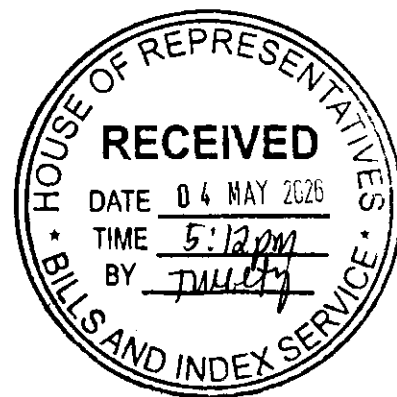




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

20th CONGRESS
1st Regular Session

HOUSE BILL NO. 9053



Introduced by Representative SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

AN ACT

REVERTING FISHPONDS WHICH HAVE BEEN UNUTILIZED OR ABANDONED FOR A PERIOD OF THREE (3) YEARS TO FOREST LANDS, AMENDING FOR THE PURPOSE SECTION 43 OF PRESIDENTIAL DECREE NO. 705, OTHERWISE KNOWN AS THE "REVISED FORESTRY REFORM CODE OF THE PHILIPPINES"

EXPLANATORY NOTE

Mangroves play a crucial role in capturing and storing atmospheric carbon dioxide, a contribution to climate change mitigation that we now acknowledge as very significant and can no longer be ignored.

Among all coastal ecosystems, mangroves have the largest carbon stocks per unit area as they store carbon dioxide in both their biomass (roots, stems, and leaves) and in the sediments beneath them. Terrestrial forests are well-known carbon sinks, while mangroves, along with seagrasses and salt marshes, are often overlooked.

Ongoing protection and restoration efforts by both government and non-government organizations have shown positive results beyond carbon sequestration, as mangroves provide numerous ecological benefits, such as: (1) habitat for diverse marine species, (2) protection against coastal erosion, and (3) improvement of water quality through nutrient filtration.

The Philippines has already lost a significant portion of its mangrove forests, primarily through fishpond lease agreements executed in the past, when aquaculture emerged as a major contributor to food security.

However, environmental groups, scientists, and the government are looking at the reversion of abandoned, undeveloped, and underutilized fishponds back to forestlands as potential sites for mangrove restoration.

The Department of Environment and Natural Resources (DENR) and the Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture (DA) are the agencies involved in this undertaking, in view of the relevant and applicable provisions under Presidential Decree No. 705 or the "Revised Forestry Reform Code of the Philippines", Republic Act No. 7161, and Republic Act No. 8550 otherwise known as the "Philippine Fisheries Code of 1998".

This bill, therefore, seeks to amend Section 43 of PD 705 to shorten the prescriptive period for reversion of mangrove swamps back to the category of forest land, from five (5) years to three (3) years from the time were released to the Bureau of Fisheries and Aquatic Resources for fishpond purposes, which are not utilized, or which have been abandoned.

Let us seriously consider that the Philippines is at the mercy of at least an average of twenty (20) tropical cyclones per year, making it imperative for us to quickly migrate to nature-based solutions on the perennial problems of flooding, soil erosion, and other climate change effects.

Mangrove restoration brings immeasurable benefits to coastal communities, and it is the height of social, environmental, and economic injustice to see day in and day out vast tracts of land for fishponds abandoned, unutilized, or underutilized.

A similar bill of this nature, spirit, and intent was approved on third and final reading by the House of Representatives in the 19th Congress, introduced by Representatives Alfelito M. Bascug, Eddiebong G. Plaza, Linabelle Ruth R. Villarica, and the late Elpidio F. Barzaga, Jr.

In view of the above, passage of this measure is earnestly sought.



SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

Representative

Maguindanao del Norte, Lone District with Cotabato City



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

SECTION 1. Section 43 of Presidential Decree No. 705, otherwise known as the "*Revised Forestry Reform Code of the Philippines*", is hereby amended to read as follows:

"Section 43. Swamplands and mangrove forests. –

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"Mangrove and other swamps released to the Bureau of Fisheries and Aquatic Resources for fishpond purposes which are not utilized, or which have been abandoned for [five (5)] **THREE (3)** years from the date of such release, shall revert to the category of forest land **AND SHALL BE IMMEDIATELY REHABILITATED AND REFORESTED.**

"THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL JOINTLY SET GUIDELINES FOR DETERMINING ABANDONED, UNDEVELOPED, OR UNDERUTILIZED FISHPONDS COVERED BY FISHPOND LEASE AGREEMENTS (FLAS) WHICH SHALL BE REVERTED INTO FORESTLAND AND REHABILITATED."

SEC. 2. All laws, decrees, executive orders, issuances, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC.3. This Act shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation.

Approved.