

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



SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **3915**

Introduced by Representative Maria Vida Espinosa Bravo

EXPLANATORY NOTE

This bill aims to implement policy direction in the formulation of programs for the protection and sustainable management of our mangrove forests.

Mangrove forests are recognized as the world's richest ecosystems for it serves as barrier against strong winds, waves, storm surges and erosions. The same prevents silt, sediments and pollutants from reaching fragile habitats such as sea grass meadows and coral reefs.

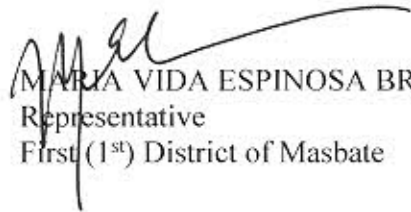
Basically, mangroves are salt tolerant trees that have adapted to living in salt and brackish water conditions. The same serves as a shelter, spawning and breeding grounds for birds, fish, crustaceans, mollusks and other organisms. It has a unique community which forms a link between the land and sea. Mangroves are rich habitat which serve as life support systems to about 75% of fish species and as well as to indeterminate numbers of crustaceans and wildlife.

Our country has about 18,000 km of shorelines and vast areas of mangroves. Aside from its ecological significance, mangroves have economic importance which gives benefits to the locale along the community.

Continued depletions have been observed due to disturbances and perturbations either naturally occurring or man-made. Over exploitation, land conversions and rampant wood extractions mainly contributed to the declining population of mangroves.

Hence, this Representation seeks to impose an increase the awareness of true value of mangrove ecosystems in order to prevent the inclination of its degradation and vulnerability. It is crucial to adopt a systematic, coherent and responsive forest management system to restore the integrity of our mangrove forest ecosystems.

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



MARIA VIDA ESPINOSA BRAVO
Representative
First (1st) District of Masbate

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

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **3915**

Introduced by Representative Maria Vida Espinosa Bravo

AN ACT
PROVIDING FOR THE PROTECTION, REHABILITATION AND SUSTAINABLE
MANAGEMENT OF MANGROVE ECOSYSTEMS IN TICAO AND BURIAS
ISLANDS, PROVINCE OF MASBATE AND APPROPRIATING FUNDS THEREFOR.

Be 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 Ticao-Burias
Sustainable Mangrove Forest Management Act of 2016.

SECTION 2. Declaration of Policy.- Pursuant to the provisions
of the Constitution to promote the general welfare and social justice in all phases of national
development, protect and advance the right of the Filipino people to a balance and healthful
ecology in accord with the rhythm and harmony of nature, and to conserve and develop the
patrimony of the nation, the State hereby adopts the following policies in accordance with
the management, development and conservation of forest ecosystem and resources:

- a.) Categorization of Mangrove Forest- Mangrove Forest shall be categorized as
protection or production forest lands in order to guide managers on the intent
of development;
- b.) Permanency of Mangrove Forest- The specific limits of mangrove forest shall
be fixed, delineated and demarcated and thereafter, shall not be altered except
through an Act of Congress;
- c.) Mangrove Forest Resources as Promotion for the Common Good- The use and
conservation of mangrove forest therein shall bear social, ecological, biological
and economic functions, responsibility, accountability;
- d.) Protection and Rehabilitation of Mangrove Forest Ecosystem as a priority
concern- The protection of mangrove forest ecosystem, as well as the
rehabilitation through reforestation and afforestation of the degraded mangrove
forest ecosystem, shall be given priority to mitigate climate change, improve

and conserve biodiversity, enhance ecosystem functions and services and provide long-term economic benefits;

SECTION 3. Scope and Coverage- The provision of this Act shall apply to all mangrove forests therein. Provided, that all mangrove forests in Ticao and Burias Islands in the province of Masbate should be in protected areas (PA) as established under the National Integrated Protected Areas System (NIPAS) shall sustainably managed and developed the following provisions of Republic Act No. #7586 or the NIPAS Act of 1992.

SECTION 4. Permanent Mangrove Forest Areas- All mangrove areas in Ticao and Burias Islands, Masbate classified by the Department of Environment and Natural Resources (DENR) Regional Office V, including the remaining unclassified shall comprise and be maintained as permanent mangrove areas. The reclassification of the mangrove forests shall require an Act of Congress.

SECTION 5. Jurisdiction and Control of Mangrove Forests Areas and Its Resources- The Department of Environment and Natural Resources (DENR) shall be the primary lead agency responsible for the conservation, management, development and utilization of all mangrove forests including resources found therein. In coordination with the LGU's and other government agencies, the DENR shall ensure that the mangrove forests are managed, conserved, developed, utilized and protected consistent with the policies and strategies promulgated in this Act. The utilization and development of mangroves including the natural resources therein shall be undertaken in accordance with the Department-approved management plans which shall be prepared in accordance with the provisions of the NIPAS Act.

SECTION 6. Mangrove Development Management- The rehabilitation of degraded mangrove forests through reforestation/afforestation/enrichment planting of appropriate mangrove species shall be intensified. Fishery production in duly designated mangrove production zones shall promote productivity of fisher resources and shall be accomplished without cutting the naturally growing mangroves. Establishment of new mangrove plantations in tandem with fishpond developments may be allowed in mangrove production zones. Provided, that not more than 20% of areas to be developed shall be devoted to fishpond farming activities. The mangrove plantations established within the fishpond projects may be permitted to selectively harvest for domestic purposes only on a sustainable basis as deemed appropriate and that the privilege to harvest shall be granted only to private individual, group of individuals or entity which established the fishpond project.

SECTION 7. Role of the Department of Natural Resources- The DENR shall coordinate closely with the LGU's concerned to ensure the sound management and conservation of the Mangrove Forests in Ticao and Burias Islands respectively.

- a.) On Strict implementation of regulatory techniques by enforcing of mangrove laws and other applicable laws to regulate mangrove pond conversions and extractions;
- b.) Rehabilitation and protection of mangrove habitat for their natural regeneration. Selecting areas which are greatly devastated by natural and man-made deterioration of mangrove forests;
- c.) Regulations and laws must be backed up with enforcement;
- d.) Conducting a program on mangrove awareness;
- e.) Settlement of land conflicts and delineation of boundaries between private and mangrove protected areas;

SECTION 8. Prohibited Acts of Dumping Waste and Littering and Sanctions.- It shall be unlawful for any person to willfully and knowingly to dump waste of all sorts inside the mangrove forest areas. It shall likewise be unlawful to clean and change the oil of water vessels within the mangrove forest areas.

Violation of this provision shall be punished, upon conviction with imprisonment of six (6) months to one (1) year plus a penalty of two hundred fifty thousand pesos (P250,000.00) to Five Hundred Thousand Pesos (P500,000.00) and order the violator to clean up the all the waste with all costs against the violator.

SECTION 9. Unlawful Destruction of Mangrove Forests.- Any person who without authority from the DENR and LGU concerned, enters and occupies or engages in kaingin or related activities or in any manner destroy such mangrove forest or part thereof or causes any damage thereto, or sets a fire, or negligently permits a fire to be set therein, shall be punished, upon conviction, with imprisonment of not less than six (6) years and one (1) day not more than twelve (12) years plus penalty of five hundred thousand (P500,000.00) to one million pesos (P1,000,000.00) and order the violator to rehabilitate the mangrove forest area concerned.

SECTION 10. Implementing Rules and Regulations.- In consultation with the Department of Budget and Management (DBM) and other relevant agencies and stakeholders, the Secretary of the Department of Environment and Natural Resources (DENR) shall formulate the rules and regulations to implement the provision of this Act.

SECTION 11. Congressional Oversight Committee.- There is hereby created a Congressional Oversight Committee to oversee the implementation of this Act composed of seven (7) members from the House of Representatives Committee on Natural Resources.

The Secretariat of the oversight committee shall be drawn from the existing secretariat personnel of the committees comprising the oversight and the funding shall be taken from the appropriations of House of Representatives.

SECTION 12. Separability Clause.- If any provisions of this Act is declared unconstitutional, the validity of the other provisions shall not affect by such declaration.

SECTION 13. Repealing Clause.- All laws, presidential decrees, executive orders, rules and regulations inconsistent with this Act shall be deemed repealed or modified accordingly.

SECTION 14. Effectivity Clause.- This Act shall take effect immediately after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,