



HOUSE OF REPRESENTATIVES

H. No. 5939

---

BY REPRESENTATIVES PLAZA, BASCUG, MADRONA, CHATTO, ANGARA, ALVAREZ (J.), LUISTRO, RILLO, CHAN, AGARAO, ALMARIO, AUMENTADO, MATUGAS, SINGSON (R.), EMANO, GARCIA (M.A.), SALI, HORIBATA, ZAMORA (M.C.), DELOS SANTOS, ABUNDA, LAGON (D.), MANQUIZ, OUANO-DIZON, TUTOR, GO (E.C.), BUHAIN, CAGAS, TUPAS, GO (M.), GORRICETA, DALOG, YU (J.V.), CRUZ (R.), GATO, LIMKAICHONG, ESCUDERO, CARI, YU (D.G.), SALVAME, SACDALAN, KHO (R.), LEGARDA, GULLAS, MIGUEL, ALONTE, PLEYTO, GUTIERREZ, MAGSINO, PADIERNOS, GONZALES (A.), FRASCO, HERRERA, ALBANO, CABREDO, CHUNGALAO, COLLANTES, CUARESMA, KHO (O.), LOYOLA, MARIANO-HERNANDEZ, NAVA, OLIVAREZ, RODRIGUEZ (R.), SILVERIO AND SUANSING (M.A.), PER COMMITTEE REPORT NO. 139

---

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

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

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

4           **SEC. 2. Agusan Marsh Ecotourism Zone.** – The Agusan Marsh located in the  
5 Municipalities of Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz and Veruela  
6 in the Province of Agusan del Sur is hereby declared an ecotourism zone. Pursuant thereto,

1 its development shall be prioritized and supported by the Department of Tourism (DOT),  
2 subject to the rules and regulations governing the development of ecotourism zones.

3 **SEC. 3. *Scope and Coverage.*** – This Act shall cover the municipalities of Talacogon,  
4 San Francisco, Rosario, Bunawan, Loreto, La Paz and Veruela.

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

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

9 (a) *Biodiversity conservation* refers to the practice of preserving the variety of  
10 species, habits and ecosystems, and genetic diversity of the place, including  
11 *inter alia*, terrestrial, marine and other aquatic ecosystems, and the ecological  
12 complexes which they are a part of;

13 (b) *Community-based tourism* refers to a form of tourism where the local  
14 community and its residents have substantial control over and involvement in  
15 the development and management of the local tourism industry and a greater  
16 portion of the economic gains remain within the community;

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

22 (d) *Homestays* refers to a system of tourist accommodation where a tourist stays  
23 with local residents and experiences the day-to-day life of the local residents;  
24 and

25 (e) *Responsible ecotourism* refers to a form of sustainable tourism in which both  
26 the tourism sector and the tourists take responsibility in the protection, respect,

1 and conservation of the natural environment and the local culture and ways of  
2 life, and where community participation as well as economic benefits are  
3 fostered and pursued for the well-being of the local residents and visitors.

4 **SEC. 5. *Development Strategies.*** – To accomplish the development of the Agusan  
5 Marsh as an ecotourism zone, the State shall:

6 (a) Develop and promote responsible community-based ecotourism as the core  
7 management strategy in the development of the ecotourism zone;

8 (b) Ensure the conservation of the biodiversity and the preservation of said  
9 ecotourism zone;

10 (c) Develop tourism products and programs that will generate employment and  
11 livelihood for the local residents concerned, consistent with the preservation  
12 and maintenance of the natural resources;

13 (d) Guarantee that the financial and economic benefits of the tourism industry are  
14 equitably shared by and distributed among the local residents concerned, by  
15 giving preference and support to community- and home-based micro and  
16 small tourism enterprises, such as homestays, restaurants, food and fruit  
17 stands, and other similar tourism-oriented businesses and activities;

18 (e) Ensure that the quality of local tourism programs and activities are educational  
19 and enriching for tourists and visitors through the provision of orientation,  
20 educational and tour programs by local tour operators, non-government  
21 organizations (NGOs), concerned local government units (LGUs), DOT and  
22 DENR; and

23 (f) Guarantee that in the development and promotion of the local tourism  
24 industry, the concerned LGUs shall ensure the adequate provision of water  
25 supply, food, energy and transportation for the needs of the local residents and  
26 communities.

1           **SEC. 6. *The Agusan Marsh Ecotourism Development and Management Plan.*** –  
2   Within one hundred twenty (120) days after the approval of this Act, the municipal  
3   governments of Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz and Veruela  
4   shall, in coordination with the DOT, DENR and concerned agencies of the government,  
5   prepare the Agusan Marsh Ecotourism Development and Management Plan that shall be  
6   complemented by a set of guidelines for a responsible community-based ecotourism.

7           The Agusan Marsh Ecotourism Development and Management Plan shall ensure  
8   the preservation of the ecotourism zone and shall include the following components:

- 9           (a) Carrying capacity of the ecotourism zone, including its endemic and migratory  
10           birds species;
- 11           (b) Specific site assessment;
- 12           (c) Identification of strategic priorities;
- 13           (d) Product development plans for local income generation;
- 14           (e) Capacity-building for the local community so residents therein can ably manage  
15           economically viable and responsible community-based ecotourism business  
16           enterprises;
- 17           (f) Strategies to promote the formulation of local production groups and networks,  
18           including the marketing and pricing of products; and
- 19           (g) Marketing strategies that uphold the natural, social and environmental integrity  
20           of the ecotourism zone and its local residents.

21           **SEC. 7. *Agusan Marsh Ecotourism Board.*** – The Agusan Marsh Ecotourism  
22   Board, hereinafter referred to as the Board, is hereby created. It shall be composed of the  
23   following members:

- 24           (a) Governor of the Province of Agusan del Sur, as Chairperson;
- 25           (b) Secretary of the DOT, or a duly authorized representative;
- 26           (c) Secretary of the DENR, or a duly authorized representative;
- 27           (d) Mayors of the Municipalities of Talacogon, San Francisco, Rosario, Bunawan,

1 Loreto, La Paz and Veruela;

2 (e) Representative from an NGO whose advocacy is environmental preservation;

3 (f) Representative from the academe;

4 (g) Representative from the business sector; and

5 (h) Representative from the private sector.

6  
7 The Board shall, in coordination with the DOT and concerned agencies of the  
8 government, promulgate rules and regulations to implement this Act; and, as the need  
9 arises, shall amend, modify or revise such rules and regulations to meet the needs of changing  
10 times.

11 **SEC. 8. *Role of the DOT.*** – The DOT shall assist the municipal governments of  
12 Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz and Veruela in the  
13 implementation of the Agusan Marsh Ecotourism Development and Management Plan by  
14 providing technical assistance in tourism capacity building. It shall also include the Agusan  
15 Marsh in its national and regional promotion programs.

16 **SEC. 9. *Appropriations.*** – The funding for the implementation of this Act shall be  
17 included in the respective annual budgets of the municipal governments of Talacogon, San  
18 Francisco, Rosario, Bunawan, Loreto, La Paz and Veruela. The DOT may augment such  
19 allocation with internally-generated funds.

20 **SEC. 10. *Separability Clause.*** – If any provision or part of this part Act shall be  
21 declared unconstitutional or invalid, the other provisions not affected thereby shall remain  
22 in full force and effect.

23 **SEC. 11. *Repealing Clause.*** – All laws, rules, regulations, executive orders,  
24 presidential decrees or other issuances contrary to or inconsistent with any of the provisions  
25 of this Act are hereby deemed repealed or modified accordingly.

26 **SEC. 12. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication  
27 in the *Official Gazette* or in a newspaper of general circulation.

Approved,