



Republic of the Philippines
House of Representatives
Constitution Hills, Batasan Complex, Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3667

Introduced by Representative **ADOLPH EDWARD G. PLAZA**
2ND District, Agusan del Sur

**"AN ACT
DECLARING THE AGUSAN MARSH LOCATED IN THE MUNICIPALITIES OF
TALACOGON, SAN FRANCISCO, ROSARIO, BUNAWAN, LORETO, LA PAZ AND
VERUELA IN THE PROVINCE OF AGUSAN DEL SUR AS AN ECOTOURISM
ZONE AND APPROPRIATING FUNDS THEREFOR"**

Explanatory Note

The Agusan Marsh is an important region of biodiversity in the country with its vast complex of freshwater marshes and watercourses. It serves as a feeding and nesting ground of migratory wild birds as well as a habitat to rare and endangered wildlife. It is known to be the home of the world's largest crocodile caught in 2011 and was called "Lolong" by the locals. Lolong however died while in captivity in 2013. The Marsh, on top of being a habitat of several flora and fauna, also serves as flood-retention basin that absorbs excess water during wet season.

With the unique biodiversity and beauty of Agusan Marsh, it has a lot of potential for eco-tourism activities such as, but not limited to, bird watching, river cruising, photography, and lake hopping. The various Manobo tribes which inhabit the area consider the Marsh as their most important capital and resource. With the purpose of boasting the beauty of the Marsh, the locals have initiated cultural tourism activities through the efforts of the Agusan Marsh Organization, a loose community-based organization in *Sitio Panlabuhan* of the Municipality of Loreto.

As local communities begin to see Agusan Marsh as a tourism destination, thus a potential source of income, it is imperative that an appropriate policy and support from the local and national government must be considered. The development of the ecotourism zone must be in accord with the policy of the State which states that tourism development must be ecologically sustainable, responsible, participatory, culturally sensitive, economically viable, and ethically and socially

equitable for local communities. It is hoped that with the passage of this bill, relevant government agencies can institutionalize the necessary programs for the development and protection of the Agusan Marsh as an eco-tourism destination.

In view of the foregoing, approval of this bill is earnestly sought.



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

SECTION 1. Declaration of Policy. – The State is mandated to promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable, and equitably beneficial to local communities.

SECTION 2. Agusan Marsh Ecotourism Zone. – The Agusan Marsh in the Municipalities of Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz, and Veruela in the province of Agusan del Sur is hereby declared as an ecotourism zone.

SECTION 3. Objectives. – Pursuant to the above declaration of policy, the State shall seek to:

- a. Develop and promote responsible, community-based ecological tourism as the core management strategy in the development of the Agusan Marsh Ecotourism Zone;
- b. Ensure the conservation of the biodiversity and the preservation of the said ecotourism zone;
- c. Develop ecotourism products and programs that will generate employment and livelihood for the local residents concerned, consistent with the

preservation and maintenance of the natural resources;

- d. Guarantee that the financial and economic benefits of the tourism industry are equitably shared by, and distributed among the local residents concerned by giving preference and support to community and home-based tourism enterprises, such as, but not limited to, homestays, micro and small businesses including restaurants, food and fruit stands, and other similar tourism-oriented industries and businesses;
- e. Ensure that the equality of local tourism programs and activities are educational and enriching for tourists and visitors through the orientation, educational and tour programs by local tour operators, non-government organizations (NGOs), the concerned Local Government Units (LGUs), the Department of Environment and Natural Resources (DENR), and the Department of Tourism (DOT); and,
- f. Guarantee that in the development and promotion of the local tourism industry, the concerned Local Government Units (LGUs) shall ensure that the needs of the local residents for adequate water supply, food, energy, transportation and local construction materials are first secured and met.

SECTION 4. Definition of Terms. – As used in this Act:

- a. *Biodiversity conservation* refers to the practice of preserving the variety of species, habits and ecosystems, and genetic diversity of the place, including *inter alia*, terrestrial, marine and other aquatic ecosystems, and the ecological complexes which they are a part of;
- b. *Community-based tourism* refers to a form of tourism where the local community and its residents have substantial control over and involvement in the development and management of the local tourism industry and a greater portion of the economic gains remain within the community;
- c. *Ecotourism* refers to a form of sustainable tourism within a natural area where community participation, protection and management of natural resources, cultural and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and satisfaction of visitors;
- d. *Homestays* refers to a system of tourist accommodation where a tourist stays and experiences the day-to-day life of the local residents;
- e. *Responsible ecotourism* refers to a form of sustainable tourism in which both the tourism sector and the tourists take responsibility in the protection, respect, and conservation of the natural environment and the local culture and ways of life, and where community participation as well as economic benefits are fostered and pursued for the well-being of the local residents and visitors;

SECTION 5. *Scope and Coverage.* – This Act shall cover the municipalities of Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz, and Veruela.

The setting of technical boundaries of the ecotourism zone shall be undertaken by the Department of Environment and Natural Resources (DENR) and other concerned agencies.

SECTION 5. *Agusan Marsh Ecotourism Board.* – An ecotourism governing board, to be known as the Agusan Marsh Ecotourism Board, hereinafter referred as the Board, is hereby created. It shall be composed of the following:

- a. The Governor of the Province of Agusan del Sur, as Chairperson;
- b. The Secretaries of the Department of Tourism (DOT) and the Department of Environment and Natural Resources (DENR), or their duly authorized representatives;
- c. The Mayors of the Municipalities of Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz, and Veruela;
- d. A member of a non-government organization whose advocacy is environmental preservation;
- e. A member of the academe;
- f. A representative from the business sector; and
- g. A representative from the private sector.

The Board shall promulgate the necessary rules and regulations for the proper implementation of this Act by the concerned local government units, and shall, as the need arises, amend, modify or revise such rules and regulations to meet the needs of changing times.

SECTION 6. *The Agusan Marsh Ecotourism Development and Management Plan.* – Within one hundred twenty (120) days after the approval of this Act, the Department of Tourism (DOT), in coordination with the Department of Environment and Natural Resources (DENR), shall formulate an Agusan Marsh Ecotourism Development and Management Plan that shall be complemented by a set of guidelines for a responsible, community-based tourism.

The Agusan Marsh Ecotourism Development and Management Plan shall ensure the preservation of the area and shall include the following components:

- a. Carrying capacity of the Agusan Marsh Ecotourism Zone and its endemic and migratory birds species;
- b. Specific site assessment;
- c. Identification of strategic priorities;
- d. Product development plans for local income generation;
- e. Capacity-building for the local community so residents therein can ably manage economically viable and responsible, community-

based ecotourism business enterprises;

- f. Strategies to promote the formulation of local production groups and networks, including the marketing and pricing of products; and
- g. Marketing strategies that uphold the natural, social and environmental integrity Agusan Marsh Ecotourism zone and its local residents.

The process of formulating the Ecotourism Development and Management Plan for the Agusan Marsh Ecotourism Zone shall be participatory, with the framework to be provided by the DOT and the DENR, in consultation with the local governments of Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz, and Veruela.

SECTION 7. Appropriations. – The Secretary of the DOT shall include in the Department' program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act and from internally generated funds of the DOT.

SECTION 8. Repealing Clause. – All laws, rules, regulations, executive orders, presidential decrees or other issuances contrary to or inconsistent with any of the provisions of this Act are hereby deemed repealed or modified accordingly.

SECTION 9. Separability Clause. – If any provision or part of this part Act is declared unconstitutional, the remaining provisions which are not affected shall remain in full force and effect.

SECTION 10. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any newspaper of general circulation.

Approved.