



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
South Wing, Provincial Capitol Building
South Capitol Road, Bacolod City, Negros Occidental 6100
Tel. Nos. 435-7698 * 433-4894 * 707-8075

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD, NEGROS OCCIDENTAL ON THE 31ST DAY OF JANUARY 2023.

Present:

Hon. Samson C. Mirhan	Temporary Presiding Officer
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Pocholo C. Yuvienco	Member – SK
Hon. Julius Martin D. Asistio	Member - PCL

On Official Business:

Hon. Jeffrey P. Ferrer	Vice Governor
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Juvy A. Pepello	Member – ABC

ORDINANCE NO. 2023-002
Series of 2023

AN ORDINANCE GIVING CLEARANCE TO THE APPLICATION ON SPECIAL USE AGREEMENT IN PROTECTED AREA (SAPA) OF THE PROVINCE OF NEGROS OCCIDENTAL, AND GRANTING AUTHORITY TO THE PROVINCIAL GOVERNOR TO ENTER INTO A CONTRACT AND ACT IN BEHALF OF THE PROVINCE IN THE APPLICATION FOR SAPA

WHEREAS, the Province of Negros Occidental is applying for Special Use Agreement in Protected Area (SAPA) of the 62-hectare National Greening Program (NGP) located at Sitio Tambara, Brgy. San Fernando, Talisay City;

WHEREAS, pursuant to RA 7586 of the NIPAS Act, North Negros Natural Park (NNNP) was declared as protected area by virtue of Presidential Proclamation No. 895 dated August 15, 2005;

WHEREAS, the 103-hectare area located at Sitio Tambara, Brgy. San Fernando, Talisay City is within the classified Multiple Use-Zone (MUZ) of the NNNP, a protected area that is known to house as array of diverse flora and fauna;

WHEREAS, such portion of the protected area is yet to be utilized and rehabilitated with signs of degradation due to illegal human activities;

WHEREAS, utilizing this area can bring economic stability to the community surrounding the area, can create jobs for their welfare and encourage the people to protect the forest that provides them their livelihood;

WHEREAS, Section 17 (b)3(iii) of RA 7160 otherwise known as the Local Government Code of the Philippines, empowers the Provincial Government to enforce forestry laws limited to community-based forestry projects;



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NOW THEREFORE, on motion of Hon. Andrew Gerard L. Montelibano, unanimously seconded by all the members present,

BE IT ENACTED by the Sangguniang Panlalawigan of Negros Occidental in a Regular Session duly assembled that:

SECTION 1. Title. – This ordinance shall be known as the “**AN ORDINANCE GIVING CLEARANCE TO THE APPLICATION ON SPECIAL USE AGREEMENT IN PROTECTED AREA (SAPA) OF THE PROVINCE OF NEGROS OCCIDENTAL**”.

SECTION 2. Objectives. -

- a. To create an environmentally sound and sustainable agro ecotourism social enterprise which helps protect the watershed and benefits the community;
- b. To enhance productivity of upland resources;
- c. To have a flourishing watershed environment;
- d. To empower the upland community;
- e. To build a stable social enterprise.

SECTION 3. Planting Strategies.

- a. Production Forests. – A bamboo plantation will be established on the portion of classified brush lands that will serve as one of the livelihood components of the project. This will also include intercropping of cash crops between the rows of bamboo.
- b. Protection Forests. – For forest Gaps (large gaps) and for Forested Areas with small forest gaps, Enrichment Planting and Assisted Natural Regeneration (ANR) planting strategies should be applied. Mixed-species native trees with high ecological and economic importance especially Dipterocarps will be used to increase the population density and species richness.

For some parts of the classified Grasslands and Brush Lands areas, Accelerated Pioneer-Climax Series (APCS) or relay planting should be followed. It follows natural succession by planting pioneers species (pil, kalingan, kalumpit, narra, etc.) to be followed by inter-row planting with climax species (apitong, red/white lauan, etc.) for soil and ecological restoration.

Other strategies applicable for brush lands are the Assisted Natural Regeneration (ANR) and Enrichment Planting by using fast growing and light demanding trees such as narra, kalumpit, among others, to be planted in between the regenerants for the immediate increase in density and canopy coverage.

- c. Agroforestry. – There are certain portions of the classified Grasslands and Brush Land areas that are allotted for agroforestry planting schemes. Fruit-bearing trees that are market driven such as rambutan, jackfruit, lanzones, marang, to name a few, will be the primary component and some agricultural crops (corn, string beans, sweet potato, etc.) will be planted in between fruit trees during the early stage for the first few years. This strategy will support the livelihood and food security needed by the participating community. Selected forest tree species will be also planted to boundaries the will serve as firebreaks and windbreaks.



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- d. **Edible/Ornamental Planting.** – The Project explores the possibility of an edible and ornamental planting strategy. It involves a combination of fruits, vegetables, edible plants and ornamental plants by creating a multi-functional landscape that provides livelihood, promotes local food and aesthetically pleasing productive landscape, and improves biodiversity. The 70-30 rule (70% edible plants and 30% ornamental plants) must be applied by following the proper process of landscape establishment.

SECTION 4. Infrastructures.

- a. **Nursery.** – The Establishment of a plant nursery is considered as an essential component in conducting reforestation and agroforestry projects. In the production of planting stocks, there is a need for proper care and attention to plants during their seedling stage which is the most critical method phase when it comes to development, until further conditioning. By following the nursery culture, it includes a layout wherein the movement of people and materials is systematic. The proposed nursery will include nursery beds (seedbeds, transplant beds, etc.) soil shed/storage, potting shed, compost compartment, tool room and a water impoundment system.
- b. **Observation Tower.** – Due to illegal practices within the vicinity of the project site, there is a need to monitor the area visually daily. An observation tower strategically placed within the project site would provide a 360 degrees long distance view of the lowland towns and capitalizing on it, the observation tower would be a valuable addition to the tourism experience on the site. Therefore, a strategically placed observation tower would be of great value within the site in terms of both security and tourism.
- c. **Ranger Station.** – The PGNO plans to hire forest rangers to protect and perform other services within the project site. In order for the forest rangers to function well and perform their duties, a proper facility is needed for the ranger offices, storage space, and base of operation for emergency response. Therefore, it is essential to construct and maintain a Ranger Station situated near the forest land of the project site.
- d. **Recreational Area.** – The recreational area will serve as buffer to the edible gardens and to the other side which includes the nursery, livelihood area, and the bamboo facility. It may include sub-areas for picnicking, hiking and interpretive lectures from the guide-in-charge.

SECTION 5. Clearance. – The Province of Negros Occidental shall be given clearance on their application on Special Use Agreement in Protected Area (SAPA) located at Sitio Tambara, Brgy. San Fernando, Talisay City.

SECTION 6. Comprehensive Development and Management Plan and Environmental Compliance Certificate. – The Province of Negros Occidental shall be required to submit the Comprehensive Development and Management Plan and Environmental Compliance Certificate for review of the Protected Area Management Board of North Negros Natural Park (PAMB-NNNP) as mandated by DAO 2007-17.



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SECTION 7. *Comprehensive Development and Management Plan and Environmental Compliance Certificate.* – The Province of Negros Occidental shall be required to submit the Comprehensive Development and Management Plan and Environmental Compliance Certificate for review of the Protected Area Management Board of North Negros Natural Park (PAMB-NNNP) as mandated by DAO 2007-17.

SECTION 8. *Separability Clause.* – If any provision of the Ordinance is declared invalid or unconstitutional, the other provisions unaffected thereby shall remain valid and subsisting.

SECTION 9. *Repealing Clause.* – All other ordinances, rules and regulations or parts thereof which are inconsistent with this Ordinance are hereby revoked, amended or modified accordingly.

SECTION 10. *Effectivity.* – This ordinance shall take effect immediately upon approval thereof.

ADOPTED UNANIMOUSLY, January 31, 2023.

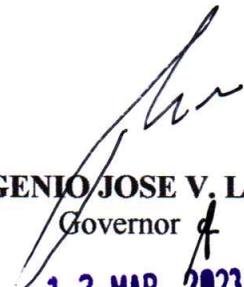
CERTIFIED CORRECT:


HON. SAMSON O. MIRHAN
Temporary Presiding Officer

ATTESTED:


ATTY. MARI ANGEL O. ASCALON
Provincial Secretary


APPROVED:


HON. EUGENIO JOSE V. LACSON
Governor

Date: 13 MAR 2023