

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

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SENATE

P.S. RES. NO. 355

RECEIVED BY: JA

INTRODUCED BY SENATOR PIA S. CAYETANO

**A RESOLUTION
DIRECTING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES TO INVESTIGATE, IN AID OF LEGISLATION, THE
CONSTRUCTION OF TWO CONDOMINIUM BUILDINGS INSIDE THE SUBIC
WATERSHED FOREST RESERVE**

WHEREAS, the Subic Watershed Forest Reserve ("Reserve") is classified as a protected area under Proclamation No. 926 signed by former President Corazon Aquino on June 15, 1992;

WHEREAS, the reserve is declared protected for purposes of conserving, maintaining and improving its water yield and providing restraining mechanism for inappropriate forest exploitation and disruptive land use;

WHEREAS, pursuant to Proclamation No. 926, the sale, entry, settlement, exploitation, exploration, and other forms of disposition in the area are not allowed;

WHEREAS, there are claims that the coverage of the Reserve has been vastly reduced from 10,000 hectares (as provided for in Proclamation No.926) to only 8,000 hectares, which could have an impact on allowing developments in designated areas within the Reserve;

WHEREAS, a South Korean investor involved in shipbuilding, Hanjin Heavy Industries and Construction Ltd. ("Hanjin"), is building two condominiums—one rising 20 stories and the other, 10 stories—for its Korean employees inside the Subic Watershed Forest Reserve;

WHEREAS, there is a need to look into how these construction projects were allowed in the Reserve, a priority site of the National Integrated Protected Areas System;

WHEREAS, the Department of Environment and Natural Resources (DENR), under then Secretary Michael Defensor, signed a Memorandum of Agreement with Subic Bay Metropolitan Authority (SBMA) recognizing the latter's "self-regulatory power" over the free port thereby granting SBMA autonomy in the Subic Bay Freeport, including powers for the processing and issuance of environmental permits and clearances;

WHEREAS, pursuant to this agreement, SBMA granted Hanjin the Subic Bay Freeport Zone Environmental Compliance Certificate (SBFZ ECC) which was signed on July 4, 2007 and given on July 13, 2007;

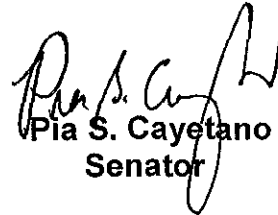
WHEREAS, a forest biodiversity survey of the Reserve revealed 745 plant species, three of which are endangered while four others are potentially threatened;

WHEREAS, Subic is home also of some endemic species like the Golden Crowned Flying Fox and the Philippine Giant Fruit Bat which are on DENR's list of endangered species pursuant to the Convention on International Trade of Endangered Species of Wild Fauna and Flora and are considered priority concerns for conservation and protection;

WHEREAS, there is an urgent need to protect the Reserve as it is one of the identified Key Biodiversity Areas of the country;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate of the Philippines direct the Committee on Environment and Natural Resources to investigate, in aid of legislation, the preservation of our forest resources and the circumstances surrounding the construction within the reserve, including the propriety, or lack thereof, of the memorandum of agreement (MOA) between DENR and SBMA, the issuance of a SBFZ ECC for the construction of condominium buildings inside the Subic Watershed Forest Reserve, and the claims made that the coverage of the watershed had been reduced from 10,000 hectares to only 8,000 hectares, thereby allowing developments within the Reserve.

Adopted,


Pia S. Cayetano
Senator