

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

TWENTIETH CONGRESS

House Bill No. 4502



Introduced by Representative Timothy Joseph Cayton

“AN ACT PROVIDING FOR THE COMPREHENSIVE AND EXPANDED PROTECTION OF THE WATERSHEDS OF NUEVA VIZCAYA, INSTITUTIONALIZING INTEGRATED WATERSHED MANAGEMENT, AND PROVIDING FOR MAPPING, MONITORING, ENFORCEMENT, AND PENALTIES”

EXPLANATORY NOTE

Anchored on the 1987 Constitution, the State must protect a balanced and healthful ecology and conserve our patrimony; Congress is likewise mandated to draw, by law, the firm boundaries and protection of natural resources. These mandates are stated verbatim in the following constitutional provisions:

Article II, Section 16— Declaration of Principles and State Policies

“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.”

Article XII, Section 4— Forest Land and National Parks

“The Congress shall, as soon as possible, determine, by law, the specific limits of forest lands and national parks, marking clearly their boundaries on the ground. Thereafter, such forest lands and national parks shall be conserved and may not be increased nor diminished, except by law. The Congress shall provide for such period as it may determine, measures to prohibit logging in endangered forests and watershed areas.”

Nueva Vizcaya sits at the headwaters of major river systems that supply water for households, irrigation, and power across Cagayan Valley and neighboring provinces. The protection of these watersheds is indeed a matter of public safety, water and food security, and climate resilience.

Existing laws such as the Philippine Mining Act of 1995 (RA 7942), the EIS System (PD 1586), the Indigenous Peoples’ Rights Act (RA 8371), the Clean Water Act (RA 9275), the NIPAS/ENIPAS law (RA 7586 as amended by RA 11038), and the

Revised Forestry Code (PD 705) provide important safeguards; however, gaps remain. Many critical watershed areas are not proclaimed or are unmapped as protected zones, allowing logging, mineral exploration or quarrying to be proposed and conducted.

This Act establishes a province-wide safeguard around Nueva Vizcaya's headwaters by declaring all watersheds, including recharge zones, headwaters, riparian buffers, and critical sub-basins, as Watershed Protection Zones where logging, mining and other destructive extractive activities are not allowed. It closes long-recognized gaps by extending the protection in RA 7942, Sec. 19 to all watersheds in the province, applying the precautionary principle while authoritative maps are completed within six months and updated every five (5) years, and aligning proclamations with ENIPAS and PD 705.

RA 7942, Section 19 (Areas Closed to Mining Applications) provides that mineral agreement or financial/technical assistance agreement applications are not allowed in the following:

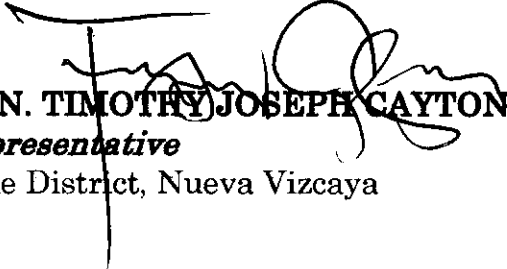
- a) military and other government reservations except upon prior written clearance by the government agency concerned;
- b) areas near or under public or private buildings, cemeteries, archeological and historic sites, bridges, highways, waterways, railroads, reservoirs, dams or other infrastructure projects, public or private works including plantations or valuable crops, except upon written consent of the government agency or private entity concerned;
- c) areas covered by valid and existing mining rights;
- d) areas expressly prohibited by law;
- e) areas covered by small-scale miners as defined by law unless with prior consent of the small-scale miners, in which case a royalty payment upon the utilization of minerals shall be agreed upon by the parties, said royalty forming a trust fund for the socioeconomic development of the community concerned; and
- f) **Old growth or virgin forests, proclaimed watershed forest reserves, wilderness areas, mangrove forests, mossy forests, national parks provincial/municipal forests, parks, greenbelts, game refuge and bird sanctuaries as defined by law and in areas expressly prohibited under the NIPAS under RA No. 7586, Department Administrative Order No. 25, series of 1992 and other laws.**

Implementation centers on Integrated Watershed Management: mandatory reforestation and riverbank rehabilitation, erosion and slope stabilization, and protection of recharge areas, all embedded in climate-resilient zoning and consistent with local Comprehensive Land Use Plan (CLUP). Projects in

environmentally critical areas remain under the EIS System, and no ECC may authorize acts barred by the law; parties that cause damage must restore at their own expense. A multi-sector Watershed Protection Monitoring Council will oversee mapping and rehabilitation, coordinate emergency measures, and support recourse to environmental remedies such as the Writ of Kalikasan.

The Act prohibits exploration and related works, mining infrastructure, unlawful tree cutting, hazardous disposals, and enabling permits inside WPZs. Quarrying is barred within WPZs and quarry operations outside WPZs must comply with RA 7160 and RA 7942 (and their IRRs), PD 1586, applicable DENR/MGB rules, approved CLUPs/zoning ordinances, and public consultation and, where applicable, FPIC (RA 8371). Enforcement includes criminal and administrative penalties, full-cost rehabilitation, and strong monitoring, ensuring science-based protection, transparent governance, and community participation.

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



HON. TIMOTHY JOSEPH CAYTON
Representative
Lone District, Nueva Vizcaya

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

TWENTIETH CONGRESS

House Bill No. 4502

Introduced by Representative Timothy Joseph Cayton

“AN ACT PROVIDING FOR THE COMPREHENSIVE AND EXPANDED PROTECTION OF THE WATERSHEDS OF NUEVA VIZCAYA, INSTITUTIONALIZING INTEGRATED WATERSHED MANAGEMENT, AND PROVIDING FOR MAPPING, MONITORING, ENFORCEMENT, AND PENALTIES”

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

SECTION 1. *Short Title.* – This Act shall be known as the “**Nueva Vizcaya as Watershed Haven Enhanced Protection Act.**”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology and to exercise full control and supervision over the exploration, development and utilization of natural resources, consistent with Article II, Section 16 and Article XII, Section 4 of the 1987 Constitution. Congress is likewise mandated to determine by law the specific limits of forest lands and national parks, including watershed areas, and ensure their conservation.

SEC. 3. *Definition of Terms.* –

- a) **Watershed** – A land area that drains rainfall and surface runoff to a common outlet (river, stream, lake, reservoir), including recharge zones, headwaters, and riparian buffer and other land as may be determined by the DENR in coordination with the LGUs.
- b) **Watershed Protection Zone (WPZ)** – Any watershed, recharge area, headwater, riparian buffer, or critical sub-basin in Nueva Vizcaya mapped and declared under this Act.
- c) **Encroachment** – The use of forest land contrary to forestry laws and regulations, or any occupation, clearing, cutting, construction or similar activity within forest lands/watersheds without lawful authority.

- d) **Environmentally Critical Areas (ECA)** – Areas delineated as environmentally sensitive where significant environmental impacts are expected if certain types of projects are located, developed, or implemented; includes watersheds, recharge zones, headwaters, riparian areas, and biodiversity hotspots, consistent with the EIS System.
- e) **Environmentally Critical Project (ECP)** – A project with high potential for significant negative environmental impact, thus requiring full EIA and stringent safeguards under PD 1586 and its IRR.
- f) **Environment Impact Statement (EIS)** – A document, prepared and submitted by the project proponent and/or EIA Consultant that serves as an application for an Environmental Compliance Certificate. It is a comprehensive study of the significant impacts of a project on the environment. It includes an Environmental Management Plan/Program that the proponent will fund and implement to protect the environment.
- g) **Environmental Impact Assessment (EIA)** – A process that involves evaluating and predicting the likely impacts of a project on the environment during construction, commissioning, operation and abandonment. It also includes designing appropriate preventive, mitigating and enhancement measures addressing these consequences to protect the environment and the community's welfare.
- h) **Forest Degradation** – Natural or human-induced changes that negatively affect the structure or function of a forest or site and lower its capacity to supply products and/or ecosystem services.
- i) **Forest Land** – Includes public forest, permanent forest or forest reserves, and forest reservations.
- j) **Integrated Watershed Management (IWM)** – The process of guiding and organizing land and other resource use within a watershed to provide desired goods and services without adversely affecting soil and water resources, recognizing linkages among uplands and downstream areas.
- k) **Mining Operation** – Mining activities involving exploration, feasibility, development, utilization, and processing, as defined under RA 7942 and its IRR.

SEC. 4. Watershed Protection Zones. – All existing, proposed, and subsequently identified watersheds within the Province of Nueva Vizcaya are hereby declared WPZs and shall be free from environmentally destructive activities. The following closed areas shall not be open for mining applications:

- 1) Watersheds;

- 2) Proclaimed watershed forest reserves, including sub watersheds;
- 3) Old-growth/virgin forests, wilderness areas;
- 4) National parks, provincial/municipal forests, parks, game refuge and bird sanctuaries, and other NIPAS/ENIPAS areas; and
- 5) All areas expressly prohibited under RA 7586 (as amended by RA 11038), PD 705, and other laws or proclamations.

SEC. 4-A. *Other Protected Areas.* – The following areas are hereby declared protected for purpose of this Act and are closed to mining applications:

- 1) Military and other government reservations;
- 2) Areas near or under public or private buildings, cemeteries, archeological and historic sites, bridges, highways, waterways, railroads, reservoirs, dams or other infrastructure projects, public or private works including plantations or valuable crops;
- 3) Declared tourism sites;
- 4) Eco lands covered by the National Greening Program (NGP) of the DENR; and
- 5) Other areas declared as reserved by the Comprehensive Land Use Plan (CLUP) of the LGUs.

The DENR, in coordination with the LGUs, shall prescribe by the IRR the applicable safety zones and distances for the foregoing areas. The more stringent standard shall be followed where zones overlap.

SEC. 5. *Mapping and Proclamation of Watershed Protection Zones.* –

- a) Within six (6) months from effectivity, the DENR, in coordination with other concerned agencies, shall complete WPZ maps, and recommend the appropriate proclamations or reclassifications consistent with ENIPAS and PD 705.
- b) WPZ maps shall be reviewed and updated every ten (10) years, or earlier upon recommendation of the Council created under Section 8.
- c) Pending completion of the final maps, the precautionary principle shall apply; interim mapping by DENR shall govern.
- d) Maps duly approved by DENR, in coordination with LGUs, shall be deemed incorporated in this Act.

SEC. 6. *Integrated Watershed Management, Reforestation, and Rehabilitation.* –

1. Mandatory reforestation and riverbank rehabilitation;
2. Erosion control and slope stabilization;
3. Recharge-zone protection and spring/aquifer safeguarding; and

4. Climate-resilient land-use zoning aligned with provincial and municipal CLUPs.

Entities responsible for degradation shall undertake restoration at their expense, in addition to penalties.

SEC. 6-A. *Reforestation and Restoration Program.* –

- a) The DENR, in coordination with LGUs and communities, shall implement a province-wide Reforestation and Restoration Program prioritizing degraded WPZs, recharge zones, riparian buffers, and critical slopes. Annual targets shall cover not less than 1% of the total WPZ area until fully restored, subject to science-based site prioritization.
- b) Reforestation shall use appropriate native species, mixed-species design, and climate-resilient layouts with mandatory replanting to meet thresholds.
- c) DENR and the Provincial Government shall establish/strengthen provincial and satellite watershed nurseries to ensure genetic diversity and continuous supply of native seedlings.

SEC. 7. *Prohibited Acts within WPZs.* –

- a) Application for mining;
- b) Construction of roads, tunnels or tailings/waste facilities intended for mining;
- c) Cut, damage or removal of trees/vegetation; and
- d) Issuance of local or national permits/clearances that enable the foregoing acts.

Quarrying within WPZs are prohibited, notwithstanding any issuance under the Local Government Code (RA 7160) or RA 7942. Quarry operations outside WPZs shall comply with RA 7160 and RA 7942 (and their IRRs), the EIS System (PD 1586), applicable DENR/MGB regulations, approved CLUPs/zoning ordinances, and public consultation and, when applicable, FPIC (RA 8371) requirements.

SEC. 8. *Watershed Protection Monitoring Council.* – There is hereby created the Nueva Vizcaya Watershed Protection Monitoring Council composed of:

- a) Provincial Governor (Chair);
- b) PENRO (Co-Chair);
- c) Representatives from MGB, EMB, FMB, NWRB, NCIP, the League of Municipalities (NV Chapter), two (2) IP leaders, academe, farmers, youth, faith-based and civil society organizations; and
- d) Representative of the Congressman

The powers and functions of the Council include recommendation and enforcement of actions, review of WPZ maps, oversee reforestation and rehabilitation, maintain information and education, coordination of emergency responses, and, when needed, support petitions for environmental remedies, including the Writ of Kalikasan. The Council may deputize community monitors and coordinate with PNP and other relevant agencies.

SEC. 9. *Offense of Encroachment.* – Any encroachment as defined in Section 3(c) within a WPZ is per se a violation of this Act, without prejudice to prosecution under PD 705, RA 7586/RA 11038, RA 9275, and other laws.

SEC. 10. *Penalties.* – The offender shall be penalized with imprisonment of six (6) years and a fine of not less than One Million Pesos (₱1,000,000.00). If the offender is a juridical entity, its directors, officers, and responsible employees shall be liable. Public officials who issue permits or approvals enabling the prohibited acts shall incur the maximum penalties herein prescribed and perpetual disqualification from public office.

SEC. 11. *Implementing Rules and Regulations.* – The DENR shall be the lead implementing agency for this Act. The lead and other concerned agencies shall promulgate the necessary implementing rules and regulations within ninety (90) days after the effectivity of this Act.

SEC. 12. *Appropriations.* – The amount necessary for initial implementation shall be charged against current appropriations of the DENR. Thereafter, sums as may be necessary shall be included in the annual General Appropriations Act.

SEC. 13. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SEC. 14. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation, contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

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

Approved,