

Republic of the Philippines  
Province of Cagayan  
City of Tuguegarao

**Office of the Secretary to the Sanggunian**

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May 16, 2018

**Dr. Rosalinda P. Callang**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan, Province of Cagayan  
Capitol Hills, Tuguegarao City



**Madam:**

Pursuant to Section 54 of the Local Government Code, we are now submitting for review and action the attached legislative measures enacted by the Sangguniang Panlungsod on May 7, 2018, to wit:

- **CITY ORDINANCE NO. 22-2018** – An Ordinance Declaring Pinacanauan Na Tuguegarao Water Quality Management Area (WAQMA) as Protected Area

Thank you.

**Yours truly,**

  
**JOEL JOSEPH L. EGIPTO**  
Secretary to the Sanggunian



Republic of the Philippines  
 PROVINCE OF CAGAYAN  
 City of Tuguegarao

**SEVENTH CITY COUNCIL**



EXCERPTS FROM THE MINUTES OF THE 83<sup>rd</sup> REGULAR SESSION  
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON MAY 07, 2018, 9:00 A.M., MONDAY, AT THE  
 MAYOR'S OFFICE CONFERENCE ROOM

PRESENT:

|                                   |  |
|-----------------------------------|--|
| Hon. Danilo L. Baccay             | Sangguniang Panlungsod Member, Temporary Presiding Officer |
| Hon. Jude T. Bayona               | Sangguniang Panlungsod Member                              |
| Hon. Kendrick S. Calubaquib       | -do-   |
| Hon. Maila Rosario T. Que         | -do-   |
| Hon. Arnel T. Arugay              | -do-   |
| Hon. Gilbert S. Labang            | -do-   |
| Hon. Winnoco R. Abraham           | -do-   |
| Hon. Imogen Claire M. Callangan   | -do-   |
| Hon. Mary Marjorie P. Martin-Chan | -do-   |
| Hon. Raymund P. Guzman            | -do-   |
| Hon. Grace B. Arago               | -do-   |
| Hon. Anthony C. Tuddao            | -do-   |
| Hon. Jose G. Velasco              | -do-   |

NOTE:

Hon. Bienvenido C. De Guzman II      Acting City Mayor

**CITY ORDINANCE NO. 22-2018**

**AN ORDINANCE DECLARING PINACANAUAN NA TUGUEGARAO WATER QUALITY  
 MANAGEMENT AREA (WAQMA) AS PROTECTED AREA**

Sponsors:      Hon. Bienvenido C. De Guzman II  
                          Hon. Danilo L. Baccay  
                          Hon. Jude T. Bayona  
                          Hon. Kendrick S. Calubaquib  
                          Hon. Maila Rosario T. Que  
                          Hon. Arnel T. Arugay  
                          Hon. Gilbert S. Labang  
                          Hon. Winnoco R. Abraham  
                          Hon. Imogen Claire M. Callangan  
                          Hon. Mary Marjorie P. Martin-Chan  
                          Hon. Raymund P. Guzman  
                          Hon. Grace B. Arago  
                          Hon. Anthony C. Tuddao  
                          Hon. Jose G. Velasco

**WHEREAS**, Republic Act 7160, otherwise known as the Local Government Code of 1991, mandates every Local Government Unit (LGU) to exercise the powers expressly granted to promote health and safety and enhance the right of the people to a healthful and balanced ecology;

**WHEREAS**, Republic Act 7586 or the NIPAS Acts provides for the establishment and management of national protected areas defining its scope and coverage and for other purposes;

**WHEREAS**, DENR Administrative Order No. 2013-06, dated 24 January 2013 designates *Pinacanauan Na Tuguegarao* as Water Quality Management Area (WAQMA) because of its critical importance to Tuguegarao City and its communities and to the other municipalities of the Province of

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Cagayan. In the said Department Order, the declaration is intended to make *Pinacanauan Na Tuguegarao* a sustaining resource for the people of Tuguegarao City;

**WHEREAS**, Section 82 of City Ordinance No. 058-2017, otherwise known as the Comprehensive Environmental Code of Tuguegarao City, includes the critical importance of Pinacanauan Na Tuguegarao River as protected area for water conservation;

**WHEREAS**, it is the policy of the State to afford full protection and the advancement of the right of the people to a healthful ecology in accord with the rhythm and harmony of nature;

**WHEREAS**, the result of the overall assessment conducted by the DENR-EMB Water Quality Monitoring Team on the Pinacanauan Na Tuguegarao River revealed that the level of Fecal Coliform is very high which caused deviation with the intended beneficial use of the Pinacanauan River. The standard level of fecal coliform measurement is 100 MPN/100mL. There are four monitoring stations located within Tuguegarao City. The geomean or average fecal coliform measurements for the year 2017 are 8,037 MPN/100mL at Centro 10; 5,308 MPN/100mL at Capatan; 8,468 MPN/100mL at Tanza; and 4,031 MPN/100mL at Caggay;

**WHEREAS**, the Pinacanauan Na Tuguegarao River conforms to “Class B” water body classification but the level of fecal coliform is very high which caused deviation with the intended beneficial use, hence, considered not safe and fit for human use;

**WHEREAS**, the City Government properly utilizes, manages, protects and closes all the access of the Pinacanauan Na Tuguegarao River for its recovery, rehabilitation and enhancement;

**WHEREAS**, this ordinance is an important development in the efficient management, utilization and conservation of the river.

**WHEREFORE**, be it ordained by the Seventh City Council in session assembled:

**SECTION 1. TITLE.** This ordinance shall be referred to as “*An Ordinance Declaring Pinacanauan Na Tuguegarao Water Quality Management Area (WAQMA) as Protected Area.*”

**SECTION 2. DECLARATION OF POLICY.** It shall be the policy of the Tuguegarao City Government to protect and conserve the integrity of the Pinacanauan Na Tuguegarao River including its Flora and Fauna being the intergenerational God-made life support system, for the benefit and general welfare of its inhabitants, develop, enhance and promote their economy within the constitutional concept of protecting and advancing the right of the people and their posterity to balance and healthful ecology in accord with the rhythm and harmony of nature.

### **SECTION 3. DEFINITION OF TERMS**

- a. City Ordinance No. 058-2018 – Comprehensive Environmental Management
- b. Fecal Coliform –is a type of bacteria that grows in the digestive tracts of humans and other warm-blooded animals. It serves as an indicator for the presence of disease-causing bacteria in the water
- c. MPN – Most Probable Number
- d. PnT – Pinacanauan Na Tuguegarao
- e. PD 1067 – The Water Code of the Philippines
- f. RA 7586 – National Integrated Protected Areas System Act of 1992
- g. Pinacanauan River – refers to the body of water which traverses Barangay Larion Alto, Larion Bajo, Capatan, Caggay, Tanza, Centro 09, Centro 10 and Cataggaman Nuevo all of Tuguegarao City
- h. WAQMA – Water Quality Management Area



**SECTION 4. CLOSURE OF ACCESS ROADS AND ENTRY TO PINACANAUAN NA TUGUEGARAO.** The Tuguegarao City Government through the City Mayor by virtue of his Executive Order shall close roads as access and entry to the Pinacanauan River by any person for recreation, washing, bathing and/or any other activity which may cause pollution and degradation of the river subject to the period of time as may be provided in the Executive Order or Implementing Rules and Regulations (IRR) by the City Mayor.

**SECTION 5. PENALTY CLAUSE.** The penalty shall be that provided under Section 91 of City Ordinance No. 058-2017, otherwise known as “*Comprehensive Environmental Code of Tuguegarao City*”, which states that no person shall be allowed to stay in this zone (PnT) longer that what is necessary for reforestation, recreation, navigation, washing, flotage, fishing and salvage or to build structures of any kind or any activity which may cause pollution and degradation of the river and any violation thereof shall be punishable as follows:

- First Offense – fine of Two Thousand Pesos (P2,000.00) and four (4) hours environmental community work
- Second Offense – fine of Three Thousand Pesos (P3,000.00) and four (4) hours environmental community work
- Third Offense – fine of Five Thousand Pesos (P5,000.00) and thirty (30) days imprisonment

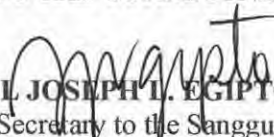
**SECTION 6. SEPARABILITY CLAUSE.** If, for any reason, any provision, section or part of this ordinance is declared not valid by a court of competent jurisdiction, suspended or revoked by competent authority, such judgment or act shall not affect or impair remaining provisions, sections or parts of this ordinance which shall continue to be in full force and effect.

**SECTION 7. REPEALING CLAUSE.** All ordinances, resolutions, orders, circulars, memoranda and other similar issuances inconsistent herewith are hereby repealed or modified accordingly.

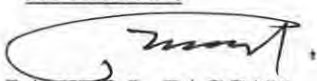
**SECTION 8. EFFECTIVITY.** This ordinance shall take effect immediately upon its approval.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH I. EGIPTO, Ph.D.** 051018  
Secretary to the Sanggunian

ATTESTED:

  
**HON. DANILO L. BACCAY**  
Sangguniang Panlungsod Member  
Temporary Presiding Officer  
Date: 05-10-18

APPROVED:

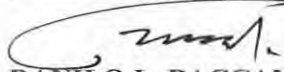
  
**HON. ATTY. JEFFERSON P. SORIANO**  
City Mayor  
Date: 05/10/18

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## CERTIFICATION

I, Danilo L. Baccay, duly elected as the Temporary Presiding Officer during the 83<sup>rd</sup> Regular Session held on May 7, 2018, do hereby certify that I acted as such when the foregoing City Ordinance No. 22-2018 has been approved under suspended rules.

In witness whereof, I hereunto set my hand and affix my signature this 9<sup>th</sup> day of May 2018.



**HON. DANILO L. BACCAY**  
Sangguniang Panlungsod Member  
Temporary Presiding Officer

*at*