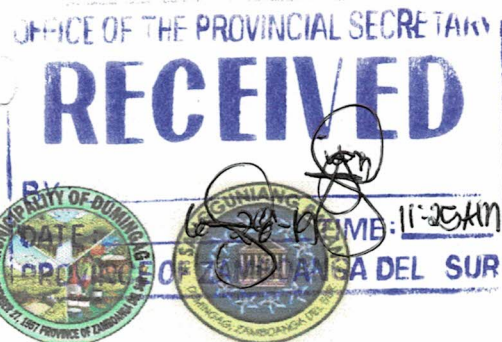


Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
-oOo-



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 90TH REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON April 23, 2019.

<u>OFFICERS/MEMBERS</u>	<u>POSITION</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>OB</u>	<u>OL</u>
Hon. Francis Joeray T. Gumban	Acting Vice Mayor	—/—	—	—	—
Hon. Lars Christian C. Tangalin	SB Member	—/—	—	—	—
Hon. Irish J. Mandao	SB Member	—/—	—	—	—
Hon. Nilo B. Ledesma	SB Member	—/—	—	—	—
Hon. Jenny T. Arbitrario	SB Member	—/—	—	—	—
Hon. Paquito P. Duerme, Jr.	SB Member	—/—	—	—	—
Hon. Tracy E. Morpos	SB Member	—/—	—	—	—
Hon. Bernaldo P. Degenion	SB Member	—	—	/	—
Hon. Jerson L. Cabahug	Ex- Officio Member	—	—	/	—
Hon. Leonel C. Dinawanao	Ex- Officio Member	—/—	—	—	—

Municipal Ordinance No. 5, s. 2019

AN ORDINANCE INSTITUTING INTEGRATED WATERSHED MANAGEMENT APPROACH IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR, CONSOLIDATING AND FURTHER ENHANCING THE LOCAL POLICIES FOR THE PROTECTION, CONSERVATION AND MANAGEMENT OF ITS NATURAL RESOURCES, AND IMPOSING PENALTY FOR VIOLATIONS THEREOF.

Be it ordained by the Sangguniang Bayan in session assembled that:

WHEREAS, Section 16 of the Philippine Constitution has declared it a policy of the state “to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Section 3 of the Philippine Environmental Policy (P.D.1151) and Section 1 of the Philippine Environment Code (P.D.1152) and other related laws (P.D.1067, P.D.705) have further recognized that right and subsequently, prescribed specific policies for the protection and management of the environmental resources, especially watersheds, forestry and soil conservation, wildlife, flood control and natural calamities, conservation and utilization of surface and ground water, and have likewise sought the active participation of Local Government Units, non-governmental organizations (NGOs) and private individuals towards these endeavors (R.A.7160);

WHEREAS, the present state of the Philippine environment, especially the forest cover exhibits a dramatic decrease from 70% in 1900 to 18.3% in 1999 due to continuing deforestation and forest degradation activities, while the country’s soil loses about 74-78 tons annually (beyond the maximum tolerable limit which is only 12.5 tons annually) thereby, resulting to loss of biodiversity, flooding in lowland areas, siltation of rivers, destruction of coastal resources, and an increased vulnerability among the marginal sectors, especially in identified geo-hazards zones;

WHEREAS, the microcosm of Philippine environmental reality can be found in the Municipality of Dumingag because of limited conservation awareness of its citizens, and insufficient government capacity to fully implement environmental protection services as well as to adequately adapt to global climate change challenges;

WHEREAS, the increasing population of this town would be facing several competing demands for water provisioning, for food security, for biodiversity services and for climate-resilient communities which are all highly dependent on the state of the surrounding watersheds as a source of life-for-all;

Submitted

ARTICLE 1
TITLE OF THE ORDINANCE

Section 1. TITLE. This Ordinance shall be known as, "INTEGRATED WATERSHED MANAGEMENT OF DUMINGAG" and shall hereinafter be referred to as, INTEGRATED WATERSHED MANAGEMENT ORDINANCE OF 2019.

ARTICLE 2
AUTHORITY, POLICIES AND PRINCIPLES

Section 2. AUTHORITY. This Ordinance is enacted pursuant with (a) the 1987 Philippine Constitution (Article II, Section 16) which promotes balanced ecology, (b) Republic Act No. 7160 or the Local Government Code of 1991 (Art. 87 (vii) and 100 (vi)), which mandates the Municipal Mayor and the Sangguniang Bayan to adopt adequate measures to safeguard and conserve forest, land, mineral, aquatic and other resources particularly, (c) Revised Forestry Code of 1975 as amended by E.O.277 (Sec.68.) which prohibits the cutting, gathering and/or collecting timber, or other forest products without license, as well as illegal logging activities (Sec. 78) and (d) Presidential Decree 1067 (Art.67, Art.71, Art.73, Art.77, Art.78) which institutes the Water Code thereby promoting the conservation and protection of waters and watersheds and other resources, and (e) the Philippine Wildlife Act (R.A. 9147) which protects biodiversity, critical habitats and wildlife species (critically endangered, endangered, vulnerable and threatened species), and consequently, impose appropriate penalties for acts which endanger the environment.

This Ordinance is likewise enacted supporting the previous local legislations in the Municipality of Dumingag such as:

- | | |
|----------------------------|--|
| (a) Ordinance #4, s. 2014 | - instituting the Environment Code of Dumingag; |
| (b) Ordinance #9, s.1995 | - providing environmental protection measures; |
| (c) Ordinance #6, s.1998 | - protecting and conserving the Philippine Eagle; |
| (d) Ordinance #12, s. 1998 | - prohibiting the throwing of waste materials in rivers; |
| (e) Ordinance #9, s. 2001 | - providing comprehensive solid waste management; |
| (f) Ordinance #34, s. 2001 | - concerning riverbank reservation areas; |
| (g) Ordinance #13, s. 2002 | - penalizing the burning of agricultural by-products); |
| (h) Ordinance #14, s.200 | - declaring Sitio Laknapan, Labangon as Protected Wildlife sanctuary and tourist spot; |
| (i) Ordinance #8, s. 2003 | - adopting Sustainable Agriculture; |
| (j) Ordinance #4, s. 2008 | - creating the ENRO; |
| (k) Ordinance #16, s. 2015 | - institutionalizing, promoting and developing sustainable organic agriculture; |
| (l) Ordinance #7, s. 2016 | - declaring all existing forest within Dumingag for protection; |
| (m) Ordinance #11, s.2015 | - declaring public places as tree planting sites/areas; |
| (n) Ordinance #16, s. 2015 | - amending Ord.#13, s.2002 penalizing the burning of agricultural by-products); |
| (o) Ordinance #7, s. 2016 | - declaring all existing forest as sacred space, and providing guidelines for protection, rehabilitation, and development. |

 **Section 3. GOVERNING POLICIES AND PRINCIPLES.** This Ordinance shall be governed by applicable international treaties and covenants, the 1987 Philippine Constitution, and the national laws relevant to the protection, conservation, utilization and management of the watershed areas in the country.

This Ordinance shall likewise adopt the principle mandated under (a) the Local Government Code of 1991 (Sec.) concerning the government shared responsibility in the management and maintenance of balanced and healthful ecology within its territorial jurisdiction (b) the Dumingag Environment Code or Ordinance#4, s. 2014 (particularly Section 3a,b,f,and h) on the protection of the environment, promotion of healthful ecology, on forest resource management (Section 8), on water resources (Section 25), and on genetic resource and biodiversity conservation (Sec. 46), and (c) other local legislations in the Municipality of Dumingag as mentioned in Section 2 of this Ordinance.

ARTICLE III OBJECTIVES

Section 4. OBJECTIVES. This Ordinance is enacted for the following purposes:

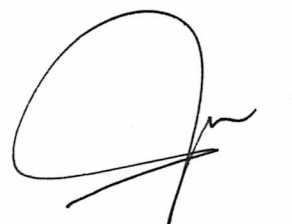
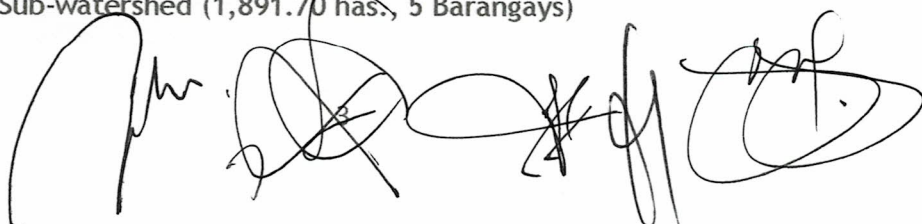
- (1) To promote an ecologically-sound and sustainable management, utilization and development of the watershed resources in the municipality of Dumingag;
- (2) To support the development of sustainable economy and people's livelihood that ensure food and health security for all;
- (3) To encourage collaboration and joint action by all stakeholders in the conservation, protection and rehabilitation of the watershed resources;
- (4) To protect and rehabilitate the degraded watershed areas in order to sustain its ecological services;
- (5) To improve the socio-economic living conditions of the marginalized communities in the watershed landscapes;
- (6) To ensure a balanced development that promotes environment-friendly technologies and non-destructive projects within the watershed areas.
- (7) To capacitate the local communities in the management of their watershed areas and the enforcement of measures aiming to protect biodiversity conservation and sustainable management of the watershed resources.
- (8) To develop appropriate strategies and measures for climate change mitigation and adaptation.

ARTICLE IV APPLICABILITY/SCOPE OF COVERAGE

Section 5. SCOPE OF COVERAGE. This Ordinance shall apply to twelve (12) watersheds/sub-watersheds in the Municipality of Dumingag which the DENR identified to consist an area of 62,181.16 hectares and to include the following:

- (a) Dipolo River Sub-Watershed (8,812.48 has., 20 Barangays)
- (b) Guitran River sub-watershed (6,309.72 has.; 15 Barangays);
- (c) Timonan River sub-watershed (5,924.95 has.; covering 19 Barangays)
- (d) Salug Daku River Watershed (2,820.24 has.; 2 Barangays)
- (e) Ecuán River sub-watershed (4,451.35 has.; 10 Barangays)
- (f) Dumingag River Sub-watershed (1,481.63 has., 9 Barangays)
- (g) Boniao River Sub-watershed (572.77 hectares, 2 Barangays)
- (h) Piao River Sub-watershed (8,244.10 has., 5 Barangays)
- (i) Macasing Daku River Sub-Watershed (2,363.05 has., 5 Barangays)
- (j) Macasing Duit River Sub-watershed (2,467.65 has., 5 Barangays)
- (k) Mangilles River Sub-watershed (1,891.70 has., 5 Barangays)

Guitran



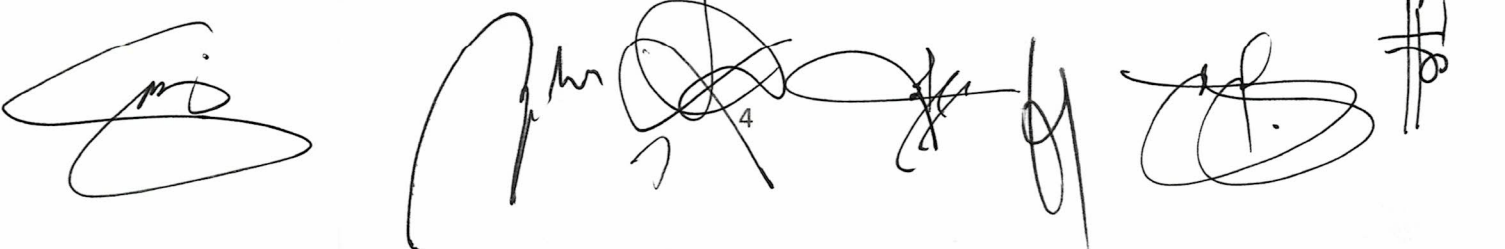
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ARTICLE V DEFINITION OF TERMS

Section 6. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall mean:

- **Ancestral lands** - refers to all lands exclusively and actually possessed, occupied, or utilized by indigenous cultural communities by themselves or through their ancestors in accordance with their costumes and traditions since time immemorial, and as may be defined and delineated by law.
- **Biodiversity** - is the variability among living organism from all sources, including terrestrial, marine, and other aquatic ecosystem and the ecological complexes of which they are part; this diversity within species, between species and of ecosystems.
- **Critical Watershed** - refers to a drainage area of a river system, lake or water reservoir supporting existing and proposed hydroelectric power, domestic water supply, geothermal power and irrigation works, which need immediate rehabilitation and protection to minimize soil erosion, improve water yield and prevent possible flooding.
- **CADT** - Certificate of Ancestral Domain Title.
- **Dumingag Integrated Watershed Management Council** - shall be serve as the overall umbrella of the sub-watershed structures establish around cluster of barangays dependent on the specific sub-watershed for food security, water provisioning, biodiversity and climate resilience.
- **Ecosystem** - is a community of living organism in conjunction with the non-living components of their environment, interacting as a system.
- **Environment** - refers to the physical factors of the total surroundings of human beings, including the land, water, atmosphere, climate, sound, odors, tastes, the biological factors of animals and plants, and the social factors of aesthetics. In a broad sense, it shall include the total environment of human beings such as economic, social, cultural, political, and historical factors.
- **Environmental Impact Assessment (EIA)** - refers to the process of predicting the likely environmental consequences of implementing projects or undertakings and designing appropriate preventive, mitigating and enhancement measures.
- **Environmental Impact Statement (EIS)** - refers to the document(s) of studies on the environment impact of a project including the discussions on direct or indirect consequences upon human welfare and ecological and environmental integrity. The EIS may vary from project to project but shall contain in every case all relevant information and details about the proposed project or undertaking, including the environmental impacts of the project and the appropriate mitigating and enhancement measures.
- **Forest** - is a large area dominated by trees and undergrowth; lands with an area of more than 0.5 hectare and tree crown cover (or equivalent stocking level) of more than 10 percent. The tree should be able to reach a minimum height of five (5) meters at maturity in situ. It consists either of closed forests formations where trees of various storeys and undergrowth cover a high proportion of the ground or open forest formation s with a continuous vegetation cover in with tree crown cover exceeds 10 percent. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of more than 10 percent or tree height of 5 meters are included under forest.
- **Genetically Modified Organisms (GMOs)** - refers to the organisms that possess a novel combination of genetic materials obtained through the use of modern biotechnology.

Substantive

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- **Indigenous Cultural Community** - a group or tribe of indigenous Filipinos who have continuously lived as communities on communally-bounded and defined land since time immemorial and have succeeded in preserving, maintaining and sharing common bonds of languages, customs, traditions and other distinctive cultural traits, and as may be defined and delineated by law.
- **Mineral resource** - any concentration of minerals/rocks with potential economic value; lands with an area of more than 0.5 hectare and tree crown cover (or equivalent stocking level) of more than 10 percent. The tree should be able to reach a minimum height of five (5) meters at maturity in situ. It consists either of closed forests formations where trees of various storeys and undergrowth cover a high proportion of the ground or open forest formations with a continuous vegetation cover in which tree crown cover exceeds 10 percent. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of more than 10 percent or tree height of 5 meters are included under forest.
- **National Integrated Protected Areas System** - as defined in the NIPA's law, the classification and the administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible.
- **Organic Agriculture** - includes all agricultural systems that promote the ecologically sound, socially acceptable, economically viable and technically feasible production of food and fibers. Organic agriculture dramatically reduces external inputs by refraining from the use of chemical fertilizers, pesticides and pharmaceuticals. It also covers areas such as, but not limited to, soil fertility management, varietal breeding and selection under chemical and pesticide-free conditions, the use of biotechnology and other cultural practices that are consistent with the principles and policies of this Act, and enhance productivity without destroying the soil and harming farmers, consumers and the environment as defined by the International Federation of Organic Agriculture Movement (IFOAM): Provided that the biotechnology herein referred to shall not include genetically modified organisms or GMOs.
- **Pollution** - is the introduction of contaminants into the natural environment that causes adverse change chemical substances or energy, foreign substances or naturally occurring contaminants.
- **Quarry Resources** - refer to any common rock or other mineral substances as the Director may declare to be quarry resources such as, but not limited to, and site, basalt, conglomerate, coral sand, diatomaceous earth, diorite, decorative stones, gabbro, granite, limestone, marble, marl, red burning clays for potteries and bricks, rhyolite, rock phosphate, sandstone, serpentine, shale, tuff, volcanic cinders, and volcanic glass: Provided that such quarry resources do not contain metals or metallic constituents and/or other valuable minerals in economically workable quantities. Provided further, that nonmetallic minerals such as kaolin, feldspar, bull quartz, quartz or silica, sand and pebbles, bentonite, talc, asbestos, barite, gypsum, bauxite, magnesite, dolomite, mica, precious and semiprecious stones and other nonmetallic minerals that later may be discovered and which the Director declares to be of economically workable quantities, shall not be classified under the category of Quarry resources.
- **Solid waste** - means any garbage, refuse sludge from a waste water treatment plant on air pollution control facility and other discarded material, resulting from industrial, commercial, mining and agricultural operation.
- **Watershed (also called a drainage basin or a catchment)** - is defined as an area of land that intercepts and drains precipitation through a particular river system or group of river system.

Substantive

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- **Wildlife** - refers to undomesticated animal species, but has come to include all organisms that grow or live wild in an area without being introduced by humans. It also means wild form of varieties of flora and fauna, in all development stages, including those which are in captivity or are being bred or propagated.

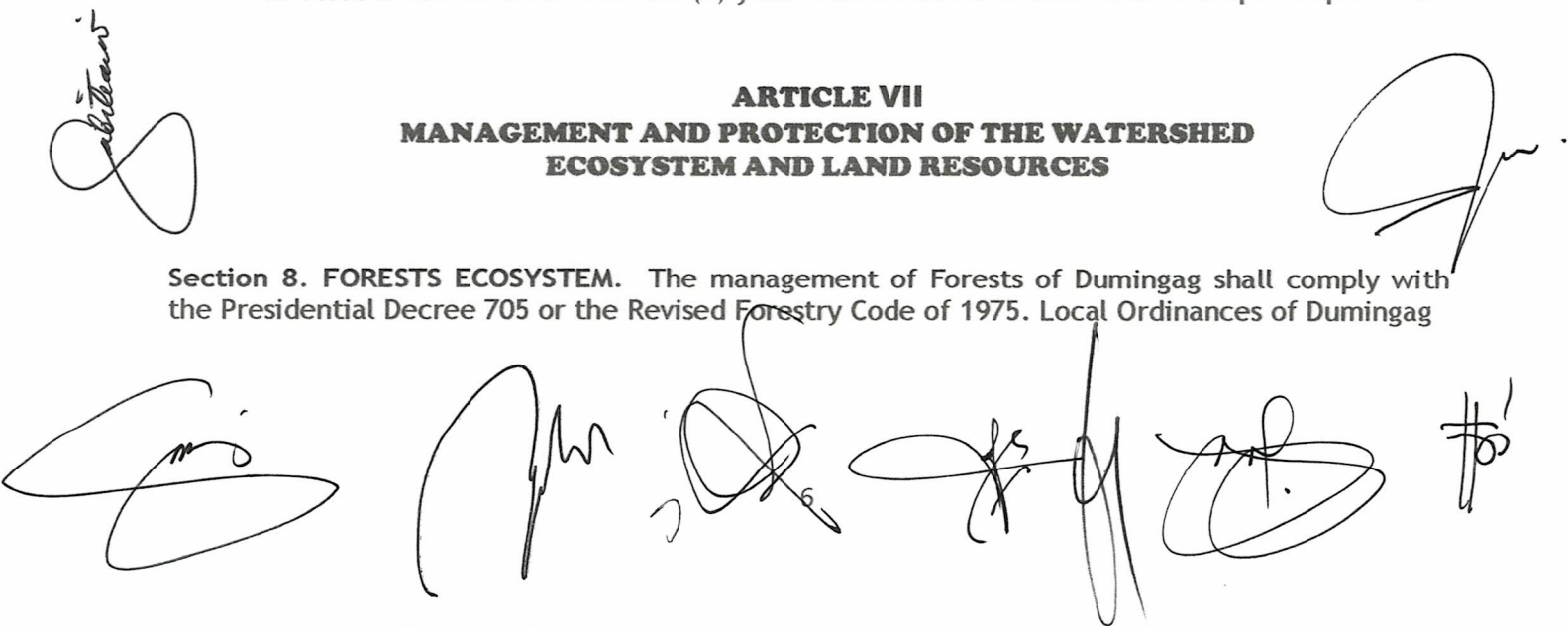
ARTICLE VI DUMINGAG WATERSHED ECOSYSTEM & RESOURCES

Section 7. THE WATERSHED ECOSYSTEM. The watershed landscape of Dumingag consists a variety of important ecosystem and treasures which include the forests, biodiversity resources, cave resources, the agricultural lands, the aquatic or riverine areas as well as mineral resource deposits.

- (a) The Forest resources include all the remaining natural and secondary forests, as well as production or plantation forests. As reported in 2008, remaining forest cover of the Municipality accounts 5,961.93 hectares (9.6% of total land area), of what is about 12,000 hectares in 1990. Municipal Ord.#7, s. 2016 has declared forest in Dumingag as sacred space as mentioned in Sec. 4.
- (b) The Biodiversity resources include all life forms of flora and fauna species in the watershed landscape. Recent biodiversity assessment (PARTS 2018) using Indigenous Knowledge System or IKS have identified a total of 240 plant species (134 angiosperms, 7 briophyta, 11 pteridophyta, 9 gymnosperm, 9 phylophyta) and 82 faunal species (13 insects, 5 reptiles, 5 amphibians, 7 mammals, 34 birds, 14 arthropods, 7 phylum, 5 mollusks, 2 leech). In 2002, the Municipality of Dumingag already declared Sitio Laknapan of Labangon as protected wildlife sanctuary and tourist spot at the same time (per Ord. 14, s. 2002, sec. 4) because of the spotted Philippine Eagle and the unique aesthetic value in the area.
- (c) The Caves resources include the flora and fauna resources within and outside the identified caves in the three Barangays of this town (Sunop, Salvador, Labangon) which are potential for ecotourism objectives.
- (d) The Land resources which are basically used for agricultural production covers roughly about 75% of the total land area, a greater portion of which is lying Salug Valley.
- (e) Water & Fresh water resources consist of six (6) major tributaries namely: Dekayo heading towards Sergio Osmena, Dipolo river of Salvador and Dulop, Ecuang river heading towards Sindangan, Guitran ridges of Mt. Paraya & Brgy. Sinonok heading toward Dekayo, Dumingag river of Brgy. Dapiwak, and Timonan river of Canibongan and Guintananan towards Dipolo.
- (f) Mineral resources include deposits of gold, copper, chromites and Iron in 15 Barangays/sitios of the municipality. These resources were mined prior to mid-60s. However, Ordinance # 4, s. 2014 has effectively suspended any form of mining activities in these areas for a term of five (5) years which can be further amended upon expiration.

ARTICLE VII MANAGEMENT AND PROTECTION OF THE WATERSHED ECOSYSTEM AND LAND RESOURCES

Section 8. FORESTS ECOSYSTEM. The management of Forests of Dumingag shall comply with the Presidential Decree 705 or the Revised Forestry Code of 1975. Local Ordinances of Dumingag



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providing measures for forest protection may also apply as stipulated under Ordinance No. 9, S. 1995, Sec.3; Ordinance no. 4, s. 2014 - Sec. 7, Sec.10, Sec. 11, Sec. 12, Sec.13, Sec. 14), and Ordinance no. 9, s. 1995, Section 3.

- (a) The remaining forests of the different sub-watersheds, especially the headwaters and river areas, shall be managed for protection and enhancement.
- (b) Forest areas which are already deforested and degraded shall be subjected for rehabilitation and restoration through the implementation of community-based agro-forestry activities, the National Greening Program (NGP) of the national government, the planting of banyan trees along riverbanks and any landslide prone areas, and other similar activities. The Dumingag Youth Green Brigade (DYGB) shall be institutionalized to protect and conserve the remaining native and endangered forest and non-forest species as stipulated under Ordinance No. 14, s.2001.

Section 9. AGRICULTURAL LANDS. The management of Dumingag agricultural lands (whether upland or lowland) within the watershed shall follow the Organic Agriculture Act of the Philippines (R.A.10068).

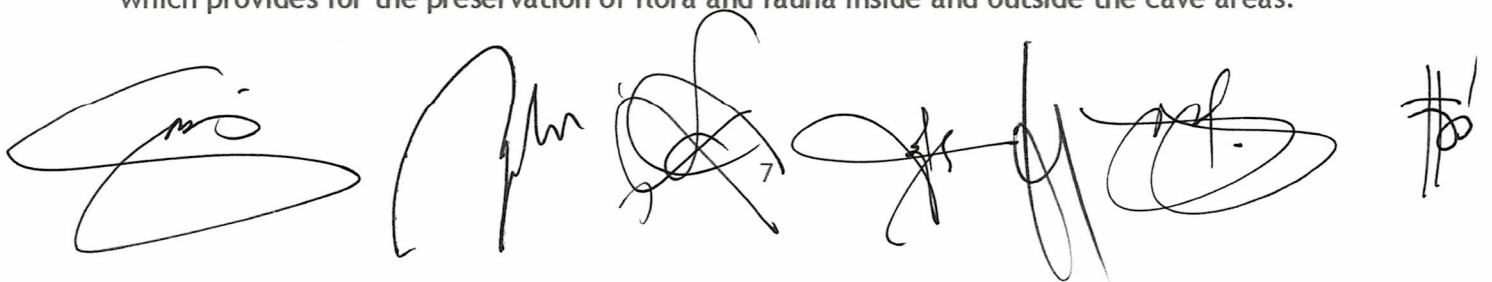
Local policies may also apply such as defined under (a) Ordinance #8, s. 2003 adopting sustainable agriculture); (b) Ordinance #9, s. 1995, sec.5 prohibiting slash and burn farming or kaingin farming, (c) Ordinance #13, s. 2002 penalizing the burning of agricultural by-products, (d) Ordinance #33, s. 2001 regulating planting calendar in irrigated rice lands, (e) Ord. #13, s. 2001 ordaining proper care and use of chemicals and fertilizers in farms of Dumingag, and (f) Ord. #9, s. 1995, sec.3.5 introducing contour farming type of planting trees.

Section 10. THE AQUATIC OR RIVERINE AREAS. The management of the aquatic or riverine resources shall strictly comply with the national policy on the Water Code (P.D. 1067), Clean Water Act (Republic Act 9275), Pollution Control Law (PD 984), Solid Waste Management Act (R.A. 9003) and other related policies and regulations. All riverbank reservation areas with 40-meter wide along both sides of the banks of the river shall be devoted as environmental reforestation sites as provided under Section 5 of Ord.34,s.2001;

Enacted local policies may likewise apply such as (a) Ord. No. 4, s. 2014, Secs. 24, 25, and 26, and (b) Ord. #9, s.1995, sec.3.6 prohibiting poisoning the rivers, creeks, and streams for the purpose of catching fish; sec.3.7 prohibiting the panning of gold by using metallic poisonous mercury process, and sec.3.8 prohibiting the dumping of waste materials to the rivers, creeks and streams, (c) Ord. #34, s. 2001 declaring all riverbank reservation areas as reforestation sites, (d) Ord. #9, s. 2001 providing Comprehensive Solid Waste Management Program. (e) Ord. #4, s. 2014 governing the management and utilization of water resources, specifically Article III-Section 24, 25, 26, 27, 28, 29, 30, 31, and 32. The same Ordinance, particularly Sec. 33, 34, 35, 36, and 37 on Conserving soil and water shall apply.

SECTION 11. BIODIVERSITY & WILDLIFE RESOURCES. The management of biodiversity and wildlife resources shall strictly comply with the national laws. Local Ordinance may also apply particular Ord. No. 4, s. 2014, Sections 45, 46, 47, 48, 49 and Ord. #9, s. 1995, sec.3.1., 3.3 which protect the Philippine Eagle in the areas of Mt. Paraya, Mt. Dongkilitan, Mt. Dapiak and Mt. Limamawan ranges including Putting Bato at the boarder of Brgy. Sunop and Guitran (Ord. 6, s. 1998, sec.4), and which also declare the territorial sanctuary of wildlife in Sitio Laknapan, Brgy. Labangon (Ord.14, s. 2002, sec. 4).

Section 12. CAVE RESOURCES. The management of cave resources within the municipality such as but not limited to Sitio Laknapan of Barangay Labangon, Barangay Sunop, Barangay Salvador and other caves shall follow the existing laws on Cave Resources Management Act (R.A.9072) which provides for the preservation of flora and fauna inside and outside the cave areas.

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Section 13. MINERAL AND OTHER QUARRY RESOURCES. The management and utilization of the mineral resources of this Municipality shall follow Executive Order 79 of Republic Act 7982 which identified areas closed to all forms of mining applications such as (a) areas expressly enumerated under Section 19 of R.A. 7942, (b) protected areas under R.A. 7586, (c) prime agricultural lands, in addition to lands covered under R.A. No. 6657, (d) tourism development areas, (e) horticulture and (f) quarry resources shall comply with Ord. #4, s. 2014 particularly Section 16, 17, 18, 19, 20, 21, 22 and 23.

Section 14. ANCESTRAL DOMAIN LANDS. The management of Ancestral Domain within the watershed shall be consistent with the Indigenous People's Rights Act or IPRA, and shall be based on the Ancestral Domain Sustainable Development and Protection Plan or ADSDPP formulated by the Dumingag United Subanen Association (DUSA).

ARTICLE VIII DUMINGAG INTEGRATED WATERSHED MANAGEMENT COUNCIL

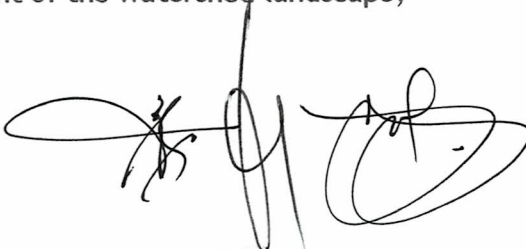
Section 15. ESTABLISHMENT OF THE DUMINGAG INTEGRATED WATERSHED MANAGEMENT COUNCIL (DIWMC). The Dumingag Integrated Watershed Management Council shall be established in this Municipality and shall serve as the overall umbrella of the sub-watershed structures established around cluster of Barangays dependent on the specific sub-watershed for food security, water provisioning, and biodiversity and climate resilience. The council shall be guided with the Dumingag Watershed Management Plan which shall be formulated with the participation of different stakeholders.

(a) **Composition.** The composition of DIWMC shall include the following:

- Chairman (Mayor);
- Leader representative/s of the different sub-watershed structures;
- Municipal Environment and Natural Resources Officer(MENRO);
- Municipal Planning Development Coordinator (MPDC);
- Municipal Tourism Officer;
- Dumingag Organic Culture Officer (DOCO);
- Municipal Youth and Development Officer (MYDO);
- Municipal Agriculture Officer (MAO);
- Municipal Disaster Risk Reduction Officer (MDRRMO);
- Municipal Economic Development Officer (MEDO);
- Legal Officer;
- Municipal Tribal Chieftain/PEKSALABUKEN SUBANEN DUMINGAG ASSOCIATION (PSDA) President;
- Representative of Active Civil Society Organizations in the locality/province;
- Representative from the local Colleges/Academe of the municipality;
- President of the Organic Farmers Association;
- Representatives from national government agencies (NIA,DENR, DA, DPWH, and NCIP);
- Sangguniang Bayan Chairman of the Committee on Environment and Ecology/municipality;
- Representative from the Water District/municipality;
- Permaculture Focal Person; and
- Security group (PNP, BFP and AFP)

(b) **Powers and Functions.**

- Act as the Policy Making Body of the DIWMC;
- Oversee the implementation of plans by the different Committees of the DIWMC; and
- create watershed monitoring committee to check the progress of the programs and projects and to improve the management of the watershed landscape;



- (c) **Meetings.** The regular meetings of the DIWMC shall be on quarter basis every last Thursday of the month. Special or emergency meetings shall also be called if necessary. The Secretary of the DIWMC shall notify in writing (or by any means of communication) for the conduct of both regular and special meetings defining the purpose and agenda of such.
- (d) **Remuneration.** Only representatives from the Civil Society Organizations (including the Indigenous People's Organization, community-based organizations) shall be entitled to receive a *per diem* in the amount of P500.00 if around Dumingag and P800.00 if outside Dumingag to help defray expenses for travel or loss of income for participation in meetings.

ARTICLE IX INTEGRATED WATERSHED MANAGEMENT PLAN

Section 16. GUIDING APPROACHES. The formulation of the integrated watershed management plan shall follow the landscape and ecosystem-based approaches in consideration of the interconnectedness of the ecosystems. Where the watershed divides overlaps with one or two adjoining municipalities, the municipal LGU of Dumingag may develop a joint management scheme with the adjacent municipalities.

Section 17. PARTICIPATION OF STAKEHOLDERS. The landscape stakeholders shall be actively involved in the formulation of the integrated watershed management plan, particularly the marginalized sectors and/or vulnerable groups.

Section 18. ENVIRONMENTAL AND RESOURCE ASSESSMENTS. The formulation of the integrated watershed management plan shall consider the results of existing research studies such as Assessment of Flora & Fauna, Environmental Impact Assessment (EIA), Strategic Environmental Assessment (SEA), and other studies;

Section 19. INTEGRATION OF WATERSHED MANAGEMENT PLAN. The formulated watershed management plan shall be linked up and/or integrated into the over-arching plans of the Municipality such as the Comprehensive Land Use Plan (CLUP), Municipal Development Plan (MDP) and other sectoral and Barangay Development plans relating to climate Adaptation (LCCAP), disaster risk reduction and management (DRRM), ancestral domain management (ADSDPP) and eco-tourism (Municipal Eco-Agro Tourism Plan, (sec. 98, Ord. #4, s. 2014) and Permaculture Plan.

Section 20. PROGRAMS, PROJECTS AND ACTIVITIES. All Individuals, People organizations, Institutions, NGO and NGA operating within the Municipality of Dumingag shall be mandated to establish nursery and perform the tree planting, clean up drive and any other activities related to the protection, preservation and management of the watershed.

Section 21. REVIEW OF PLAN. The integrated watershed management plan shall be subjected for review every three (3) years after it shall be adopted or implemented for updating, adjustment and/or improvement.

ARTICLE X PROHIBITIONS AND PENALTIES

Section 22. PROHIBITED ACTS. The following shall constitute as prohibited acts or violations that penalize to any individual or group of people who violate this ordinance.

(a) Forest ecosystem/Resources.

- Timber Poaching;
- Cutting of endemic and indigenous trees including tress with aesthetic values;
- Cutting of naturally grown forest trees for the purpose of producing *linaksi*, picking orchids and bird's nest, tree barks for hut roofs - per Ord. #9, s. 1995, sec. 6.2;
- Collection and killing of wildlife (endangered flora and fauna) - per Ord. #9, s.1995, sec. 6.6, and more particularly Philippine Eagle - per Ord. #6, s. 1998, sec.5);
- Taking, selling, possessing or killing wildlife within Sitio Laknapan - per Ord. 14, s. 2002, sec.5) and other caves within the Municipality of Dumingag;
- Roaming within the 1km radius from the cave or get close to the cave entrance - per Ord. 14, s. 2002, sec.5.4 & 5.5.;
- Slash and Burn Farming as provided in Ord. #9, s. 1995), sec.6, 6.4., 6.5;
- Conduct of mining activities at any stages;

(b) Agricultural lands/lowland ecosystem

- Use of placards promoting pesticides, herbicides, insecticides;
- Promoting the use of chemical pesticides by technicians or agents from companies;
- Use of Genetically Modified Organisms (GMO) under Sec. 38 of Ord. #4, s. 2014);
- Mono cropping plantation;
- Third rice cropping;
- Rice straw burning;
- Planting rice outside the synchronized planting calendar - per Ordinance #33, s.2001, sec.4;
- Washing by person of containers use for chemicals or fertilizers in rivers - Ord.13,s.2001,sec.3

(c) Aquatic/Fresh Water Ecosystem

- Encroachment to riverbank easement;
- Destructive and Illegal Fishing activities;
- Illegal Quarrying;
- Poisoning of rivers, creeks and streams for fishing under Ord. #9, s.1995, sec.6.8, sec.6.9;
- Use of metallic poisonous mercury for gold processing under Ord. #9, s.1995, sec.6.10;
- Piggery and poultry establishments near the rivers or creeks;
- Garbage and waste disposal on the riverine areas under Ord.12,s.1998,sec. 1;
- Washing of clothes, plates, other utensils and taking a bath directly in the river using detergents and other bleaching components.

(d) Other Prohibitions

- Non-compliance of Environmental Impact Statement (EIS) and Environmental Clearance Certificate on projects affecting the environment under P.D.1586;
- Non-compliance of standards on septic tank and septate under the Philippine Clean Water Act or R.A.9275;
- Use of Plastic Bags under Secs. 80, 81, 82 of Ord.#4, s. 2001;
- Encroachment into identified Sacred Spaces in the forest area as provided under Sec.6 of Ord.#7,s.2016;
- Establishment of dwelling units in highly vulnerable areas such as mountainous ridge, highly sloping riparian zones, and riverbanks;
- Development of ecotourism project in highly vulnerable areas as mentioned above;

Section 23. PENAL PROVISION.

Any individual or group found guilty of violating this ordinance shall be meted out with the following:

1 st offense	-	One Thousand Pesos (P1,000)
2 nd offense	-	One Thousand Five Hundred Pesos (P1,500)
3 rd and subsequent offenses	-	Two Thousand Five Hundred Pesos (P2,500) or imprisonment of not more than 6 months at the discretion of the court

ARTICLE XI WATERSHED FUNDS

Section 24. FUNDS. The watershed management funds shall be generated from penalties, income from the water use or Payment for Environmental Services (PES), grants or donation from partner agencies, and other fund raising activities.

- (a) **Mandatory Budget Allocation.** The LGU of Dumingag shall also regularly allocate an annual budget in the amount not less than 500,000 and shall be increase thereafter subject to the availability for the operation of the Dumingag Watershed Management Council and its sub-structures or committees.
- (b) Management shall be subject to the regular accounting rules and procedures supervised by the Commission on Audit (COA);
- (c) Disbursement of Funds shall follow the approved annual budget for the operation of the DIWMC, and the General Management Plan of the Dumingag watershed zones.

ARTICLE XII IMPLEMENTATION, MONITORING & JOINT LEARNING

Section 25. IMPLEMENTATION & ENFORCEMENT. The Office of the Municipal Mayor shall be responsible for the implementation of this Ordinance through the appropriate management body such as the overall Integrated Watershed Management Council, the sub-structures and the different committees in closed collaboration with the Environment and Natural Resource Office (ENRO) with functions defined under Ord. #4, s. 2008, Philippine National Police, Municipal Task Force on Environment, Barangay Officials, Forest Rangers, Livelihood Development Coordinators (LDC) and PSDA (Timuay). Further, the Office of the Municipal Mayor shall formulate additional guidelines for the smooth implementation of this ordinance whenever necessary.

Section 26. MONITORING & REPORTING. The regular monitoring for implementation and enforcement of this Ordinance shall follow the performance standards (environmental, social) to be jointly agreed by stakeholders in the course of implementation of this Ordinance. Feedback and reporting on the results of monitoring shall be articulated during the regular meetings by the watershed management council.

Section 27. JOINT LEARNING. There shall be joint learning activities for the stakeholders involved in the implementation of this ordinance to improve enforcement and practice.

ARTICLE XIII
REPEALING AND SEPARABILITY CLAUSE

Section 28. SEPARABILITY CLAUSE. Any provision of this Ordinance or part thereof declared unconstitutional or unlawful, the other parts not affected shall remain in full force and effect.

Section 29. REPEALING CLAUSE. Any part of provisions of this Ordinance in conflict with or contrary to the existing ordinances are hereby repealed, amended or modified accordingly.

ARTICLE XIV
EFFECTIVITY

Section 30. EFFECTIVITY CLAUSE. This ordinance shall take effect after its approval and after 15 days a copy hereof is posted in the bulletin board in the municipal hall and two other conspicuous places and publication in a newspaper of general circulation.

Date Enacted: April 23, 2019

SANGGUNIANG BAYAN MEMBERS:

Hon. Lars Christian C. Tangalin

Hon. Nilo B. Ledesma

Hon. Paquito P. Duerme, Jr.

Hon. Bernaldo P. Degenion

Hon. Leonel C. Dinawanao

Hon. Irish J. Mandao

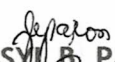
Hon. Jenny T. Arbitrario

Hon. Tracy E. Morpos

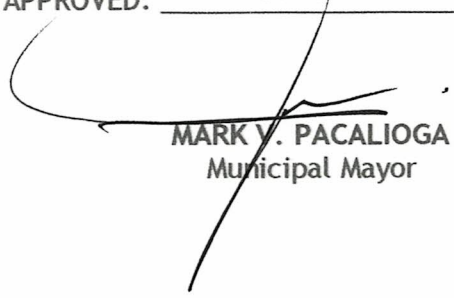
Hon. Jerson L. Cabahug

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED


FRANCIS JOERAY T. GUMBAN
Presiding Officer / Municipal Vice Mayor


JESSYL B. PALON
Secretary to the Sanggunian

APPROVED: June 17, 2019


MARK Y. PACALIOGA
Municipal Mayor

Not valid without Sanggunian seal


6-17-19 Mayor's Office