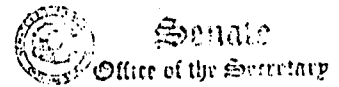


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



20 JUL 22 P2:38

**SENATE**

S. No. 1711

RECEIVED

A handwritten signature in black ink, appearing to be "J. Villar", written over a horizontal line.

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Introduced by **SENATOR CYNTHIA A. VILLAR**

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**AN ACT**

**DECLARING THE TUGBO WATERSHED FOREST RESERVE LOCATED IN THE CITY OF MASBATE AND THE MUNICIPALITY OF MOBO IN THE PROVINCE OF MASBATE AS A PROTECTED AREA UNDER REPUBLIC ACT NO. 7586, AS AMENDED BY REPUBLIC ACT NO. 11038, OTHERWISE KNOWN AS THE EXPANDED NATIONAL INTEGRATED PROTECTED AREAS SYSTEM ACT OF 2018, PROVIDING FOR ITS MANAGEMENT, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Article II, Section 16 of the 1987 Philippine Constitution enunciates 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." In consonance with the said State policy, the Constitution likewise provided that Congress shall determine the national parks, which shall be conserved and may not be increased nor diminished, except by law.<sup>1</sup>

In line with the mentioned constitutional provisions, the National Integrated Protected Areas System (NIPAS) was established by virtue of Republic Act (RA) No. 7586, as amended by RA No. 11038, otherwise known as the 'Expanded NIPAS Act

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<sup>1</sup> Article XII, Sec. 3, 1987 Philippine Constitution

of 2018'. The system shall encompass ecologically rich, unique and biologically important areas that are habitats of threatened species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine, all of which shall be designated as protected areas.<sup>2</sup> The NIPAS Act declared it the policy of the State "to secure for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution", given that diverse human activities have exacting impact on components of the natural environment.

Presently, there are already 107 protected areas in the Philippines that have been so declared through legislation. And yet, based on the records and various suitability assessments by the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR), there are still numerous sites in the country that have to be given 'protected area' status, by legislative action, in order to ensure its conservation. One of these sites is the Tugbo Watershed Forest Reserve found in the City of Masbate and the Municipality of Mobo in the Province of Masbate.

The Tugbo Watershed Forest Reserve serves as the primary water source of the City of Masbate and the Municipality of Mobo. The watershed is characterized by a moderate to intensive forest cover in a mountainous topography. It is home to various endemic flora and fauna, as well as vulnerable species of wild birds unique in the area. Some of the species of wild birds sighted in the area are as follows: Philippine Hawk Owl; Philippine Bulbul; White-browed Shama; Blue headed fantail; White-vented Whistler; and Orange-bellied Flowerpecker.<sup>3</sup>

The challenges confronting conservation efforts on the watershed include deforestation, illegal logging, hunting of wildlife and other destructive human activities, which may include quarrying.

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<sup>2</sup> Section 2, RA No. 7586, as amended by RA 11038

<sup>3</sup>[https://www.academia.edu/9286065/CONSERVATION\\_STATUS\\_OF\\_FOREST\\_BIRDS\\_IN\\_ISOLATED\\_FOREST\\_PATCHES\\_IN\\_MASBATE\\_PHILIPPINES](https://www.academia.edu/9286065/CONSERVATION_STATUS_OF_FOREST_BIRDS_IN_ISOLATED_FOREST_PATCHES_IN_MASBATE_PHILIPPINES).

While Presidential Proclamation No. 369, series of 1994 has established the Tugbo Watershed Forest Reserve as a protected area for the purpose of improving its water yield and to provide restraining mechanism for inappropriate forest exploitation and disruptive land use, the enactment of a legislation bestowing stronger protection against further threats of human activities is still needed.

The attached bill seeks to declare the Tugbo Watershed Forest Reserve as a protected area, to be known as the Tugbo Natural Biotic Area, under the provisions of the NIPAS Act, as amended.

As the Chairperson of the Senate Committee of Environment, Natural Resources and Climate Change, I am pleased to file this bill, which is the Senate counterpart measure of House Bill No. 462 authored by Hon. Elisa "Olga" T. Kho, the Representative of the 2<sup>nd</sup> District of Masbate.

I recommend the approval of this measure.

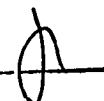
  
**CYNTHIA A. VILLAR**

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*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 “Tugbo Natural Biotic  
2 Area Act of 2020”.

3           Sec. 2. *Declaration of Policy.* – The Tugbo Natural Biotic Area is hereby  
4 declared to be included in the list of established protected areas under Section  
5 5(a.1) of Republic Act No. 7586, as amended by Republic Act No. 11038, categorized  
6 under ENIPAS as natural biotic area, defined under Section 4(w) of the same law, as  
7 “an area set aside to allow the way of life of societies living in harmony with the  
8 environment to adapt to modern technology at their pace.”

1            **Sec. 3. *Scope and Coverage.*** – The boundaries of the Tugbo Natural Biotic  
 2 Area, which falls under the category of natural biotic area located in the City of  
 3 Masbate and the Municipality of Mobo in the Province of Masbate, are as follows:

4            Beginning at a point marked "1, S12 05'00"W, 3,360.92 meters from BLLM  
 5 No. 1 of Sitio Matungao, Barangay Tugbo, Masbate City,

6	thence	S 28° 05' 00" E	42.25	meters to point 2;
7	thence	S 48° 38' 00" E	98.20	meters to point 3;
8	thence	S 41° 32' 00" E	169.35	meters to point 4;
9	thence	S 58° 59' 00" E	95.86	meters to point 5;
10	thence	S 46° 08' 00" E	52.88	meters to point 6;
11	thence	S 25° 31' 00" E	117.29	meters to point 7;
12	thence	S 06° 32' 00" W	260.41	meters to point 8;
13	thence	S 24° 49' 00" W	319.43	meters to point 9;
14	thence	S 37° 24' 00" W	257.08	meters to point 10;
15	thence	S 30° 28' 00" W	71.13	meters to point 11;
16	thence	S 54° 10' 00" E	32.59	meters to point 12;
17	thence	S 65° 15' 00" W	146.44	meters to point 13;
18	thence	S 56° 49' 00" W	135.21	meters to point 14;
19	thence	N 77° 42' 00" W	21.10	meters to point 15;
20	thence	N 49° 55' 00" W	171.57	meters to point 16;
21	thence	N 76° 28' 00" W	122.31	meters to point 17;
22	thence	N 54° 57' 00" W	73.81	meters to point 18;
23	thence	N 64° 24' 00" W	113.23	meters to point 19;
24	thence	S 56° 13' 00" W	262.39	meters to point 20;
25	thence	S 04° 15' 00" W	45.60	meters to point 21;
26	thence	N 45° 28' 00" W	84.50	meters to point 22;
27	thence	N 15° 21' 00" W	193.52	meters to point 23;
28	thence	N 42° 11' 00" W	275.28	meters to point 24;
29	thence	N 31° 43' 00" W	253.20	meters to point 25;
30	thence	N 19° 50' 00" W	136.88	meters to point 26;
31	thence	N 07° 10' 00" E	115.08	meters to point 27;

1	thence	N 05° 45' 00" E	145.77	meters to point 28;
2	thence	N 03° 30' 00" W	209.06	meters to point 29;
3	thence	N 41° 43' 00" W	299.58	meters to point 30;
4	thence	N 64° 31' 00" E	224.57	meters to point 31;
5	thence	S 05° 43' 00" E	381.30	meters to point 32;
6	thence	S 77° 46' 00" E	115.19	meters to point 33;
7	thence	N 67° 03' 00" E	188.63	meters to point 34;
8	thence	N 38° 03' 00" E	73.54	meters to point 35;
9	thence	N 42° 04' 00" E	89.28	meters to point 36;
10	thence	S 69° 43' 00" W	146.35	meters to point 37;
11	thence	S 52° 20' 00" W	151.08	meters to point 38;
12	thence	S 16° 18' 00" W	111.61	meters to point 39;
13	thence	S 41° 43' 00" E	95.27	meters to point 40;
14	thence	N 68° 49' 00" E	74.23	meters to point 41;
15	thence	S 55° 12' 00" E	101.79	meters to point 42;
16	thence	S 17° 12' 00" E	138.71	meters to point 43;
17	thence	S 12° 48' 00" E	88.47	meters to point 44;
18	thence	S 41° 47' 00" E	78.48	meters to point 45;
19	thence	N 70° 32' 00" E	89.53	meters to point 46;
20	thence	S 71° 14' 00" E	152.64	meters to point 47;
21	thence	S 46° 01' 00" E	133.11	meters to point 1;

22 the point of beginning containing an area of two hundred forty-six and 95/100  
23 (246.95) hectares, more or less, subject to ground survey and verification to be  
24 conducted by the Department of Environment and Natural Resources, through the  
25 National Mapping and Resource Information Authority (NAMRIA), within ninety (90)  
26 days after the effectivity of this Act..

27 The Department of Environment and Natural Resources (DENR) shall  
28 appropriately mark on the ground the technical descriptions provided in this Act with  
29 clearly visible markers and shall prepare appropriate maps therefor. Any modification  
30 of the coverage of this Act due to such factors as changing ecological situations, new  
31 scientific or archeological findings, or discovery of traditional boundaries not

1 previously taken into account shall be made through an act of Congress, after  
2 consultation with the affected public and concerned government agencies.

3       **Sec. 4. *Buffer Zone.*** – The DENR Secretary, upon the recommendation of the  
4 Protected Area Management Board (PAMB), may designate areas surrounding the  
5 Tugbo Natural Biotic Area as buffer zones for the purpose of providing extra layer  
6 of protection where restrictions may be applied: *Provided, That,* in cases where the  
7 designated buffer zone would cover private lands, the owners thereof shall be  
8 required to design their development with due consideration to the protected area  
9 management plan.

10       **Sec. 5. *Management and Institutional Mechanisms.*** – The Tugbo Natural  
11 Biotic Area as a protected area shall be managed in accordance with Republic Act  
12 No. 7586, as amended by Republic Act No. 11038, under the supervision of the  
13 Protected Area Management Board (PAMB). A Protected Area Management Office  
14 (PAMO) shall be established and headed by the Protected Area Superintendent  
15 (PASu) in conformity with Section 11 of the same law, as amended.

16       **Sec. 6. *Promulgation of Rules and Regulations.*** – The DENR, in consultation  
17 with the relevant government agencies and other stakeholders, shall promulgate  
18 the necessary rules and regulations for the proper implementation of this Act.

19       **Sec. 7. *Appropriations.*** – The Secretary of the DENR shall immediately include  
20 in the Department's Program the implementation of this Act, the funding of which  
21 shall be included in the annual General Appropriations Act.

22       **Sec. 8. *Separability Clause.*** – If any provision of this Act is declared  
23 unconstitutional or invalid, other parts or provisions hereof not affected thereby shall  
24 continue to be in full force and effect.

25       **Sec. 9. *Repealing Clause.*** – All laws, decrees, executive orders, rules and  
26 regulations or parts thereof which are contrary to or inconsistent with this Act are  
27 hereby repealed, amended or modified accordingly.

1           **Sec. 10. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after  
2 its complete publication in the *Official Gazette* or in a national newspaper of general  
3 circulation.

Approved,