

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. 7225



Introduced by REP. RENE L. RELAMPAGOS
First District, Bohol

EXPLANATORY NOTE

The devastating 7.2 magnitude earthquake in Bohol and neighboring provinces on October 15, 2013 resulted in, among others, the uplift of a portion of the intertidal zone within the municipal waters of the Municipalities of Loon and Maribojoc, Province of Bohol, covering an aggregate area of 458.01 hectares. 417.71 hectares traversing Barangays Canhangdon Occidental, Biasong, Basac, Napo, Cogon Norte, Moto Norte, Moto Sur, Lintuan, Basdacu, Pig-ot, Tangnan, Cuasi, Tontonan and Song-on in the Municipality of Loon and 40.3 hectares in Barangays Lagtangon, Guiwanon, and Punta Cruz in the Municipality of Maribojoc, Province of Bohol.

Under Section 131, paragraph 23, of the Local Government Code of 1991 or Republic Act No. 7160, which advocates devolution of powers and strengthens local governance, municipal waters are owned by the municipalities which has jurisdiction over the same. The uplifted flat reef were once part of the municipal waters of the municipalities of Loon and Maribojoc, Province of Bohol.

For various reasons, the uplifted coastal zone has become an object of interest of local and national governments, community members, the academe, scientists, land use planners and private individuals, among others.

On May 16, 2014, the Sangguniang Bayan of the Municipality of Loon approved Resolution No. 274, series of 2014, seeking to suspend the issuance of a presidential proclamation that would declare the uplifted reef flat as public land. If so declared, the uplifted land would become property of the national government.

Without consultation with the local government units concerned, the Department of Environment and Natural Resources issued DENR-Administrative Order No. 2015-08 on May 14, 2015 with title, "Declaring the Loon-Maribojoc Uplifted Coast as a Geological Monument". Said issuance, covering 137.1 hectares, was published in the Philippine Daily Inquirer on May 16, 2015 but was received only by the Municipality of Loon on May 25, 2015. The Sangguniang Bayan of Loon strongly objected to the department issuance through Resolution No. 330, series of 2015 and jointly with the Sangguniang Bayan of Maribojoc through Joint Resolution 001, series of 2015. Further, said municipalities

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AN ACT
DECLARING THE LOON UPTHRUST LOCATED
IN THE MUNICIPALITIES OF LOON AND MARIBOJOC,
PROVINCE OF BOHOL, AS ALIENABLE AND DISPOSABLE LAND

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

SECTION 1. The Loon-Maribojoc Upthrust composed of 458.01-hectare uplifted land caused by the 7.2 magnitude earthquake that hit the Province of Bohol on October 15, 2013, is hereby declared as alienable and disposable land for residential, tourism, economic and other productive purposes, subject to actual survey and delineation. Ownership and exclusive management of the same shall inure to the municipalities of Loon and Maribojoc in accordance with the actual area covered by their respective municipalities. Specifically, the upthrust covers 417.71 hectares in Barangays Canhangdon Occidental, Biasong, Basac, Napo, Cogon Norte, Moto Norte, Moto Sur, Lintuan, Basdacu, Pig-ot, Tangnan, Cuasi, Tontonan and Song-on in the Municipality of Loon and 40.3 hectares in Barangays Lagtangan, Guiwanon, and Punta Cruz in the Municipality of Maribojoc, Province of Bohol.

SEC. 2. Within ninety (90) days after the effectivity of this Act, the Secretary of Environment and Natural Resources shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 3. All laws, executive orders, letters of instruction, rules and regulations, or provisions thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

moved to have the uplifted flat reef become part of their respective territorial jurisdictions by virtue of Joint Resolution No. 01, series of 2017.

On December 14, 2014, to protect the uplifted flat reef, the Sangguniang Bayan of Loon enacted Resolution No. 14-003, series of 2014 establishing the "Loon Coastal Geomorphic Conservation Park" at the uplifted intertidal zone from Barangay Song-on to Canhangdon Occidental. In view of this legislation, a Development Master Plan is currently underway that seeks to balance protection to environment, preservation of the geological monument and economic development in the area.

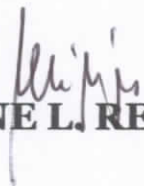
For its part, the Sangguniang Bayan of the Municipality of Maribojoc likewise passed Resolution No. 197, series of 2014 seeking to declare the uplifted land for classification purposes and Resolution No. 010, series of 2015 seeking to declare the same as alienable and disposable land.

Without question, this first-in-the-country-phenomenon of upthrust must be preserved for scientific and historical purposes. However, the same should not apply to the entire uplifted flat reef. The economic and tourism value of the whole area would greatly help both the local and the national governments. From employment generation to capital investment to economic development, this piece of property is seen to complement the whole tourism and economic activities offered by Panglao Island and the whole Province of Bohol.

Viewed together with the recent opening of direct flights to and from Korea and the incoming opening of the Bohol-Panglao International Airport, the opening of this property for residential, investment, tourism and other activities will definitely spur economic development in the region.

In order to settle the noble issue of ownership and management of the uplifted flat reef – the first in the country, in the Municipalities of Loon and Maribojoc, there is a need to declare the same alienable and disposable land in favor of the local government units concerned. This is consistent with the commitment of His Excellency, President Rodrigo Duterte, to strengthen local governments and promote rural development as means to eradicate poverty. It further affirms the ownership and management of its own resources by the local governments in accordance with the Local Government Code.

For the above considerations, the immediate passage of this bill is earnestly sought.


RENE L. RELAMPAGOS