

THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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SENATE

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S. No. 728

INTRODUCED BY HON. MANUEL B. VILLAR, JR.

EXPLANATORY NOTE

The preamble of the Constitution provides that we should establish a Government which shall "conserve and develop our patrimony." Our "patrimony" includes our public forests, mangroves, wildlife, and flora and fauna which should be conserved, protected and renewed. This measure seeks to achieve that end as a national policy and sets forth an eight-point comprehensive program framework.

This bill provides for classification and percentages allocation of public forests. Protected public forests are envisioned to comprise at least sixty percent of all public forests. Production forests are proposed to comprise not more than twenty percent and agro-forestry projects to cover not more than twenty percent of public forests. It is estimated that there are about 15 million hectares of public forest land.

The object of this bill is to rehabilitate public forest lands and revert areas presently denuded and eroded to become thriving forest reserves.

A coordinating council headed by the Secretary of Environment and Natural Resources is to be created and a Fund for conservation, protection and renewal is contemplated. The Fund will consist of public funds, donations and fees and imposts from users of the national patrimony.

The dismal conditions of our public forests today is a sad commentary of our wanton and mindless exploitation of our forest resources. Ideally, our reforestation rate should be at least five times our deforestation rate and should surpass deforestation within the next five years.

This we can do by embarking on a massive reforestation program and rehabilitation of our forest lands.

Immediate approval of this bill is highly recommended.



MANUEL B. VILLAR, JR.

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**AN ACT TO CONSERVE AND PROTECT THE PUBLIC FORESTS, MANGROVES
AND WILDLIFE THEREIN THROUGH A PROGRAM OF RENEWAL,
REFORESTATION AND REPLANTING, AND FOR OTHER PURPOSES**

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

SECTION 1. Title. - This Act shall be known as the "Conservation, Protection and Renewal of the Nation's Patrimony Act."

SEC. 2. Declaration of National Policy and Program Framework. - It is hereby declared the policy of the State to conserve, protect, and renew public forests, mangroves and the wildlife therein. To these ends, the State hereby adopts the following comprehensive program frameworks:

(a) The specific limits of public forests, national parks and other forest reserve areas, including mangroves with forest cover, shall be determined, and public forests of the public domain shall constitute at least fifty percent (50%) of the lands of the public domain classified as follows: production forest, about 3 million hectares or not more than twenty percent (20%) of public forest lands; agro-forest, about 3 million hectares or not more than twenty percent (20%) of public forest lands; and protection and conservation forest, at least nine (9) million hectares or at least sixty percent (60%) of the public forests.

(b) There shall be a "buffer area" between the protection and conservation forest and other forests. Between alienable agricultural lands of the public domain or private agricultural land and protection and conservation forests a "buffer area" of natural or replanted forested area of at least one (1) square kilometer, shall be declared in order to conserve and protect public forests and wildlife therein.

(c) Public forests under lease and/or which have been denuded and deforested due to logging shall be reforested, with tree species of its original forested state or similar specie, and reclassified protection and conservation forest, until the limits provided in paragraph one hereof shall have been attained.

(d) Mangroves without forest cover which have been utilized and cut to the detriment of ecological balance and to the destruction of marine, air and other wildlife which take sanctuary therein shall be replenished with the mangrove and other species of plants and reseeded with the wildlife which would naturally be supposed to thrive therein. They shall be reclassified reserve swamps and mangroves and/or protection and conservation forests.

(e) Virgin forests and public parks and forest reserves declared as such as of the approval of this Act shall in no case be opened for exploitation or reclassification and shall remain so within the limits of the area provided in paragraph one hereof as protection and conservation public forests.

(f) Marine, air and wildlife, including the endangered species of Philippine fauna, shall be returned as protected wildlife within animal reserves or selected public forests such that a balance will be attained within the forests of the wildlife therein and the resources to maintain the survival of these fauna.

(g) Philippine flora, both natural to our forests and those which would enhance ecological balance and the productivity and aesthetic value of our public forests, shall be replanted and maintained in the public forests.

(h) Areas of the public forests leased or tolerated for use for social forestry or agro-forestry shall be limited to the area and percentage of the total public forests herein provided. These areas shall be replenished and renewed with flora and fauna compatible with ecological balance and the productivity required for the survival and development of the forestry-dependent communities permitted to participate in the agro-forestry program.

SEC. 3. Coordinating Council for the Conservation, Protection and Renewal of the Nation's Patrimony. - There is hereby created a Coordinating Council for the Conservation, Protection and Renewal of the Nation's Patrimony. The Council shall be headed by the Secretary of Environment and Natural Resources as Chairman, with the Undersecretaries of Agriculture and Food and of Education, Culture and Sports as Vice-Chairmen. The members shall include three (3) representatives from the; government sector and three (3) representatives from the private sector appointed by the President of the Philippines upon the recommendation of the Secretary of Environment and Natural Resources.

The Council shall formulate policies and develop projects to implement the national policy and program framework as defined in this Act, It shall also promulgate rules and regulations to carry out the purposes of this Act and adopt a code of services and guidelines to conserve, protect and renew the nation's patrimony in accordance with Section Two hereof.

To assist the Council, the Chairman shall designate an Executive Secretary and a Secretariat from among the staff of the Department of Environment and Natural Resources, with such allowances as may be approved by the Council. The per diems and allowances of the Council shall be approved by the Council, subject to the existing rules and regulations and auditing and accounting laws.

SEC. 4. Reforestation and Renewal Program by the Youth. - Subject to such rules and regulations as the Council may promulgate, students and community youth below the age of twenty-five (25) years, shall be harnessed for the reforestation and renewal of public forests, mangrove and wildlife therein. The youth shall be provided such allowances and wages as may be a proved by the Council, but in no case less than the minimum wage for equal work as provided by law.

SEC. 5. Relationship. - with Agricultural and Fisheries Schools. Subject to such rules and regulations as the Council may promulgate, agricultural and fisheries schools, botch public and private, shall participate in the projects of this program to the end that science and appropriate technology learned in the schools will be applied to public forests, mangroves and the renewal of wildlife, both during the training of students and thereafter as professionals within the public or private sectors.

SEC. 6. Report to the Nation on the Status of the Nation's patrimony. - The Council shall give a report to the nation on the status of the Nation's Patrimony and the' progress of the

Government in formulating policies and implementing projects on the eight-point comprehensive program framework. The report shall include:

(a) Progression returning to the reserve pool of the national patrimony leased public forests and those opened for agro-forestry projects and the degree to which the required limits provided in Section Two hereof for production, agro-forestry and conservation-protection forests are being achieved.

(b) Information on every logging lease; particularly on the extent to which the denuded forests have been reforested and state of compliance, with scientific selective logging, as well as the species being replanted to renew the trees being cut.

(c) Violations of contracts and ecological balance by users of production and agro-forestry public forests and the state of conservation-production public-forests, particularly the exploitation, if any, of virgin forests and park reserves'.

(d) Harnessing of youth for the conservation and protection of the nation's patrimony, and the progress of partnership between the agricultural and fisheries schools and the government in the appropriate application of science and technology by the students and graduates of these schools.

(e) Results of monitoring of forest products and forest flora and fauna which are marketed, both domestically and for export, and the comparison of these monitored products with approved logging and other forest-related leases and licenses, as well as the declared individual or corporate income of the users, lessees, or sellers of the forest products.

(f) Record of prosecution for violations and/or revocation of lease or license as a result of violations.

(g) Record of recognition and, where warranted, commendation for compliance with contracts and reforestation and selective logging and other commendable activities which conserve, protect and renew the Nation's Patrimony.

The Council shall render this report annually, or often as needed, and submit the same to the President and Congress and disseminate it to the public.

SEC. 7. Conservation, Protection and Renewal Fund. - There is hereby authorized to be appropriated the amount of One Million Pesos (P1,000,000.00) for the operations of the Council, and Ten Million Pesos (P10,000,000.00) for the projects under this Act to conserve, protect and renew public, forests, mangroves, and the wildlife therein under the eight-point comprehensive program framework of this Act.

Thereafter, the operating expenses of the Council and the projects planned and implemented under this Act shall be included in the budget of the Department of Environment and Natural Resources as part of its annual appropriation under the program of "Conservation, Protection and Renewal of Public Forests, Mangroves and the Wildlife Therein."

The Council may receive donations from national and international sources for the implementation of this Act or for a specific project or projects.

The Council may also levy and impose fees and impositions on logging concessionaires and lessors of public forest lands in the required amount's to cover the reforestation of areas which these concessionaires and lessors have logged and which have not been reforested in accordance with sound environmental and ecological practices and principles. Such fees shall cover failure to reforest and practice scientific selective logging as of the approval of this Act. Such loggers who have denuded and deforested leased public lands shall have two (2) years from the approval of this Act to reforest the denuded areas in accordance with sound environmental

and ecological practices and principles. Thereafter, the Council shall impose an amount equivalent to the cost of returning the denuded and logged area to its virgin state to be paid by the logger or concessionaire. If the violation continues with other portions of the leased public forest, the lease or license shall be revoked by the Council.

Donations received and fees or imposts collected shall be in a trust fund-for specific purposes and projects, as approved by the Council, subject to existing auditing and accounting regulations-and the purposes of this Act.

The program harnessing youth for reforestation shall be funded by project funds of the Council or from donations earmarked for the purpose.

SEC. 8. Separability Clause. - If any part or provision of this Act is held unconstitutional or invalid, other, parts' or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 9. Repealing Clause. - Any law, decree, rule, regulation, executive order or part thereof inconsistent with this Act is hereby repealed or modified accordingly.

SEC. 10. Effectivity. - This Act shall be effective upon its approval and completion of its publication in at least two (2) national newspapers of general circulation.

Approved,