



**SANGGUNIANG BAYAN OF ALEGRIA**

**HON. DOMINADOR G. ESMA, JR.**  
Municipal Vice Mayor  
Presiding Officer

**HON. REUEL O. JALASAN**  
SB Member  
Chairperson, Committee on Public Works,  
Infrastructure, Housing and Land Use  
Chairperson, Committee on Peace and  
Order and Public Safety and  
Transportation

**HON. NIMFA N. SAGARAL**  
SB Member  
Chairperson, Committee on Women,  
Family, Social Welfare, Gender and  
Development, Senior Citizens and PWD  
Chairperson, Committee on Disaster Risk  
Reduction Management.

**HON. ERLINDA B. SILVOSA**  
SB Member  
Chairperson Committee on Education,  
Culture, IP & Arts, Moral, Spiritual and  
Value Formation

**HON. EMALYN S. MICOMPAL**  
SB Member  
Chairperson, Committee on Health and  
Sanitation

**HON. ARNOLD L. DAGCUTA**  
SB Member  
Chairperson, Committee on Rules, Justice  
and Human Rights, Civil Service,  
Ordinances, Good Governance and Legal  
Matters  
Chairperson, Committee on Ways and  
Means, Budget, Finance and  
Appropriations

**HON. RYAN T. ABARICO**  
SB Member  
Chairperson, Committee on Environment  
and Natural Resources  
Chairperson, Committee on  
Communication and Tourism

**HON. REYNALDO B. RANAY**  
SB Member  
Chairperson, Committee on Agriculture  
and Food Security and Agrarian Reforms

**HON. ELDY S. GABELIGNO**  
SB Member  
Chairperson, Committee on Economics,  
Trades, Industry and Cooperatives, Labor  
and Employment

**HON. ALMASUR G. OPALIA**  
Liga ng mga Brgy. President  
Chairperson, Committee on Barangay  
Affairs  
Chairperson, Committee on Anti-Drugs  
and Narcotics

**HON. REIL JOHN A. ESMA**  
SK Fed. President  
Chairperson, Committee on Youth Welfare  
and Sports Development

Republic of the Philippines  
Caraga Region XIII  
Province of Surigao del Norte  
Municipality of Alegria

**SANGGUNIANG BAYAN OF ALEGRIA**

**EXCERPTS FROM THE MINUTES OF THE REGULAR  
SESSION OF THE SANGGUNIANG BAYAN OF ALEGRIA,  
SURIGAO DEL NORTE, HELD AT THE SANGGUNIANG  
BAYAN SESSION HALL ON SEPTEMBER 7, 2020.**

**PRESENT:**

- Hon. Dominador G. Esma, Jr. - MVM, Presiding Officer
- Hon. Reuel O. Jalasan - SB Member
- Hon. Nimfa N. Sagaral - SB Member
- Hon. Erlinda B. Silvosa - SB Member
- Hon. Emalyn S. Micompal - SB Member
- Hon. Arnold L. Dagcuta - SB Member
- Hon. Ryan T. Abarico - SB Member
- Hon. Reynaldo B. Ranay - SB Member
- Hon. Eldy S. Gabeligno - SB Member
- Hon. Almasur G. Opalia - LNMB President
- Hon. Reil John A. Esma - SK Fed. President

**ABSENT: NONE**

**MUNICIPAL ORDINANCE 2020-014 SERIES OF 2020**

**AN ORDINANCE DECLARING THE 87.037 HECTARES  
MARSHLAND IN BARANGAY PUNGTOD, ALEGRIA, SURIGAO  
DEL NORTE, AS LOCAL CONSERVATION AREA AND  
WILDLIFE SANCTUARY OF THE MUNICIPALITY OF  
ALEGRIA, AND FOR OTHER PURPOSES**

**SECTION I. Title.** - This ordinance shall be known as the "Local Conservation Area and Wildlife Sanctuary Ordinance of the Municipality of Alegria, Surigao del Norte."

**SECTION II. Declaration of Principles and Policies:**

- (a) It is the national policy of the State to protect and promote the right to health of the people, and advance their right to a balanced and healthful ecology in accord with the rhythm and harmony of nature;
- (b) R.A. No. 9147, otherwise known as the Wildlife Act provides that it shall be unlawful for any person to willfully and knowingly exploit wildlife resources and their habitats unless otherwise allowed in accordance with this Act;
- (c) R.A. No. 7586, otherwise known as the National Integrated Protected Area System (NIPAS) Act, provides that it shall be the policy of the state to conserve and protect wildlife species and their habitats to promote ecological balance and enhance biological diversity;

(d) P.D. No. 1067, otherwise known as the Water Code of the Philippines, provides the underlying principles that all waters belong to the State and cannot be the subject to acquisitive prescription, and waters found on private lands belong to the State including water in swamps and marshes;

(e) R.A. No. 7160, otherwise known as the Local Government Code of 1991, explicitly provides that the Local Government Units (LGUs) shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction;

(f) Furthermore, R.A. No. 7160 provides that the Sangguniang Bayan shall enact ordinances, approves resolution and appropriate funds to protect the environment and impose penalties for acts which endanger the environment, such as x x x smuggling of natural resources products and of endangered species of flora and fauna, x x x, and such other activities which result in x x x ecological imbalance; and

(g) It is the avowed policy of the Local Government Unit to promote environmental protection, conservation and development through the implementation of environmental programs and enforcement of local and national laws enacted specifically for such purpose. As it adheres to the preservation of the natural environment, the same continuously endeavors to create relevant measures in protecting and conserving its terrestrial resources. Hence, an area with high resource importance is conserved, and protected for the generations to come.

**SECTION III. Definition of Terms:** For the purpose of this ordinance, the following terms are hereby defined:

(a) **Local Conservation Area (LCA)** - The 87.037 hectares of marshland delineated purposely for the conservation of various flora and fauna species found therein.

(b) **Oversight Committee (OC)** - a special body composed of government line agencies, community, non-government organizations and LGU, who seats as chairperson of the committee. It is created purposely to oversee the entire operations of the local conservation area.

(c) **Wildlife Sanctuary** - an area where important species of wildlife inhabit and roost. Or a refuge for wildlife, both flora and fauna, where predators are controlled and hunting is illegal.

(d) **Flora** - all the plants that live in a particular area, time, period, or environment.

(e) **Fauna** - all the animals that live in a particular area, time, period or environment.

(f) **Marsh** - an area of soft, wet land that has many grasses and other plants.

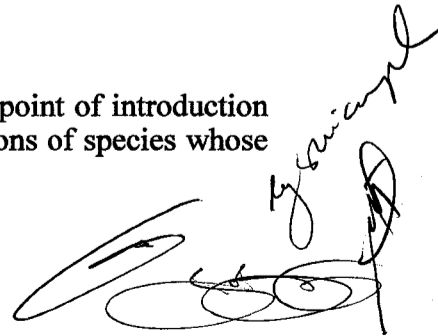
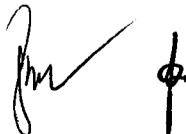
(g) **Wildlife** - animals living in nature and not domesticated.

(h) **Ecology** - a branch of science that deals with the interrelationship of organisms and their environment.

(i) **Terrestrial Resources** - living or growing on land instead of in water or air.

(j) **Exotic Species** - very different, strange, or unusual species.

(k) **Invasive Species** – a nonindigenous species that spread from the point of introduction and becomes abundant in a certain place which attach to the populations of species whose impact upon introduction has altered their new environment.



(l) **Endemic Species** - means species or subspecies which is naturally occurring and found only within specific areas in the country.

(m) **Endemicity** – plant or animal natural or exclusively growing or existing in a certain place or region.

(n) **Gratuitous Permit** - means permit issued to any individual or entity engaged in non-commercial scientific, or educational undertaking to collect wildlife.

(o) **Habitat** - means place or environment where species or subspecies naturally occur or has naturally established its population.

(p) **Buffer Area** - an area that keeps two things separated.

**SECTION IV. Site and Coverage.** - This ordinance covers the entire Eighty- Seven and 037/100 or 87.037 hectares of marsh area located at Brgy. Pungtod, Municipality of Alegria, Surigao del Norte.

**SECTION V. Administrative Provision.** - All citizens in the municipality of Alegria, Surigao del Norte, including the constituents of the municipalities and all visitors, shall be obliged to strictly observe and follow the restrictions and guidelines stipulated in this ordinance and as manifested in the conservation, preservation, protection and management plan prepared by the LGU.

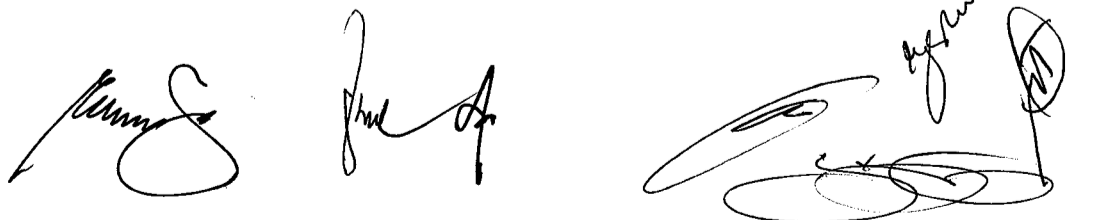
Provided however, that all actual occupants covered in this declaration shall be accorded with appropriate rights over the area and any development thereon shall be upon the approval of the concerned agencies.

**SECTION VI. Local Conservation Area Management:**

(a) Classified public forest or timberland and wetland areas are under the sole administration of the Department of Environment and Natural Resources (DENR). However, for the wetland in Alegria declared under the Local Conservation Area (LCA) approach with a total land area of Eighty Seven and 037/100 or (87.037) hectares, known as the Alegria Conservation Area and Wildlife Sanctuary (ACAWS) shall be exclusively managed by the LGU through the Municipal Environment and Natural Resources Officer (MENRO), with continued assistance from the DENR;

(b) Certification and permit issuances by both DENR and LGU for land utilization inside the ACAWS shall strictly conform to the approved Comprehensive Land Use Plan (CLUP) of the locality. The DENR of Caraga Region XIII shall allow the LGU of Alegria to manage the ACAWS and regulate the issuance of building permits to qualified applicants within the designated buffer areas for better land management and control of the site;

(c) The entire 87.037 hectares of Alegria Conservation Area and Wildlife Sanctuary (ACAWS) shall be under the strict conservation policy of the LGU. No cutting, gathering and extraction of flora and fauna within the area, regardless of species, except for some scientific purposes. Instead, biodiversity enhancement is hereby imposed simultaneous with the preservation of species endemism. Further, introduction of exotic species and highly invasive species in the sanctuary is restricted. Infrastructure establishments and possible development, if there are any, shall be based on the approved plan of the Oversight Committee (OC) created for the purpose;



(d) The Alegria Conservation Area and Wildlife Sanctuary (ACAWS) shall strictly follow and abide all the applicable provisions of P.D. No. 1067, R.A. Nos. 7160, 7586 and 9147; and

(e) All provisions of this ordinance shall be applied only within the mets and bounds of the conservation area and wildlife sanctuary as described hereunder.

(GEOGRAPHIC COORDINATES)

Alegria Conservation Area			Alegria Conservation Area		
Corner	Latitude	Longitude	Corner	Latitude	Longitude
1	90°30'41.9"	125°33'53.5"	40	9°31'19.19"	125°34'12.53"
2	90°30'46.7"	125°33'54.0"	41	9°31'21.70"	125°34'10.62"
3	90°30'48.8"	125°33'54.6"	42	9°31'24.42"	125°34'11.21"
4	90°30'50.0"	125°33'57.0"	43	9°31'24.59"	125°34'10.84"
5	90°30'48.6"	125°34'02.6"	44	9°31'24.00"	125°34'9.72"
6	90°30'45.7"	125°34'07.2"	45	9°31'26.80"	125°34'8.11"
7	90°30'41.1"	125°34'11.5"	46	9°31'31.31"	125°34'5.34"
8	90°30'39.5"	125°34'13.1"	47	9°31'30.97"	125°34'4.47"
9	90°30'23.3"	125°34'19.5"	48	9°31'29.18"	125°34'5.28"
10	90°30'16.9"	125°34'18.5"	49	9°31'27.87"	125°34'6.20"
11	90°30'10.7"	125°34'12.0"	50	9°31'27.15"	125°34'5.15"
12	90°30'10.5"	125°34'13.8"	51	9°31'26.62"	125°34'2.61"
13	90°30'15.8"	125°34'19.7"	52	9°31'25.69"	125°34'2.23"
14	9°31'25.0"	125°34'21.6"	53	9°31'22.19"	125°34'3.82"
15	9°30'25.6"	125°34'25.6"	54	9°31'16.83"	125°34'4.81"
16	9°30'31.0"	125°34'21.1"	55	9°31'19.19"	125°34'0.63"
17	9°30'32.8"	125°34'24.1"	56	9°31'16.88"	125°33'56.09"
18	9°30'37.6"	125°34'23.6"	57	9°31'14.61"	125°33'55.80"
19	9°30'37.7"	125°34'24.7"	58	9°31'14.35"	125°33'57.55"
20	9°30'42.2"	125°34'26.1"	59	9°31'12.04"	125°33'57.95"
21	9°30'44.0"	125°34'23.9"	60	9°31'10.55"	125°33'57.59"
22	9°30'47.4"	125°34'23.1"	61	9°31'7.55"	125°33'59.71"
23	9°30'47.0"	125°34'19.6"	62	9°31'3.70"	125°34'0.08"
24	9°30'48.6"	125°34'19.2"	63	9°31'0.03"	125°33'58.47"
25	9°30'48.6"	125°34'17.4"	64	9°30'58.20"	125°33'59.53"
26	9°30'53.6"	125°34'15.2"	65	9°30'56.77"	125°33'57.61"
27	9°30'56.0"	125°34'14.3"	66	9°30'55.42"	125°33'55.53"
28	9°30'56.1"	125°34'14.7"	67	9°30'54.77"	125°34'52.68"
29	9°30'58.39"	125°34'13.47"	68	9°30'52.92"	125°33'50.67"
30	9°30'58.76"	125°34'12.59"	69	9°30'52.14"	125°33'48.78"
31	9°31'0.54"	125°34'14.62"	70	9°30'50.30"	125°33'45.46"
32	9°31'2.51"	125°34'17.55"	71	9°30'48.99"	125°33'46.99"
33	9°31'7.97"	125°34'13.61"	72	9°30'48.32"	125°33'45.16"
34	9°31'9.47"	125°34'12.99"	73	9°30'46.44"	125°33'47.10"
35	9°31'11.10"	125°34'13.97"	74	9°30'45.07"	125°33'47.24"
36	9°30'56.1"	125°34'15.64"	75	9°30'43.31"	125°33'46.90"
37	9°31'17.15"	125°34'14.47"	76	9°30'43.51"	125°33'48.99"
38	9°31'15.61"	125°34'12.88"	77	9°30'42.75"	125°33'50.37"
39	9°31'16.14"	125°34'12.35"	78	9°30'41.97"	125°33'51.78"

**SECTION VII. Local Conservation Area Development:**

- (a) Development of the Local Conservation Area shall be jointly done by the members of the Oversight Committee (OC) composed of selected Government Line Agencies (GLA) other than the LGU;
- (b) The LGU of Alegria, Surigao del Norte shall prepare a comprehensive management and development plan for ACAWS and allocate regular funds in the amount of FIFTY THOUSAND PESOS (PhP50,000.00) only, for the management and development of the area per Section 9 of DENR-DILG-LGU Joint Memorandum Circular 2003-01, and shall be increased annually to defray the operational expenses of the ACAWS Oversight Committee until such time it can stand independently;
- (c) The LGU of Alegria in partnership with other members of the committee shall join hands in sourcing out additional funds to carry out the programs and projects manifested in the plan;
- (d) The Oversight Committee shall formulate the ACAWS' Operation and Management plan for the entire area; and
- (e) Studies and researches conducted within ACAWS shall first secure gratuitous permit and certification from the DENR and LGU through the Municipal Environment and Natural Resources Office (MENRO), respectively.

**SECTION VIII. Enforcement.**

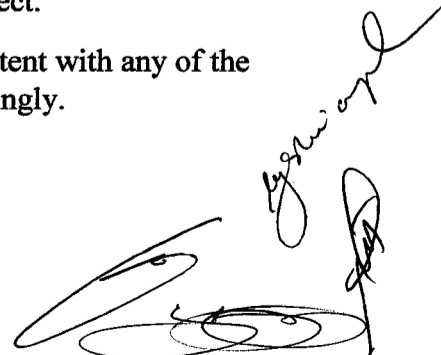
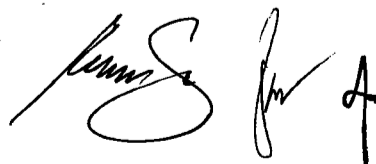
- (a) There shall be created a Project Management Team headed by the Municipal Environment and Natural Resources Officer (MENRO), who is primarily responsible in the delivery of all the duties and functions as specified in the plan and such other applicable environmental laws, policies, rules and regulations; and;
- (b) The DENR shall provide technical assistance to the LGU in monitoring and evaluation of projects inside the conservation site and shall, likewise, provide possible legal support or assistance to the LGU in pressing appropriate environmental charges or cases against those suspected culprits or violators.

**SECTION IX. Penalty.** - Any person or entity that violates any provision of this ordinance shall be penalized as follows, to wit:

- 1<sup>st</sup> Offense - A fine of PhP 1,000.00 only;
- 2<sup>nd</sup> Offense - A fine of PhP 1,500.00 or four (4) consecutive days of Community Service, or both, upon the sound discretion of the court.
- 3<sup>rd</sup> Offense - A fine of PhP 2,500.00 or a maximum of one (1) month imprisonment, or both, upon the sound discretion of the court.

**SECTION X. Separability Clause.** - If, for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof, which are not affected, shall continue to be in full force and effect.


**SECTION XI. Repealing Clause.** - All ordinances which are inconsistent with any of the provisions of his ordinance is hereby repealed, modified and amended accordingly.



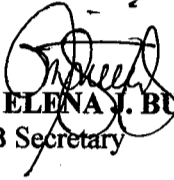
**SECTION XII. Effectivity.** - This ordinance shall take effect after the review, of the Sangguniang Panlalawigan of Surigao del Norte and declare this ordinance valid and effective.

**ADOPTED AND APPROVED.** September 7, 2020 on motion of Hon. Ryan T. Abarico and duly seconded by Hon. Almasur G. Opalia.


I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING MUNICIPAL ORDINANCE.

  
**DOMINADOR G. ESMA, JR.**  
Municipal Vice Mayor/Presiding Officer

Attested by: **MARIA ELENA J. BUCONG**  
SB Secretary



APPROVED:

  
**RENE G. ESMA**  
Municipal Mayor

9. 15. 2020

Date









