


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 11 P3:47

SENATE
S. No. 238

RECEIVED BY: 

Introduced by Senator Loren B. Legarda

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

This bill seeks to declare the Northern Antique Protected Seascape and Landscape located in the municipalities of Libertad, Pandan, Sebaste, Culasi, and Tibiao in the province of Antique as a responsible, community-based ecotourism zone with the goals of developing and promoting the areas into a community-based ecological tourist destination, generating investments, creating livelihood opportunities, and protecting the natural resources within the areas including mangroves, other aquatic plants, and migratory birds and local birds.

The vast seascapes and landscapes found in the municipalities mentioned above serve as hosts to a rich marine life, as well as to the diverse species of flora and fauna, some of which are endemic to the province.

Moreover, the Mag-aba Wetland, located in an estuary in the municipality of Pandan, connects to the Pandan Bay, and to the Bugang River, which has been

recognized as one of the cleanest rivers in the Philippines. The area is rich in mangroves that serve as a natural flood control mechanism and is host to biologically-rich ecological habitats. It is home to several endemic mangrove species, beach forest trees, and fauna, most notably of which is the Philippine duck (*Anas luzonica*) which has been recognized by the International Union for Conservation of Nature and Natural Resources (IUCN) as a “vulnerable species”. Hence, the need to protect, preserve and conserve these natural resources with the help primarily of the host local communities.

In anticipation of the influx of local and foreign tourists, this bill, when enacted into law, will help secure adequate national support for the local government units (LGUs) to realize its vast potential as an eco-tourism zone that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable and ethically and socially equitable for the local community.

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



LOREN LEGARDA

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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 Antique*
2 *Protected Seascape and Landscape Act of 2022*".

3 Sec. 2. *Declaration of Policy.* - The State is mandated to promote a tourism
4 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 a special eco-tourism 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 State shall
11 endeavor to accomplish the following:

12 (a) Develop and promote responsible, community-based ecological tourism
13 as the core management strategy in the development of the NAPSL;

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

22 *Sec. 4. Definition of Terms. – As used in this Act:*

- 23 (a) *Buffer Zone* refers to an identified area outside the boundaries of and
24 immediately adjacent to the NAPSL that needs special development
25 control in order to avoid or minimize any threat or harm to the NAPSL;
- 26 (b) *Community-Based Ecotourism* refers to a form of tourism where the local
27 community and its residents have substantial control and involvement in
28 the development and management of the local tourism industry and a
29 greater portion of the economic gains remain within the community;

1 (c) *Ecotourism* refers to a form of sustainable tourism within a natural area
2 where community participation, protection and management of natural
3 resources, cultural and indigenous knowledge and practices,
4 environmental education, and ethics, as well as economic benefits are
5 fostered and pursued for the enrichment of host communities and the
6 satisfaction of the visitors;

7 (d) *Responsible Ecotourism* refers to a form of sustainable tourism in which both
8 the tourism sector and the tourists take responsibility for the protection,
9 respect, and conservation of the natural environment and the local culture
10 and ways of life, and where community participation, as well as benefits,
11 are fostered and pursued for the well-being of the local people and visitors.

12 Sec. 5. *Northern Antique Protected Seascape and Landscape*. – The Northern
13 Antique Protected Seascape and Landscape (NAPSL) located in the
14 municipalities of Libertad, Pandan, Sebaste, Culasi, and Tibiao in the Province
15 of Antique is hereby declared a responsible, community-based ecotourism zone. It
16 shall be accorded priority development by the DOT, DENR, Department of Public
17 Works and Highways (DPWH), and Tourism Infrastructure and Enterprise Zone
18 Authority (TIEZA) and shall be subject to the rules and regulations governing the
19 development of ecotourism zones provided in the national ecotourism strategy jointly
20 issued by the DENR and DOT.

21 Sec. 6. *Scope and Coverage*. – The NAPSL, which shall cover an area of
22 364,453.5395 hectares, shall be composed of the following:

- 23 a) The wetland area located in Brgy. Mag-aba, Pandan, Antique composed of
24 mangrove forest and estuarine river ecosystem with an area of 21,095
25 hectares, located in Brgy. Mag-aba, Pandan Antique;
- 26 b) The seas, islet, and sandbar ecosystem covering the municipalities of
27 Libertad, Pandan, Sebaste, Culasi, and Tibiao with an area of 213,556.26
28 hectares; and,
- 29 c) Pandan Bay with an area of 150,876.25 hectares.

30 The corresponding boundaries shall be as follows:

- 31 A. The wetland area

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

4	thence	S 75° 30' E	3,242.00	meters to corner 2;
5	thence	N 81° 34' E	3,723.95	meters to corner 3
6	thence	S 88° 11' E	4,292.00	meters to corner 4
7	thence	S 70° 26' E	7,759.31	meters to corner 5
8	thence	S 83° 19' E	3,489.57	meters to corner 6
9	thence	N 78° 36' E	2,873.78	meters to corner 7
10	thence	S 40° 19' E	4,925.65	meters to corner 8
11	thence	S 05° 55' W	14,342.35	meters to corner 9
12	thence	S 12° 57' W	4,208.77	meters to corner 10
13	thence	S 20° 40' W	8,176.30	meters to corner 11
14	thence	S 26° 28' E	2,100.83	meters to corner 12
15	thence	S 15° 07' W	3,828.16	meters to corner 13
16	thence	S 14° 11' E	4,552.10	meters to corner 14
17	thence	S 07° 49' W	2,472.18	meters to corner 15
18	thence	N 89° 51' W	17,369.06	meters to corner 16
19	thence	S 19° 13' W	3,169.16	meters to corner 17
20	thence	S 47° 56' W	18,926.52	meters to corner 18
21	thence	S 61° 51' W	6,834.81	meters to corner 19
22	thence	S 88° 08' W	6,837.37	meters to corner 20
23	thence	N 65° 37' W	6,817.66	meters to corner 21
24	thence	N 40° 46' W	6,141.86	meters to corner 22
25	thence	N 16° 52' W	6,841.57	meters to corner 23
26	thence	N 09° 23' E	6,833.87	meters to corner 24
27	thence	N 03° 19' E	32,126.72	meters to corner 25
28	thence	N 31° 53' E	4,886.87	meters to corner 26
29	thence	N 50° 38' E	3,792.90	meters to corner 27
30	thence	N 66° 15' E	6,070.27	meters to corner 28
31	thence	N 83° 30' E	20,309.49	meters to corner 1.

1 to the point of beginning containing an area of two hundred ninety-nine
2 thousand nine hundred forty two and 542/100 (299,942.542) hectares, more or
3 less.

4 B. Seas, Islets, and Sandbar Ecosystem

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

8	thence	S 44° 36' W	14,735.43	meters to corner 2;
9	thence	S 30° 12' E	1,957.43	meters to corner 3;
10	thence	S 57° 20' E	24,725.84	meters to corner 4;
11	thence	N 81° 25' E	4,111.89	meters to corner 5;
12	thence	S 52° 51' E	11,911.68	meters to corner 6;
13	thence	N 84° 22' E	3,904.27	meters to corner 7;
14	thence	S 14° 11' E	4,552.10	meters to corner 8;
15	thence	S 07° 49' W	2,472.18	meters to corner 9;
16	thence	N 89° 51' W	17,369.06	meters to corner 10;
17	thence	S 19° 13' W	3,169.16	meters to corner 11;
18	thence	S 47° 56' W	18,926.52	meters to corner 12;
19	thence	S 61° 51' W	6,834.81	meters to corner 13;
20	thence	S 88° 08' W	6,837.37	meters to corner 14;
21	thence	N 65° 37' W	6,817.66	meters to corner 15;
22	thence	N 35° 22' W	6,930.04	meters to corner 16;
23	thence	N 19° 42' W	5,891.75	meters to corner 17;
24	thence	N 09° 23' E	6,833.87	meters to corner 18;
25	thence	N 03° 19' E	32,126.72	meters to corner 19;
26	thence	N 31° 53' E	4,886.87	meters to corner 20;
27	thence	N 50° 38' E	3,792.90	meters to corner 21;
28	thence	N 66° 15' E	6,070.27	meters to corner 22;
29	thence	N 88° 45' E	5,636.26	meters to corner 23;
30	thence	S 62° 17' E	9,225.27	meters to corner 1.

31 to the point of beginning containing an area of one hundred eighty-six thousand
32 forty two hundred and 676/100 (186,042.676) hectares, more or less.

1 C. Pandan Bay

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

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

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

25 The metes and bounds of NAPSL shall be indicated on maps and/or nautical charts.
26 Any modification of the coverage of this Act due to such factors as changing ecological
27 situation, new scientific or archaeological findings, or discovery of traditional
28 boundaries not previously taken into account shall be made through an act of
29 Congress, after consultation with the concerned government agencies.

30 *Sec. 7. Establishment of a Buffer Zone.* – There shall also be an established buffer
31 zones surrounding the NAPSL to provide extra protection around the area, where
32 restrictions shall apply and communities can assist in repealing threats to the NAPSL.

1 Such buffer zones shall be managed according to the ecotourism and management
2 plan formulated under this Act.

3 Such buffer zone shall be included in the ecotourism development and management
4 plan of the NASPL; Provided, that no build-up or reclamation detrimental to the
5 diversity in the NASPL shall be done within the designated buffer zone. The Council
6 shall exercise its authority over the designated buffer zone.

7 *Sec. 8. Northern Antique Protected Seascape and Landscape Ecotourism Development*
8 *and Management Plan.* – The DENR and the DOT, in coordination with the DPWH and
9 TIEZA, shall jointly assist the Northern Antique Protected Seascape and Landscape
10 Development Council, herein created, in the formulation of the ecotourism
11 development and management plan for the NAPSL that shall be complemented by a
12 set of guidelines for responsible, community-based ecotourism. The tourism
13 development and management plan shall ensure the preservation of the seascapes
14 and landscapes and shall include the following components:

- 15 (a) Carrying capacity of the seascapes and landscapes and its endemic and
16 migratory birds species;
- 17 (b) Specific site assessment, including terrestrial, underwater (biotic and
18 abiotic), oceanographic, and other scientific site assessments;
- 19 (c) Identification of strategic priorities;
- 20 (d) Product development for local income generation;
- 21 (e) Capacity building for the local community to allow residents therein to ably
22 manage economically viable and responsible, community-based
23 ecotourism business enterprises;
- 24 (f) Support for the formulation of local groups and networks, including the
25 marketing and pricing of products;
- 26 (g) Marketing strategies that reflect the natural, social, and environmental
27 integrity of the NAPSL;
- 28 (h) Regular water quality monitoring of the seascapes;
- 29 (i) Management and maintenance of the mangrove areas; and
- 30 (j) Proper solid waste management in accordance with Republic Act No. 9003,
31 or the Ecological Solid Waste Management Act; and,

1 (k) Proper use, protection, preservation, and revival of water resources and
2 implementation of a proper sewerage system in accordance with Republic
3 Act No. 9275, or the Clean Water Act;

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

8 To protect the mangroves and forest in NAPSL, the foreshore areas shall not be leased
9 to any private entity; Provided, that Special Agreements on Protected Area (SAPA)
10 may be availed upon Protected Area and Management Board (PAMB) Clearance.

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

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

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

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

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

26 (e) The Chairmen of the Municipal Fisheries and Aquatic Resources
27 Management Councils of Libertad, Pandan, Sebaste, Culasi, and Tibiao
28 shall also serve alternately;

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

- 1 (f) The Provincial Government Environment and Natural Resources Officer
- 2 of 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
- 10 (PENRO) 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
- 13 in or 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
- 16 to 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
- 19 provincial government of Antique. The NGO or PO represented should
- 20 have been in existence for at least five (5) years with a proven track record
- 21 in or related to seascapes and landscapes management.

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

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

30 The members of the Board shall serve without compensation, except for the actual
31 and necessary traveling and subsistence expenses incurred in the performance of their
32 duties, either in their attendance in meetings of the Board or in connection with other

1 official business authorized through a resolution of the Board, subject to existing rules
2 and regulations. Each member shall have the full capacity and accountability for
3 decisions binding to the member's sector.

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

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

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

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

20 *Sec. 10. Functions and Responsibilities of the PAMB Council.* – The PAMB
21 Council shall be responsible for the following:

- 22 (a) Formulation and the implementation of the ecotourism development and
23 management plan in consultation with the local residents, businesses, and
24 other stakeholders;
- 25 (b) Assessment and evaluation of the potential impact of the development on
26 the environmental safety and well-being of the seascapes and
27 landscapes, communities, and enterprises;
- 28 (c) Provision of technical and financial assistance to the communities within
29 the seascapes and landscapes;
- 30 (d) Implementation of a monitoring plan for the water birds and their habitats
31 to ensure their presence and well-being in NAPSL;

1 (e) Formulation of the rules and regulations in relation to the maintenance
2 and security of the ecotourism areas; and

3 (f) Performance of other functions as may be necessary to carry out the
4 objectives of this Act.

5 *Sec. 11. Formulation of Guidelines and Standards.* - The DENR and DOT shall
6 assist the PAMB Council in the formulation of local ecotourism standards ensuring
7 that environmental protection is integrated into the development and management of
8 the ecotourism plans.

9 The guidelines and standards shall:

10 (a) Raise the capacity of all stakeholders and ensure that best practices are
11 followed;

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

13 (c) Reduce waste and pollution through the encouragement of recycling and
14 other environmentally-sound waste management reduction and disposal
15 schemes;

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

17 (e) Encourage the use of local produce and services, and support the
18 employment of local people.

19 *Sec. 12. Coordination with National Agencies.* - The DENR and the DOT shall
20 closely coordinate with the Council, as well as the relevant regional offices of the
21 DPWH, Department of Labor and Employment (DOLE), Department of
22 Transportation (DOTr), Department of Agriculture (DA), Department of
23 Education (DepEd), Department of Trade and Industry (DTI), Department
24 of the Interior and Local Government (DILG), Philippine National Police
25 (PNP), Maritime Industry Authority (MARINA) and other line agencies of the
26 government in the implementation of this Act.

27 *Sec. 13. Implementing Rules and Regulations.* - Within thirty (30) days
28 from the effectivity of this Act, the DENR and the DOT, in consultation
29 with the Council, other concerned government agencies, and stakeholders,
30 shall promulgate the necessary rules and regulations for the proper and
31 effective implementation of this Act.

1 Sec. 14. *Appropriations.* – The Secretaries of the DENR, DOT, and DPWH
2 and the Chief Operating Officer of TIEZA shall include in their subsidy
3 programs, support for the capital outlay requirements of the NAPSL for
4 the preliminary implementation of this Act and enhancement of the facilities
5 of the ecotourism zone which shall be taken from the budget of their
6 respective agencies for the current fiscal year.

7 The budgetary allocations for the succeeding years shall be included in the
8 General Appropriations Act, subject to a government audit.

9 Sec. 15. *Separability Clause.* – If for any reason, any provision of this
10 Act is declared unconstitutional or invalid, other provisions hereof which
11 are not affected thereby shall continue to be in full force and effect.

12 Sec. 16. *Repealing Clause.* - All laws, decrees, executive orders,
13 proclamations, and administrative regulations, or parts thereof inconsistent
14 herewith are hereby repealed or modified accordingly.

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

Approved,