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SENATE

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Senate Bill No. 1328

Introduced by Senator Juan Miguel F. Zubiri

**AN ACT
DECLARING THE NORTHERN ANTIQUE PROTECTED SEASCAPE AND
LANDSCAPE LOCATED IN THE MUNICIPALITIES OF LIBERTAD,
PANDAN, SEBASTE, CULASI AND TIBIAO IN THE PROVINCE OF
ANTIQUE AS AN ECOTOURISM ZONE TO ENCOURAGE THE
RESPONSIBLE AND SUSTAINABLE USE AS WELL AS FOR THE
PRESERVATION AND CONSERVATION OF THE NATURAL RESOURCES
FOUND THEREIN, APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

The people's right to a healthful ecology is enshrined in the Constitution of the Republic of the Philippines as stated in Section 16 of Article II which states, "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature." This Bill is a step in the fulfilment of that Constitutional mandate.

This bill seeks to declare the Northern Antique Protected Seaside and Landscape (NAPSL) composed of the towns of Libertad, Pandan, Sebaste, Culasi and Tibiao as an ecotourism zone. It will be a true protected area with the appropriate delineation and zoning in order to achieve a balance of various land and water resource uses such as protection, production and settlements and multi-use areas. The NAPSL shall also serve to provide Filipinos with the following United Nations Sustainable Development Goals: Goal 1. End poverty; Goal 2. Zero hunger; Goal 3. Good health and Well-being; Goal 6. Clean water and sanitation; Goal 11. Sustainable cities and communities.^[1]

The NAPSL hosts a rich biodiversity that provide food, clean water, clean air, space for recreation and adventure for its splendour and unspoiled beauty. It needs protection which can be carried out fully well by a Protected Area Management Board with jurisdiction straddling various municipalities. The bill strives to address developmental needs of the community while assigning great importance to the carrying capacity and rich biodiversity of the NAPSL which cannot be replaced readily or at all.

The NAPSL is highlighted by features and species that need protection. Among them are the Mag-aba Wetland, Pandan Bay, Bugang River, endemic mangrove species, beach forest trees and fauna such as the Philippine duck (*Anas Luzonica*).

This Bill aspires to create a sustainable ecological tourism zone in Antique. The persistent global trend to visit as many magnificent nature reserves around the world behooves us to establish mechanisms to protect these areas. This bill will make it doable to implement protection measures within the NAPSL while allowing appropriate activities for Filipinos to satisfy the need for food, potable water, raw materials for commercial and industrial purposes only within limits.

In view of the above, the immediate passage of this bill is earnestly sought.



JUAN MIGUEL F. ZUBIRI

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FOUND THEREIN, APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES**

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

1 **SECTION 1.** *Short Title.* – This Act shall be known as the "Northern
2 Antique Protected Seascape and Landscape Act of 2020."

3 **SEC. 2.** *Declaration of Policy.* - The State is mandated to promote a
4 tourism industry that is ecologically sustainable, responsible, participative,
5 culturally sensitive, economically viable, and equitable for the local community.
6 Towards this end, the Northern Antique Protected Seascape and Landscape
7 (NAPSL) is hereby declared as a special ecotourism zone, where the responsible
8 and sustainable use of the natural resources therein is encouraged and will be
9 strictly implemented.

10 **SEC. 3.** *Objectives.* - Pursuant to the above declaration of policy, the
11 State shall endeavor to accomplish the following:

- 12 (a) Develop and promote responsible, community-based ecological tourism as
13 the core management strategy in the development of the NAPSL;
14 (b) Ensure the conservation of the biodiversity and the preservation of the
15 said ecotourism site;
16 (c) Develop ecotourism products and programs that will generate
17 employment and livelihood for the local residents concerned, consistent with the
18 preservation and maintenance of the natural resources;

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

17 **SEC. 4. *Definition of Terms.*** – As used in this Act:

- 18 (a) *Buffer Zone* refers to an identified area outside the boundaries of and
19 immediately adjacent to the NAPSL that need special development control in
20 order to avoid or minimize any threat or harm to the NAPSL;
- 21 (b) *Community-Based Ecotourism* refers to a form of tourism where the local
22 community and its residents have substantial control and involvement in the
23 development and management of the local tourism industry and a greater
24 portion of the economic gains remain within the community;
- 25 (c) *Ecotourism* refers to a form of sustainable tourism within a natural area
26 where community participation, protection and management of natural
27 resources, cultural and indigenous knowledge and practices, environmental
28 education and ethics, as well as economic benefits are fostered and pursued for
29 the enrichment of host communities and the satisfaction of the visitors; and,
- 30 (d) *Responsible Ecotourism* refers to a form of sustainable tourism in which
31 both the tourism sector and the tourists take responsibility in the protection,
32 respect, and conservation of the natural environment and the local culture and
33 ways of life, and where community participation as well as benefits are fostered
34 and pursued for the well-being of the local people and visitors.

35 **SEC. 5. *Northern Antique Protected Seascape and Landscape.*** — The
36 Northern Antique Protected Seascape and Landscape (NAPSL) located in the

1 municipalities of Libertad, Pandan, Sebaste, Culasi, and Tibiao in the Province of
2 Antique is hereby declared as a responsible, community-based ecotourism zone.
3 It shall be accorded priority development by the DOT, DENR, Department of
4 Public Works and Highways (DPWH), and Tourism Infrastructure and Enterprise
5 Zone Authority (TIEZA) and shall be subject to the rules and regulations
6 governing the development of ecotourism zones provided in the national
7 ecotourism strategy jointly issued by the DENR and DOT.

8 **SEC. 6. Scope and Coverage.** – The NAPSL, which shall cover an area of
9 364,453.5395 hectares, shall be composed of the following:

- 10 a) The wetland area located in Brgy. Mag-aba, Pandan, Antique composed
11 of mangrove forest and estuarine river ecosystem with an area of
12 21,095 hectares, located in Brgy. Mag-aba, Pandan, Antique;
- 13 b) The seas, islet and sandbar ecosystem covering the municipalities of
14 Libertad, Pandan, Sebaste, Culasi, and Tibiao with an area of
15 213,556.26 hectares; and,
- 16 c) The Pandan Bay with an area of 150,876.25 hectares.

17 The corresponding boundaries shall be as follows:

18 A. The wetland area

19 Beginning at point marked TP - 1, being N 81° 21' W, 27,787.09 meters from
20 reference BLLM 1, PLS 1107, Northern Antique Protected Seascape and
21 Landscape;

22	thence	S 75° 30' E	3,242.00	meters to corner 2;
23	thence	N 81° 34' E	3,723.95	meters to corner 3;
24	thence	S 88° 11' E	4,292.00	meters to corner 4;
25	thence	S 70° 26' E	7,759.31	meters to corner 5;
26	thence	S 83° 19' E	3,489.57	meters to corner 6;
27	thence	N 78° 36' E	2,873.78	meters to corner 7;
28	thence	S 40° 19' E	4,925.65	meters to corner 8;
29	thence	S 05° 55' W	14,342.35	meters to corner 9;
30	thence	S 12° 57' W	4,208.77	meters to corner 10;
31	thence	S 20° 40' W	8,176.30	meters to corner 11;
32	thence	S 26° 28' E	2,100.83	meters to corner 12;
33	thence	S 15° 07' W	3,828.16	meters to corner 13;
34	thence	S 14° 11' E	4,552.10	meters to corner 14;
35	thence	S 07° 49' W	2,472.18	meters to corner 15;
36	thence	N 89° 51' W	17,369.06	meters to corner 16;

1 thence S 19° 13' W 3,169.16 meters to corner 17;
2 thence S 47° 56' W 18,926.52 meters to corner 18;
3 thence S 61° 51' W 6,834.81 meters to corner 19;
4 thence S 88° 08' W 6,837.37 meters to corner 20;
5 thence N 65° 37' W 6,817.66 meters to corner 21;
6 thence N 40° 46' W 6,141.86 meters to corner 22;
7 thence N 16° 52' W 6,841.57 meters to corner 23;
8 thence N 09° 23' E 6,833.87 meters to corner 24;
9 thence N 03° 19' E 32,126.72 meters to corner 25;
10 thence N 31° 53' E 4,886.87 meters to corner 26;
11 thence N 50° 38' E 3,792.90 meters to corner 27;
12 thence N 66° 15' E 6,070.27 meters to corner 28;
13 thence N 83° 30' E 20,309.49 meters to corner 1.
14 to the point of beginning containing an area of two hundred ninety-nine
15 thousand nine hundred forty-two and 542/100 (299,942.542) hectares, more or
16 less.

17 B. Seas, Islets and Sandbar Ecosystem

18 Beginning at point marked TP - 1, being S 86° 08' W, 33,925.26 meters from
19 reference BLLM 1, PLS 1107, Northern Antique Protected Seascape and
20 Landscape;

21 thence S 44° 36' W 14,735.43 meters to corner 2;
22 thence S 30° 12' E 1,957.43 meters to corner 3;
23 thence S 57° 20' E 24,725.84 meters to corner 4;
24 thence N 81° 25' E 4,111.89 meters to corner 5;
25 thence S 52° 51' E 11,911.68 meters to corner 6;
26 thence N 84° 22' E 3,904.27 meters to corner 7;
27 thence S 14° 11' E 4,552.10 meters to corner 8;
28 thence S 07° 49' W 2,472.18 meters to corner 9;
29 thence N 89° 51' W 17,369.06 meters to corner 10;
30 thence S 19° 13' W 3,169.16 meters to corner 11;
31 thence S 47° 56' W 18,926.52 meters to corner 12;
32 thence S 61° 51' W 6,834.81 meters to corner 13;
33 thence S 88° 08' W 6,837.37 meters to corner 14;
34 thence N 65° 37' W 6,817.66 meters to corner 15;
35 thence N 35° 22' W 6,930.04 meters to corner 16;
36 thence N 19° 42' W 5,891.75 meters to corner 17;

1 thence N 09° 23' E 6,833.87 meters to corner 18;
2 thence N 03° 19' E 32,126.72 meters to corner 19;
3 thence N 31° 53' E 4,886.87 meters to corner 20;
4 thence N 50° 38' E 3,792.90 meters to corner 21;
5 thence N 66° 15' E 6,070.27 meters to corner 22;
6 thence N 88° 45' E 5,636.26 meters to corner 23;
7 thence S 62° 17' E 9,225.27 meters to corner 1.
8 to the point of beginning containing an area of one hundred eighty-six thousand
9 forty-two and 676/100 (186,042.676) hectares, more or less.

10 C. Pandan Bay

11 Beginning at point marked TP - 1, being N 81° 21' W, 27,787.09 meters from
12 reference BLLM 1, PLS 1107, Northern Antique Protected Seascape and
13 Landscape;

14 thence S 75° 30' E 3,242.00 meters to corner 2;
15 thence N 81° 34' E 3,723.95 meters to corner 3;
16 thence S 88° 11'E 4,292.00 meters to corner 4;
17 thence S 70° 26' E 7,759.31 meters to corner 5;
18 thence S 83° 19' E 3,489.57 meters to corner 6;
19 thence N 78° 36' E 2,873.78 meters to corner 7;
20 thence S 40° 19' E 4,925.65 meters to corner 8;
21 thence S 05° 55' W 14,342.35 meters to corner 9;
22 thence S 12° 57' W 4,208.77 meters to corner 10;
23 thence S 20° 40' W 8,176.30 meters to corner 11;
24 thence S 26° 28' E 2,100.83 meters to corner 12;
25 thence S 15° 07' W 3,828.16 meters to corner 13;
26 thence S 84° 22' W 3,904.27 meters to corner 14;
27 thence N 52° 51' W 11,911.68 meters to corner 15;
28 thence S 81° 25' W 4,111.89 meters to corner 16;
29 thence N 57° 20' W 24,725.84 meters to corner 17;
30 thence N 30° 12' W 1,957.43 meters to corner 18;
31 thence N 44° 36' E 23,817.36 meters to corner 1.

32 to the point of beginning containing an area of one hundred nine thousand sixty-
33 seven and 405/100 (109,067.405) hectares, more or less.

34 The metes and bounds of NAPSL shall be indicated on maps and/or
35 nautical charts. Any modification of the coverage of this Act due to such factors
36 as changing ecological situation, new scientific or archaeological findings, or

1 discovery of traditional boundaries not previously taken into account shall be
2 made through an act of Congress, after consultation with the concerned
3 government agencies.

4 **SEC. 7. Establishment of a Buffer Zone.** – There shall also be established
5 buffer zones surrounding the NAPSL for the purpose of providing extra protection
6 around the area, where restrictions shall apply and communities can assist in
7 repealing threats to the NAPSL. Such buffer zones shall be managed according to
8 the ecotourism and management plan formulated pursuant to this Act.

9 Such buffer zone shall be included in the ecotourism development and
10 management plan of the NASPL: *Provided*, That no build up or reclamation
11 detrimental to the diversity in the NASPL shall be done within the designated
12 buffer zone. The Council shall exercise its authority over the designated buffer
13 zone.

14 **SEC. 8. Northern Antique Protected Seascape and Landscape Ecotourism**
15 *Development and Management Plan.* – The DENR and the DOT, in coordination
16 with the DPWH and TIEZA, shall jointly assist the Northern Antique Protected
17 Seascape and Landscape Development Council, herein created, in the
18 formulation of the ecotourism development and management plan for the NAPSL
19 that shall be complemented by a set of guidelines for a responsible, community-
20 based ecotourism. The tourism development and management plan shall ensure
21 the preservation of the seascapes and landscapes and shall include the following
22 components:

- 23 (a) Carrying capacity of the seascapes and landscapes and its endemic
24 and migratory birds species;
- 25 (b) Specific site assessment, including terrestrial, underwater (biotic
26 and abiotic), oceanographic and other scientific site assessment;
- 27 (c) Identification of strategic priorities;
- 28 (d) Product development for local income generation;
- 29 (e) Capacity building for the local community to allow residents therein
30 to ably manage economically viable and responsible, community-
31 based ecotourism business enterprises;
- 32 (f) Support for the formulation of local groups and networks, including
33 the marketing and pricing of products;
- 34 (g) Marketing strategies that reflect the natural, social and
35 environmental integrity of the NAPSL;
- 36 (h) Regular water quality monitoring of the seascapes;

- (i) Management and maintenance of the mangrove areas; and
 - (j) Proper solid waste management in accordance with Republic Act No. 9003, or the Ecological Solid Waste Management Act; and,
 - (k) Proper use, protection, preservation and revival of water resources and implementation of a proper sewerage system in accordance with Republic Act No. 9275, or the Clean Water Act;

The process of developing the ecotourism development and management plan for the NAPSL shall be participatory, from the bottom up, with the framework to be provided by the DOT and DENR in consultation with the Northern Antique Protected Seascape and Landscape Protected Area Management Board herein created.

12 In order to protect the mangroves and forest in NAPSL, the foreshore
13 areas shall not be leased to any private entity; *Provided*, That Special
14 Agreements on Protected Area (SAPA) may be availed upon Protected Area and
15 Management Board (PAMB) Clearance.

SEC. 9. *Formation of the Northern Antique Protected Seascape and Landscape Protected Area Management Board.* - A multi-sectoral board to be known as the "Northern Antique Protected Seascape and Landscape Protected Area Management Board," hereinafter referred to as the Board, shall be created. It shall be composed of the following members:

- 21 (a) The Mayors of the municipalities of Libertad, Pandan, Sebaste, Culasi and
22 Tibiao shall take turns serving as Chairperson;

23 (b) The heads of the Municipal Tourism Offices of Libertad, Pandan, Sebaste,
24 Culasi and Tibiao shall take turns serving as Vice-chairpersons;

25 (c) The heads of the Municipal Environmental and Natural Resources Office of
26 Libertad, Pandan, Sebaste, Culasi and Tibiao shall likewise take turns serving as
27 member;

28 (d) The Association of Barangay Chairmen (ABC) Presidents of the barangays
29 of the municipalities of Libertad, Pandan, Sebaste, Culasi and Tibiao shall also
30 serve alternately;

31 (e) The Chairmen of the Municipal Fisheries and Aquatic Resources
32 Management Councils of Libertad, Pandan, Sebaste, Culasi and Tibiao shall also
33 serve alternately:

34 *Provided*, That representatives from the LGUs as indicated in sub-sections
35 (a), (b), (c), (d) and (e) above, coming from the same municipality, shall all
36 together serve for the same time period;

- 1 (f) The Provincial Government Environment and Natural Resources Officer of
2 the Province of Antique;
- 3 (g) The Director of the Biodiversity Management Bureau (BMB);
- 4 (h) The Chief Operating Officer of the Tourism Infrastructure and Enterprise
5 Zone Authority (TIEZA);
- 6 (i) The Regional Director of DOT-Region 6;
- 7 (j) The Regional Director of DENR-Region 6;
- 8 (k) The Regional Director of DPWH-Region 6;
- 9 (l) The DENR-Provincial Environment and Natural Resources Officer (PENRO)
10 of Antique;
- 11 (m) One representative from an academic institution, preferably from a state
12 university or college in the Province of Antique, with proven track record in or
13 related to protected seascapes and landscapes management;
- 14 (n) One representative from the private sector, a resident of the Province of
15 Antique, who is distinguished in a profession or field of interest relevant to
16 protected seascapes and landscapes management; and,
- 17 (o) One representative from either a non-government organization (NGO) or
18 People's Organization (PO), duly accredited both by the DENR and the provincial
19 government of Antique. The NGO or PO represented should have been in
20 existence for at least five (5) years with a proven track record in or related to
21 seascapes and landscapes management.

22 The *ex-officio* members of the Board by virtue of their elective or
23 appointive government positions as specified in the immediately preceding
24 subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l) shall serve for
25 the duration of their respective terms of office in their respective elective or
26 appointive government positions.

27 The members of the Board specified under subsections (m), (n), and (o)
28 of this section shall be elected by the *ex-officio* members of the Board in a
29 transparent and fair selection process. They shall each serve a term of three (3)
30 years and may be reappointed for another term.

31 The members of the Board shall serve without compensation, except for
32 the actual and necessary travelling and subsistence expenses incurred in the
33 performance of their duties, either in their attendance in meetings of the Board
34 or in connection with other official business authorized through a resolution of
35 the Board, subject to existing rules and regulations. Each member shall have the
36 full capacity and accountability for decisions binding to the member's sector.

1 The members of the Board duly elected or appointed prior to the
2 effectivity of this Act shall continue their term until the expiration of their term or
3 appointment. Thereafter, members of the Board shall be appointed in
4 accordance with the provisions of this Act.

5 A member of the Board may be removed for any of the following grounds:

- 6 (a) More than three (3) consecutive unexcused absences from regular
7 meetings of the Board;
- 8 (b) Commission of acts prejudicial to the development and management of
9 NAPSL as embodied in existing rules and regulations governing NAPSL;
- 10 (c) Disassociation from the office or organization being represented;
- 11 (d) Termination of relationship with the office or organization being
12 represented; or
- 13 (e) Conviction by final judgment of any criminal act.

14 The local government of the Province of Antique shall provide a
15 secretariat for the Board including the funding necessary to cover the expenses
16 for the performance of its official functions and activities.

17 **SEC. 10. Functions and Responsibilities of the PAMB Council.** – The PAMB
18 Council shall be responsible for the following:

- 19 (a) Formulation and the implementation of the ecotourism development and
20 management plan in consultation with the local residents, businesses, and other
21 stakeholders;
- 22 (b) Assessment and evaluation of the potential impact of the development to
23 the environmental safety and well-being of the seascapes and landscapes,
24 communities, and enterprises;
- 25 (c) Provision of technical and financial assistance to the communities within
26 the seascapes and landscapes;
- 27 (d) Implementation of a monitoring plan for the water birds and their habitats
28 to ensure their presence and well-being in NAPSL;
- 29 (e) Formulation of the rules and regulations in relation to the maintenance
30 and security of the ecotourism areas; and
- 31 (f) Performance of other functions as may be necessary to carry out the
32 objectives of this Act.

33 **SEC. 11. Formulation of Guidelines and Standards.** – The DENR and DOT
34 shall assist the PAMB Council in the formulation of local ecotourism standards
35 ensuring that environmental protection is integrated in the development and
36 management of the ecotourism plans.

1 The guidelines and standards shall:

2 (a) Raise the capacity of all stakeholders and ensure that best practices are

3 followed;

4 (b) Ensure optimal use of water and energy;

5 (c) Reduce waste and pollution through the encouragement of recycling and

6 other environmentally-sound waste management reduction and disposal

7 schemes;

8 (d) Prevent vandalism in the facilities of the eco-park; and

9 (e) Encourage the use of local produce and services, and support the

10 employment of local people.

11 **SEC. 12. Coordination with National Agencies.** - The DENR and the DOT

12 shall closely coordinate with the Council, as well as the relevant regional offices

13 of the DPWH, Department of Labor and Employment (DOLE), Department of

14 Transportation (DOTr), Department of Agriculture (DA), Department of Education

15 (DepEd), Department of Trade and Industry (DTI), Department of the Interior

16 and Local Government (DILG), Philippine National Police (PNP), Maritime

17 Industry Authority (MARINA) and other line agencies of the government in the

18 implementation of this Act.

19 **SEC. 13. Implementing Rules and Regulations.** — Within thirty (30) days

20 from the effectivity of this Act, the DENR and the DOT, in consultation with the

21 Council, other concerned government agencies, and stakeholders, shall

22 promulgate the necessary rules and regulations for the proper and effective

23 implementation of this Act.

24 **SEC. 14. Appropriations.** — The Secretaries of the DENR, DOT, and

25 DPWH and the Chief Operating Officer of TIEZA shall include in their subsidy

26 programs, support for the capital outlay requirements of the NAPSL for the

27 preliminary implementation of this Act and enhancement of the facilities of the

28 ecotourism zone which shall be taken from the budget of their respective

29 agencies for the current fiscal year.

30 The budgetary allocations for the succeeding years shall be included in the

31 General Appropriations Act, subject to government audit.

32 **SEC. 15. Separability Clause.** — If, for any reason, any provision of this

33 Act is declared unconstitutional or invalid, other provisions hereof which are not

34 affected thereby shall continue to be in full force and effect.

1 **SEC. 16.** *Repealing Clause.* - All laws, decrees, executive orders,
2 proclamation and administrative regulations, or parts thereof inconsistent
3 herewith are hereby repealed or modified accordingly.

4 **SEC. 17.** *Effectivity Clause.* — This Act shall take effect fifteen (15) days
5 after its publication in at least two (2) national newspapers of general circulation
6 or in the *Official Gazette*.

Approved,