N. 08 ° 46' E.,	130.88 m.
74-75	N. 11 ° 16' E.,	130.88 m.
75-76	N. 13 ° 46' E.,	130.88 m.
76-77	N. 11 ° 18' E.,	92.40 m.
77-78	N. 11 ° 16' E.,	130.88 m.
78-79	N. 13 ° 46' E.,	130.88 m.
79-80	N. 16 ° 16' E.,	130.88 m.
80-81	N. 18 ° 46' E.,	131.36 m.
81-82	N. 20 ° 24' E.,	82.25 m.
82-83	N. 14 ° 00' E.,	130.82 m.
83-84	N. 16 ° 16' E.,	130.88 m.
84-85	N. 18 ° 46' E.,	130.88 m.
85-86	N. 21 ° 16' E.,	130.88 m.
86-87	N. 23 ° 46' E.,	130.88 m.
87-88	N. 26 ° 16' E.,	130.88 m.
88-89	N. 28 ° 46' E.,	130.88 m.
89-90	N. 31 ° 16' E.,	130.88 m.
90-91	N. 33 ° 46' E.,	130.88 m.
91-92	N. 36 ° 16' E.,	130.88 m.
92-93	N. 38 ° 46' E.,	32.89 m.
93-94	N. 28 ° 45' E.,	75.21 m.
94-95	N. 31 ° 00' E.,	103.06 m.
95-96	N. 32 ° 58' E.,	103.06 m.
96-97	N. 34 ° 56' E.,	21.55 m.
97-98	N. 32 ° 30' E.,	153.17 m.

98-99	N. 33 ° 53' E.,	144.25 m.
99-100	N. 36 ° 38' E.,	69.69 m.
100-101	N. 11 ° 15' E.,	87.42 m.
101-102	N. 13 ° 45' E.,	130.88 m.
102-103	N. 16 ° 15' E.,	130.88 m.
103-104	N. 18 ° 45' E.,	130.88 m.
104-105	N. 21 ° 15' E.,	130.88 m.
105-106	N. 23 ° 45' E.,	130.88 m.
106-107	N. 26 ° 15' E.,	130.88 m.
107-108	N. 28 ° 45' E.,	130.88 m.
108-109	N. 31 ° 15' E.,	130.88 m.
109-110	N. 33 ° 45' E.,	130.88 m.
110-111	N. 36 ° 15' E.,	130.88 m.
111-112	N. 38 ° 45' E.,	130.88 m.
112-113	N. 41 ° 15' E.,	130.88 m.
113-114	N. 43 ° 45' E.,	130.88 m.
114-115	N. 46 ° 15' E.,	130.88 m.
115-116	N. 48 ° 45' E.,	130.88 m.
116-117	N. 50 ° 52' E.,	90.81 m.
117-118	N. 52 ° 36' E.,	90.81 m.
118-119	N. 53 ° 29' E.,	16.26 m.
119-120	N. 54 ° 18' E.,	85.48 m.
120-121	N. 55 ° 55' E.,	85.48 m.
121-122	N. 57 ° 33' E.,	85.48 m.
122-123	N. 59 ° 11' E.,	85.48 m.
123-124	N. 61 ° 15' E.,	130.88 m.
124-125	N. 63 ° 45' E.,	130.88 m.

125-126	N. 66 ° 15' E.,	130.88 m.
126-127	N. 69 ° 23' E.,	61.59 m.
127-128	N. 64 ° 03' E.,	130.82 m.
128-129	N. 66 ° 15' E.,	130.88 m.
129-130	N. 68 ° 45' E.,	130.88 m.
130-131	N. 71 ° 15' E.,	130.88 m.
131-132	N. 73 ° 45' E.,	130.88 m.
132-133	N. 76 ° 15' E.,	130.88 m.
133-134	S. 68 ° 55' E.,	66.63 m.
134-135	S. 02 ° 18' E.,	773.07 m.
135-136	S. 01 ° 29' W.,	368.45 m.
136-137	S. 02 ° 36' W.,	46.62 m.
137-138	S. 13 ° 03' W.,	224.90 m.
138-139	S. 23 ° 57' W.,	320.78 m.
139-140	S. 28 ° 03' W.,	310.61 m.
140-141	S. 29 ° 36' W.,	455.81 m.
141-142	S. 58 ° 24' E.,	296.58 m.
142-143	S. 67 ° 08' E.,	126.64 m.
143-144	S. 72 ° 14' E.,	366.75 m.
144-145	S. 61 ° 27' E.,	455.31 m.
145-146	S. 46 ° 35' W.,	43.65 m.
146-147	S. 57 ° 25' W.,	59.13 m.
147-148	S. 66 ° 11' W.,	56.78 m.
148-149	S. 42 ° 04' W.,	44.98 m.
149-150	S. 66 ° 43' W.,	46.48 m.
150-151	S. 82 ° 12' W.,	38.05 m.
151-152	N. 83 ° 28' W.,	16.72 m.

152-1

N. 39 ° 25' W.,

10.74 m.

Once surveyed and verified on the ground, and incorporating changes recommended by the LPPWP Protected Area Management Board (PAMB) which are supported by sound technical scientific basis, the DENR shall mark on the ground the boundaries set forth in this Act which shall not be modified except by an act of Congress.

The technical descriptions provided in this Act will be subject to ground survey and verification to be conducted by the DENR within ninety (90) days after the effectivity of this Act. Any modification of the coverage of this Act due to such factors as changing ecological situations, new scientific findings, or discovery of traditional boundaries not previously taken into account shall be made through an act of Congress, after consultation with the affected public and concerned government agencies.

Sec. 4. Transfer of Title. – Ownership of portions of the properties of the Philippine Estates Authority, or also known as the Philippine Reclamation Authority, covered by Transfer Certificate of Title (TCT) Nos. 7309 and 7312 within the boundaries of LPPWP, as described in Section 3 hereof, shall be transferred to the DENR, for the purpose of conservation, protection, and development of LPPWP as an important wildlife habitat and an ecotourism site in accordance and consistent with the provisions of R.A. No. 11038.

Sec. 5. Utilization of Resources. – No exploration, exploitation or utilization of non-renewable resources within the expanded LPPWP for commercial purposes shall be allowed.

Sec. 6. Prohibited Acts. – In addition to the prohibited acts as stated under Section 20 of RA 7586, as amended by RA 11038, the following are also prohibited within the expanded LPPWP:

- a) Violating the LPPWP Protected Area Management Plan (PAMP) or any resolution issued by the BMB/PAMB;
- b) Entering the LPPWP without prior permit;

- c) Wetland reclamation;
- d) Filling-in or drainage, except when necessary for national interest and security subject to existing environmental laws, rules, and regulations;
- e) Fishing during general peak spawning season of small pelagic species such as sardines, slipmouths, and mullets around February to April and then again on October to December;
- f) Any activity or development that disturbs or destroys the spawning area;
- g) Use of boat and gears, whether Municipal or Commercial, operating in the Bay which are not registered;
- h) Fishing with the use of "Sapra" or stationary liftnets; and
- i) Illegal Unregulated and Unreported (IUU) fishing e.g. blast fishing, "hulbot hulbot" fishing and trawl fishing.

Sec. 7. *Allowable Uses.* – The following acts are allowed within the expanded LPPWP:

- a) Subsistence fishing using hook and line, speargun and other permitted types of nets or fishing methods, provided that:
 - i. Non-motorized boat may be used;
 - ii. The catch limit per boat is determined pursuant to Section 8 of R.A. 8550 and also known as "The Philippine Fisheries Code of 1998"; and
 - iii. The number of fishers allowed per day within the buffer zone shall be determined in a Carrying Capacity study.
- b) Gleaning of shellfish and other invertebrates on the intertidal areas provided that the number of gleaners is within carrying capacity;
- c) Eco-tourism activities such as bird watching, especially during peak migration season;
- d) Research studies for the LPPWP with appropriate permits and clearances. Provided that, results of the study/ies shall be used for the effective management of the PA;

- e) Other biodiversity friendly enterprises and practices of the local coastal communities; and
- f) Other activities as may be allowed by the LPPWP PAMB, and consistent with the LPPWP PAMP.

Sec. 8. *Penal Provision.* – Violations of this Act shall be subject to the penalties as stated under Section 21 of RA 7586, as amended by RA 11038, and its pertinent rules and regulations.

Sec. 9. *Implementing Rules and Regulations.* – Within six (6) months after the effectivity of this Act, the Department of Environment and Natural Resources (DENR), in consultation with the Senate Committee on Environment and Natural Resources, the House of Representatives Committee on Natural Resources, and the PAMB, shall promulgate the necessary rules and regulations to effectively implement the provisions of this Act.

Sec. 10. *Appropriations.* – The Secretary of the DENR shall include in its program the implementation of this Act, the funding of which shall be charged against the Integrated Protected Areas Fund authorized under Section 16 of RA 7586, as amended by RA 11038, and from the appropriations authorized under the General Appropriations Act.

Sec. 11. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, any part or provisions hereof not affected thereby shall continue to be in full force and effect.

Sec. 12. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof which are contrary or inconsistent with this Act are hereby repealed, amended or modified accordingly.

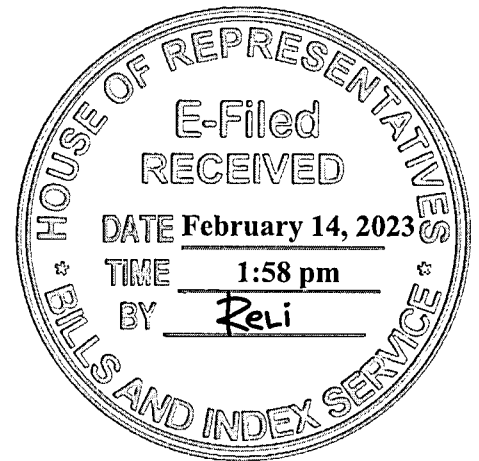
Sec. 13. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Resolution No. 778



Introduced by Representative Richard I. Gomez

A RESOLUTION URGING THE HOUSE COMMITTEE ON NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE GAPS AND INCONSISTENCIES OF LAND USE AND ENVIRONMENTAL MANAGEMENT LAWS AND SUBSEQUENT MISUSE AND ABUSE, LEADING TO GROSS SOIL, WATER AND AIR POLLUTION IN FORESTLANDS, WATERSHED AND BUFFER ZONES IN THE MUNICIPALITY OF PALOMPON, PROVINCE OF LEYTE

WHEREAS, on January 29, 1988, President Corazon C. Aquino signed Proclamation No. 212, Establishing as Palompon Watershed Forest Reserve (PWFR) a Parcel of Land of the Public Domain Situated in the Municipalities of Palompon and Villaba, Province of Leyte, Philippines," which identified an area of 2,392 hectares, more or less, as a watershed forest reservation, to be administered and managed by the Department of Environment and Natural Resources, through the Forest Management Bureau, with the objective of maintaining its usefulness as a source of water for domestic use, agriculture and other forestry purposes;

WHEREAS, out of the total 2,392 hectares declared as PWFR, more or less 80% of the area is classified as Alienable and Disposable, and the balance is classified as Forestland and the PWFR provides the water needs of the Water Administration Services of Hinablayan, a public utility of Palompon that supplies the potable water of residents in more than 30 barangays, domestic water needs of the lowlands areas and other agricultural farms including that of the Mataka Irrigators Association and Agbanga Irrigators Association members and other farmers, for most of the major rivers and 43 natural springs in Palompon are within the PWFR;

WHEREAS, by virtue of Proclamation No 212, the land area identified as PWFR, is automatically considered an initial component of the National Integrated Protected Areas System (NIPAS), pursuant to R.A. 7586, as amended by R.A. 11038, which after specified studies and actions by the Department of Environment and Natural Resources may qualify for declaration as a protected area through an act of Congress;

WHEREAS, the land area identified as PWFR is not wholly public domain, and some portions were issued land titles, whether transfer certificate of title (TCT) or certificate of land ownership (CLOA) and tax declarations as well, as reflected in the cadastral map;

WHEREAS, Sections 16 and 37 of PD 705 provide that “forest lands where headwaters emanate” are areas needed for forest purposes and that “all measures shall be taken to protect the forest resources from destruction, impairment, and depletion and to sustain their capacity to serve as sources of water and maintain their natural functions;

WHEREAS, Section 6 of Commonwealth Act No. 141 of 1936, states that, “The President, upon the recommendation of the Secretary of Agriculture and Commerce, shall from time to time classify the lands of the public domain into — (a) Alienable or disposable; (b) Timber, and (c) Mineral lands, and may at any time and in a like manner transfer such lands from one class to another, for the purposes of their administration and disposition;”

WHEREAS, in May 2018, certain portions of the same land area identified as PWFR, including forest lands of the public domain located in Barangays San Joaquin and Cambacbac, their surrounding buffer zone areas, and lands distributed to agrarian reform beneficiaries pursuant to Republic Act No. 6657, were re-zoned as “agro-industrial”, though the color code consistently indicated it as “industrial,” as provided for in the comprehensive land use plan (CLUP) and its implementing instrument, the zoning ordinance (ZO) of the Municipality of Palompon covering the period 2018-2027;

WHEREAS, the preceding action violated the following laws and regulations:

- (a) Section 6 of Commonwealth Act No. 141 of 1936,
- (b) Sections 69, 71, 74, and 75 of Presidential Decree No 705 or the Revised Forestry Code of the Philippines,
- (c) Section 20 of Republic Act No 7586 as amended by Republic Act No 11038
- (d) Section 20, (a) and (c) of Republic Act No. 7160 or the Local Government Code of 1991,
- (e) DENR-DILG Joint Memorandum Circular 98-01, DENR-DILG Joint Memorandum Circular 2003-01,
- (f) DAO 2019-05, DENR Administrative Order No. 2013-21, DAO 2004-28,
- (g) Land re-classification and re-zoning of the protected area and forestlands without the duly legitimized and approved Forest Land Use Plan (FLUP) pursuant to Section 2.6.6 Executive Order No. 318 s., 2004 “Promoting Sustainable Forest Management in the Philippines,”
- (h) Section 27 (a) of Republic Act 9275, or the Clean Water Act,
- (i) Republic Act 8749, or the Clean Air Act,
- (j) Republic Act 9003, or the Ecological Solid Waste Management Act;

WHEREAS, in the same CLUP, the PWFR was not presented explicitly in any map, but the incorrectly-plotted shape and coverage as shown in the “Surface Drainage Map

(2017),” purportedly using data from the DENR and National Mapping and Resource Information Authority (NAMRIA) was instead made available to falsely illustrate the location and extent of the watershed forest reserve of Palompon, conveniently omitting the Barangays in the adjacent town of Matag-ob and Villaba, and the upland barangays of Mabini, Santiago, San Joaquin and Cambacbac;

WHEREAS, on August 29, 2018, the Office of the Municipal Planning and Development Coordinator of Palompon, issued a Locational Clearance to Lourdes A. Oñate, spouse of incumbent Mayor Ramon Oñate, and both owners of DBSN Farms Agriventures Corporation, for the construction of a large-scale 98,000-breeder hen farm on Lot No. 5143, in Barangay San Joaquin, a parcel of land located immediately adjacent to the PWFR and inside the newly reclassified “agro-industrial / industrial” zone;

WHEREAS, on October 17, 2018, Lot No. 5143, a parcel of land with an area of approximately 19.69 hectares, with a Certificate of Land Ownership under R.A. No. 6657, was acquired by DBSN Farms Agriventures Corporation, or DBSN Farms, through the issuance of Transfer Certificate of Title No. 115-2018002932;

WHEREAS, on July 19, 2018, just about two months after CLUP and ZO of Palompon were approved, the DENR Region VIII issued an Environmental Compliance Certificate (ECC) (ECC-OL-R08-2018-0098) to Ms. Lourdes A. Oñate of DBSN Farms;

WHEREAS, in 2020, some concerned residents of Albuera and Palompon, and later on joined by more than a hundred local residents of Barangay San Joaquin, filed a formal complaint against DBSN Farms, a sub-contractor of San Miguel Corporation, through ENVI Case No. R-PAL-20-0001-ENVI in Regional Trial Court No. 17, for illegally and indiscriminately dumping chicken sludge, infectious wastes, and sewage wastes allegedly from the dressing plant of DBSN Farms, located in Antipolo, Albuera and unlawfully transported to and buried in San Joaquin, particularly in the land adjacent to the breeding farm, that is, Lot No. 5150, classified as forestland area and located within the PWFR;

WHEREAS, the DBSN Farms-owned dressing plant started its operations sometime in 2015, and local residents of Antipolo, Albuera complained against the pollutive practices of the corporation, with several letters sent to and have been received by the Environmental Management Bureau (EMB) Regional Office VIII alleging that the dressing plant of DBSN Farms has been dumping wastes into their drainage canal, that offensive odor is emitted and the wastewater was discharged to the nearby river and into the sea waters;

WHEREAS, the DENR EMB VIII issued three (3) Notices of Violations (NOV) against DBSN, dated May 15, 2017, July 2, 2018, and July 14, 2020, respectively, for failing to comply with DENR standards pursuant to RA 9275 and RA 8749;

WHEREAS, on August 30, 2022, DBSN Farms was issued two (2) NOVs, by DENR VIII, containing a total of seven (7) violations including non-submission of compliance-monitoring reports for three (3) semesters, (b) failure to secure DENR I.D. as Hazardous Waste Generator and Wastewater Discharge Permit, among others;

WHEREAS, in January 2023, DENR VIII, issued a decision pertaining to the said seven (7) violations of DBSN Farms, which despite findings of hazardous waste and wastewater discharge within the PWFR and along its buffer zone, the report simply reiterated the violations and imposed a fine of eighty-five thousand pesos (**PHP 85,000.00**) for all seven violations;

WHEREAS, also on August 30, 2022, DBSN Farms was issued another notice of violation by the DENR Pollution Adjudication Board (PAB) pertaining to the operation of its facility without the required discharge permit resulting in water pollution since April 8, 2022;

WHEREAS, also in January 2023, DENR PAB issued a ruling that DBSN Farms indeed violated Section 27 (c) of Republic Act 9275 or “Philippine Clean Water Act of 2004,” and in fact, cited the penalty for such violation as “not less than Ten Thousand Pesos (Php 10,000.00) but not more than Two Hundred Thousand Pesos (Php 200,000.00) per day of violation, as stated in Section 28 of R.A. 9275;

WHEREAS, despite the gross finding in the same report, DENR PAB Order significantly departed from the administrative fines and penalties for polluters provided in Section 28 of R.A. 9275, and imposed an incongruously low fine of twenty-three thousand five hundred seventy-nine pesos and forty-eight centavos (**PHP 23,579.48**), which is the adjusted amount charged “to pay a discharge permit annually,” for every year of violation, which brought the effective and measly fine of roughly ninety pesos (**PHP 90.00**) per day of violation;

WHEREAS, on January 17, 2023, the National Bureau of Investigation (NBI) Environmental Crime Division and the DENR VIII Enforcement Division conducted an investigation of the operation of Zachary Farm, a poultry farm located in Lot No. 6580 in Barangay Lat-osan, Palompon, Province of Leyte, which was issued with Tax Declaration No. 08-31026-00161 R13 and was granted an agricultural free patent on September 14, 2005, by the Provincial Environment and Natural Resources Office (PENRO) Leyte and, barely four (4) days thereafter, was registered, approved and issued with Original Certificate of Title No. P-50882 on September 19, 2005, in the name of spouses incumbent Mayor Ramon Oñate and Lourdes A. Oñate, resulting in the arrest of seven (7) individuals for illegal occupation inside Palompon Forestland;

WHEREAS, Lot No. 6580, with an area of 3.451 hectares, is located inside the Palompon Forestlands, as shown in the Land Classification Map 647, part of public domain, and hence, the issuance of Original Certificate of Title (OCT) is illegal, void *ab initio*, and consequently, the construction of structures, occupation, and operation of a poultry farm are all likewise illegal, pursuant to Section 69 of P.D. 705, the Forestry Reform Code of the Philippines;

WHEREAS, Section 69 of P.D. 705 further states that, “ xxx In case the offender is a government official or employee, he shall, in addition to the above penalties, be deemed

automatically dismissed from office and permanently disqualified from holding any elective or appointive position;”

WHEREAS, the OCT for Lot No. 6580 bears a series of entries in the “Memorandum of Encumbrances” portion, noting an increasing trend of mortgage loan amounts from the Land Bank of the Philippines, as follows:

- (a) PHP 5,500,000.00 (2006), increased to
- (b) PHP 6,000,000.00 (2008), increased to
- (c) PHP 6,900,000.00 (2011) increased to
- (d) PHP 11,000,000.00 (2013) increased to
- (e) PHP 15,000,000.00 (May 2014) increased to
- (f) PHP 28,000,000.00 (June 2014), and finally increased to
- (g) PHP 50,000,000.00 (April 2019);

WHEREAS, Zachary Farm, a contract poultry grower of San Miguel Corporation, was issued an Environmental Compliance Certificate No. 08-010725-0155 on August 16, 2001 with a capacity of 20,000 chicken heads, which was amended to 50,000 heads in July 2005, further amended in March 2014 to 90,000 heads, and finally amended to transfer name from Lourdes A. Oñate to her own sibling, Zacarias A. Astillero Jr.;

WHEREAS, on January 18, 2023, DENR VIII certified that no Forest Landuse Agreement (FLaG) nor a Special Land Use Permit (SLUP) or any form of tenurial instruments was issued to Zachary Farm, located in Barangay Lat-osan, Palompon, Leyte;

WHEREAS, in the DENR EMB VIII Validation/Inspection Report dated January 23, 2023, indicated the following in its remarks, as follows:

“IV. Remarks

33. Upon perusal of the available Office records, the project had not applied for a wastewater discharge permit for its project operation but applied for a Permit to Operate Air Pollution Source and Control Installation on 06 September 2021, however the application was reverted to the project proponent for further action but was not complied with hence, the non-issuance of the valid permit to operate.

34. The poultry project has failed to register online for a DENR ID as a Hazardous Waste Generator for its used engine oil, oil-contaminated materials, busted bulbs, used batteries, containers previously containing toxic chemical substances, and waste electrical and electronic equipment (WEEE), which is a patent violation of RA 6969's Implementing Rules and Regulations.

35. The project personnel have yet to provide proof of compliance with ECC pre-operation condition no. 1. In relation to pre-operation condition number 2, a zoning map was presented in support of classification that the project site is an Agro-Industrial Area, proof of ownership in the form of an Original Certificate of Title issued by the Land Registration Authority on September 14, 2005 was likewise presented. xxx;”

WHEREAS, instead of issuing a cease-and-desist order (CDO), despite the gravity and glaring environmental violations committed by the farm operator, the same DENR EMB VIII Validation/Inspection Report, resorted to mere issuances of nine (9) notices of violation (NOV) indicated in its recommendations, with the following highlights:

- (a) Issuance of NOV for discharging water pollutants without the required wastewater discharge permit since July 2005,
- (b) Issuance of NOV for discharging untreated or partially treated wastewater into the nearby water bodies,
- (c) Issuance of NOV for the installation of a wastewater treatment facility without the required permit to operate the same;

WHEREAS, Section 8 of PAB Resolution No. 04, Series of 2021 states that “Where there is prima facie evidence that the emission or discharge of pollutants constitutes an immediate threat to life, public health, safety or welfare, or to animal or plant life, or greatly exceeds the allowable DENR Standards ... the Regional Director may immediately issue an Interim CDO pursuant to the provisions of the applicable law, which shall be effective for a period not longer than seven (7) days. The Interim CDO shall in all respect be considered as a regular CDO if it is subsequently confirmed by the Board or the Secretary, as the case may be...and pursuant to RA 9275 the PAB may, among others, recommend to the Secretary or its duly authorized representative the issuance of CDO for acts of omission prohibited under Section 27, or even the closure or cessation of operations...or filing of criminal charges for violations of acts prohibited by Section 28...or, revoke or suspend a discharge permit, or determine liability for clean up;”

NOW THEREFORE BE IT RESOLVED, by the House of Representatives through the Committee on Natural Resources to conduct an inquiry, in aid of legislation, into the gaps, and inconsistencies of land use and environmental management laws and subsequent misuse and abuse, leading to gross soil, water, and air pollution and causing grave environmental damage in the forestland, watershed, and buffer zones in the Municipality of Palompon and certain areas in the Municipality of Albuera, Province of Leyte, thus impairing the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature as enshrined in Article II of the Philippines Constitution.

Adopted,


RICHARD I. GOMEZ, DPA