



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez*

House Bill No. 999

EXPLANATORY NOTE

This bill was approved by the House of Representatives during the 19th Congress.

The Cagayan de Oro River or simply called the “Cagayan River” by the Kagay-anons, transects through the city of Cagayan de Oro. Its headwaters are located in North Cotabato, hundreds of kilometers away from the city. It has tributaries from the province of Bukidnon and Lanao del Sur – all joining to form one great body of water that winds its way to the city’s Macabalan Bay.

Aside from the river’s tributaries, there are many small streams and waterfalls along its course. The vast land areas on both sides of the Cagayan de Oro River are composed of hills, valleys, river terraces, caves, limestone cliffs, islets and forests. These areas hold rich potential archeological materials that have yet to be uncovered and are the keys to unlocking the mystery of the ancient Kagay-anons that once lived along the river.

This river and its environs combined to form a spectacular landscape. It is important that steps will be taken for its conservation and protection for the future generations of Kagay-anons.

A Heritage Cultural River

The Cagayan de Oro River is a prime cultural resource of the City of Cagayan de Oro. Since time immemorial, the river’s life giving waters has nourished and sustained the people that lived along its banks. Through the centuries, this river has helped developed even the intangible compounds of the people aside from the tangible identity in a natural environment.

Topography

Cagayan de Oro City is characterized by a narrow coastal plain along the Macabalan Bay and by highland areas separated by steeply inclined escarpments. The lowland is relatively flat with an elevation of less than ten meters above the main sea level. Highlands bound the City in the south from east to west. These consist of plateaus, terraces, hills, mountains, canyons and gorges. Creeks and rivers traverse and bound the city and drain to Macabalan Bay. There are seven rivers of the City – Iponan River, Biga-an River, Umalang River, Agusan River, Alae River and the main river which is the longest that transects and serves as the political division of the city, the Cagayan de Oro River. The river’s headwaters are located in Pikit, North Cotabato and there are numerous tributaries from the adjoining provinces of Bukidnon and Lanao del Sur (Cagayan de Oro River Masterplan, 1998).

Archaeological Value

Cagayan de Oro City plays a vital role in the history of Misamis Oriental Province and in the archaeology of the Philippines in general (Neri 2004; Bautista, 1992). People were

already living in this land that is located in the northern coast of Mindanao long before the coming of Islam and of the Spaniards.

The early Recollect missionaries arrived in Cagayan de Oro in 1622 particularly in a settlement called the Himologan fortress. According to accounts, Himologan was situated in the interior part of Cagayan southward from the main delta of the Cagayan River (Demetrio, 1995). The present area of Cagayan de Oro City is considered as the second settlement. It was chosen by the Recollect missionaries in 1622 for Datu Salansang, the chief of the Cagaiang (Cagayan) territory and his people because of an abundant water supply and its ideal location. This new settlement by the river estuary was then known as Cagaiang (Lao, 1995).

The ancient people of Cagayan de Oro lived along the river. Since 1970, there have been several archaeological explorations and excavations done by several teams of archaeologists in areas near the river. Foremost of these sites is the controversial Huluga Complex which is composed of an Open Site (National Museum Code X-91-Q) and cave sites (National Museum Code X-91-R). The sites are situated in the eastern bank of the Cagayan River which is 8.5 km. south of the poblacion area. Four teams have conducted explorations and excavations in Huluga.

The fourth team was composed of archaeologists from the National Museum and from the Archaeological Studies Program of the University of the Philippines did an intensive archaeological explorations and excavations in several sites along the banks of Cagayan River in October and November 2004. A total of 2,720 artifacts were recovered from the sites.

In their findings (Neri, et. al. 2007), the team reported that there is a high potential for very ancient human presence along the river, may be even older than 50,000 years ago based on the surface finds of andesite stone tools. That there was a group of people that lived within the present city that practical secondary jar burial around 1,500 years ago or more. Fragments of burial jars and sacks of human bones were found on a rock shelter. There were habitation areas in the open, next to the river and that the people there used obsidian for tools. Later, the people exchanged goods for tradeware ceramics from Mainland Asia. At the time of arrival of the Spaniards, there was already one thriving population center along the Cagayan River.

The archaeological findings helped established the archaeological significance of the areas along the Cagayan River. It clearly shows that the ancient Kagay-anons settled along the riverbanks as far back as 50,000 years or more.

Historical Value

In Bayanga, a riverside barangay of Cagayan de Oro is a National Historical Institute marker that commemorates the June 4, 1900 Battle of Macahambus Hill. The Kagay-anons who had a small fort on a hill along the Cagayan River, defeated and killed several American soldiers that tried several times to seize it. This historic battled marked the first Filipino victory in the entire Philippine-American War in this country. The Battle of Macahambus Hill preceded the Battle of Pulang Lupa in Marinduque and the Balangiga Massacre of Samar.

Cultural Value

Humans generally modify the landscapes in which they live. They attach names, myths and affective value to the features of the territory they inhabit (Newcombe, 1979).

The name "Cagayan" is taken from a proto – Austronesian word, "Carayan" which means river. The town started as a riverine settlement that was the same as the other prehispanic villages around the country. Local literature is replete with many enchanting tales, legends and myths of the Kagay-anons and their river. The legend of Cagayan de Oro is

prehispanic tale about the original inhabitants of the city that lived by the great river. The myth about the giant gold fish called the Oro fish that lives under the river persists to this day (Demetrio, F. 1975). The great Manobo epic "Ulangingen" that is usually chanted for three nights included Cagayan river as part of the journey of the Manobos who were in search for the gift of immortality. All these show the deep affinity of the Kagay-anon to his river.

Ecological Value

The areas along the Cagayan River consist of a city forest zone that is over 2,500 hectares. There are also a network of caves, wetlands, flatlands, hills, valleys, limestone cliffs, terraces, streams, waterfalls and river islets. The high biodiversity of the river and the land ranged from different varieties of habitats, rich flora and fauna that included rare species of reptiles and tarsiers.

The fishes of the river are part of the staple diet of the people like the hipon or goby (sicyopterus, extraneous, chonopous ocellaries), balanak (castraeus goldiei) dalapakan (rhyacichtys aspro) valamugel shehli), kasili (ophisternon Bengalese) and the prized catch of the river, the pigok (mesopristes cansellatus).

The river system provides a natural drainage system. It has its own watershed area from which runoff finds its way to the bay. The presence of many wetlands helped serve as impoundment basins in case of river outflows (Cagayan de Oro River Masterplan. 1998).

Economic Value

The Cagayan River is now known as the "Whitewater Rafting Capital of the Philippines." It is an important destination for adventure tourism where aside from whitewater rafting, tubing and kayaking, tourists can go rappelling in the limestone cliffs, explore the numerous caves or do canopy walk and zip lining or take nature treks in the forest zone.

These tourism activities have provided jobs and sources of livelihood for many people who live along the City's riverside barangays. The Cagayan River is indeed the top tourist attraction of the city not only for the water and adventure sports that it provides but also for the pristine natural beauty of the land around it. It continues to give the biggest tourism revenues to the City Government.

Conclusion

The Cagayan de Oro River is culturally significant in terms of historical, archaeological, cultural, ecological and economic values. This is the only class A city river in the Philippines that remains unpolluted and continually draws in tourists all year round.

Archaeologically, it has been established that the early Kagay-anon lived along the banks of the river 50,000 years ago or more, used obsidian for tools and practiced secondary jar burials. Historically, there is the prestigious National Historical Institute marker located in Barangay Bayanga that commemorates the Battle of Macahambus Hill which took place besides the Cagayan River. It is considered the first Filipino victory in the Philippine – American War in the entire country. Ecologically, a rich ecosystem with a variety of habitats and high biodiversity is found both in the river and the surrounding lands. Culturally, the many legends, myths and tales about the Cagayan River show the deep affinity of the Kagay-anon to his river. Today, the Cagayan de Oro River is the number one source of tourism revenues of the City Government. Many people have reaped economic benefits through the various eco-tourism activities from it.

It is therefore important that the Cagayan de Oro River be declared officially as a Heritage Cultural River by an Act of Congress so it can be protected from the threats of pollution, industrialization and other environmentally destructive activities of man. It is also equally important that the areas near the river be declared as protected heritage zones in order to help preserve the several historical and archaeological sites and ecosystem of the land. The Cagayan de Oro River has all the significant cultural values worthy of an extensive natural heritage conservation program that will promote awareness and set guidelines to protect the river and its environs. By this, the future generations of Kagay-anons are ensured that their river will continue to sustain and enriched their lives just as it did to their ancestors thousands of years ago.

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



RUFUS B. RODRIGUEZ



MAXIMO B. RODRIGUEZ, JR.

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

HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 999

AN ACT

**DECLARING THE CAGAYAN DE ORO RIVER AND ITS IMMEDIATE ENVIRONS,
LOCATED IN CAGAYAN DE ORO CITY, PROVINCE OF MISAMIS ORIENTAL, A
CULTURAL HERITAGE AND TOURISM ZONE**

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

SECTION 1. This Act shall be known as the “Cagayan de Oro River Cultural Heritage and
Tourism Zone Act.”

SEC. 2. It is the policy of the State to ensure the preservation and conservation of its heritage
and natural resources for the benefit of the present and future generations. It is also the policy
of the State to promote a tourism industry that is ecologically sustainable, responsible,
participative, culturally sensitive, and economically viable and equitable for local communities.
Towards this end, in promoting tourism, it shall also be the duty of the State to conserve the
natural diversity and integrity of the Cagayan de Oro River and its immediate environs which
are of historical and cultural importance.

As used in this Act, cultural heritage refers to historical, anthropological,
archaeological, artistic geographical areas and settings that are culturally significant to the
country.

SEC. 3. The Cagayan de Oro River and its immediate environs located in Cagayan de Oro
City, Province of Misamis Oriental, are hereby declared as cultural heritage and tourism zone,
to be known as the Cagayan de Oro River Cultural Heritage and Tourism Zone. Pursuant
thereto, their development as cultural heritage and tourism zone shall be prioritized and
supported by the Department of Tourism (DOT), in coordination with the Department of
Environment and Natural Resources (DENR), National Commission for Culture and the Arts
(NCCA) and concerned agencies of the government, subject to the rules and regulations
governing the conservation and preservation of cultural heritage sites and the development of
tourism zones.

SEC. 4. Within one (1) year after the approval of this Act, the local government of Cagayan de
Oro City shall, in coordination with the DOT, DENR, NCCA, National Historical Commission of
the Philippines (NHCP), National Museum of the Philippines (NMP) and concerned agencies
of the government, prepare a development plan that shall involve the conservation,
preservation and development of the Cagayan de Oro River Cultural Heritage and Tourism
Zone: *Provided*, That said development plan shall include the installation and maintenance of
such appropriate infrastructure and facilities to enhance tourism in the area: *Provided, further*,
That any activity which pollutes, destroys or adversely affects the archaeological, historical,
cultural, ecological and economic values of the Cagayan de Oro River and its immediate
environs shall be prohibited: *Provided, finally*, That the implementation of the development
plan shall be included in the budget of the local government of Cagayan de Oro City.

SEC. 5. The DENR shall conduct and execute a survey to determine the actual metes and bounds of the Cagayan de Oro River Cultural Heritage and Tourism Zone.

SEC. 6. The DOT shall assist the local government of Cagayan de Oro City in the implementation of the development plan by providing technical assistance in tourism capacity building. It shall also include the Cagayan de Oro River Cultural Heritage and Tourism Zone in its national and regional promotion programs.

SEC. 7. The funding for the implementation of this Act shall be included in the annual budget of the local government of Cagayan de Oro City. The DOT may augment such allocation with internally-generated funds.

SEC. 8. Any person or entity which shall cause destruction to the archaeological, historical, cultural, ecological and economic values of the Cagayan de Oro River and its immediate environs shall suffer a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five million pesos (P5,000,000.00) and imprisonment of not less than one (1) year but not more than five (5) years.

SEC. 9. Within sixty (60) days from the effectivity of this Act, the local government of Cagayan de Oro City shall, in consultation with the DOT, DENR, NCCA, NHCP, NMP and concerned agencies of the government, promulgate rules and regulations to implement this Act.

SEC. 10. If any provision of this Act shall be declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 11. All laws, rules, regulations, presidential decrees and other issuances inconsistent with any of the provisions of this Act are hereby deemed repealed or amended accordingly.

SEC. 12. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,