

Republic of the Philippines
HOUSE OF REPRESENTATIVES
 Quezon City, Metro Manila

18TH CONGRESS
 First Regular Session

HOUSE BILL NO. 0622



Introduced by Representative **CARLITO S. MARQUEZ**

EXPLANATORY NOTE

This bill seeks to declare The Bakhawan Eco-Park in New Buswang, Kalibo, Aklan as a special ecological tourism zone to help promote and develop the area as a special ecological tourism zone to help promote and develop the area as a tourist destination and to assist the area generate investments that would provide employment opportunities for local residents, given that the influx of tourists would make the ecotourism zone a significant source of business opportunities while protecting its natural habitat. This was approved on Third Reading on January 22, 2018 but was not tackled in the Senate due to lack of material time.

Ecotourism pertains to a nature-based, educational experience of the environment. A boost in educational ecotourism aims to strengthen and heighten environmental awareness in tourists by renewing their appreciation and understanding of nature's beauty and diversity. It is defined by the International Ecotourism Society (IES) as responsible travel to natural areas that conserve the environment and perk up the welfare of local people.

These destinations are often remote areas, whether inhabited or uninhabited, and are usually under some kind of environmental protection at the national, international, communal or private level. It denotes education for both tourists and residents of nearby communities as tour operators should formulate and apply a code of conduct for both the traveler and the industry itself to minimize their negative impacts on sensitive environments.

The Philippines is a prime ecotourism destination for nature lovers looking to escape from the stresses of our fast-paced modern society. Ecotourism, as part of a larger tourism campaign of the government, will offer both local and foreign visitors a glimpse of the country's natural beauty while keeping it preserved. Citing Republic Act 9593 or the Tourism Act of 2009, it declares tourism as an indispensable element of the national economy and an industry of national interest and importance. We should look for every opportunity for greater growth and competitive strength serving the globalized world. We must seek creative ways to showcase the country and prove that it is indeed worth visiting and investing in.

Bakhawan is a local Visayan term for mangroves. Not remote from the town of Kalibo where thud and thump of the drum for the Ate-Atihan Festival resonates, glimmers the Bakhawan Eco-Park, a sprawling 220-hectare forest of mangroves located at the outskirts of Kalibo. Twenty-six years ago, the whole sphere is a barren coastline and mud flat, totally unshielded from the harsh rudiments of the sea. It has been transformed into a mangrove

haven by the *Aklanons*, led by the Kalibo Save the Mangroves Association (KASAMA), a non-government organization, with the help of the local government of Kalibo and the Department of Environment and Natural Resources (DENR). Today, the place is teeming with life after it is officially opened to the public in April 2008, as a tribute of Akean to the occasion of World Earth Day. The centerpiece of this man-made forest is a 1.3-kilometer bamboo trail that takes visitors deep into the tranquil, unflustered spot. Once can easily appreciate the splendor of the mouth of Aklan River that strolls alongside these thousands of mangroves swaying and chirping birds' sound music to the ears that breaks the serenity of this scenic place. In trekking the park, as you saunter on the bamboo trail, marvelously arranged mangrove trees will delight your eyes, the smell of fresh and clean air will permeate your nostril as light wind caresses your skin that will leave a comforting feeling on your being.

Besides the lush mangroves is also home to various species of birds, including migratory ones and marine species. Mudcrabs are also regularly caught here by the locals. *Tamiloks* or woodworms also abound. In fact, you can even ask for a demonstration and eat one yourself. Blue that illuminates the color of the sky and color of the sea, green that painted the plants and forest, brown that gives a melancholic effect to the solid ground and yellow, the color of the sun that is the main source of light are the colors of nature that provides an antidote to the gloomy soul of Bakhawan Park. This place will never fail to amaze the nature lover out there.

At the end of the shaky wooden bridge at the end of the trail, you can savor the scent of the calm Sibuyan Sea that kisses the blue sky while listening to whispers of the *bakhawan* leaves. The eco-park is a perfect place to take a break from the hustle and bustle of urban life. It is a sanctuary where one could enjoy peacefulness in the arms of Mother Nature.

The successful Mangrove Project proved to be an eco-friendly and sustainable solution to both security during calamities and a source of income and food for the locals. In fact, the project, the organizations, and individuals has received awards in recognition of the town's environmentalism initiatives, the hard work, the ups and downs encountered, and of course, the triumph. Bakhawan Eco-Park & Research Center is truly a vital contribution to the society and sets a benchmark for a greener Philippines. The United Nations' FAO acclaimed this as one of the exemplary forests managed in the whole of Asia and the Pacific.

With its impeccable beauty, the eco-park is an ideal tourist destination. The rich biodiversity truly reflects the beauty of a paradise that our country should be proud of. However, the lack of tourist facilities – such as lodging houses and retail outlets and round-the-clock public transportation – hinder the socio-economic and environmental development of the area. These problems, however, can be properly addressed once the eco-park becomes an ecotourism zone which, shall be accorded priority development by the Department of Tourism (DOT).

The beauty of the eco-park shall be pursued in the development and management of the tourism industry in the area such as the integrity of its ecology and environment. The measure will develop and promote responsible, community-based, ecological-cultural tourism as the core management strategy in the development and growth of Bakhawan Eco-Park. While infrastructure, human capital, and tourism products and programs are being developed, the importance of sustaining the biodiversity is a sanctuary and remains a key priority in the development of the place.

The bill shall guarantee that the financial and economic benefits of the tourism industry in the area are equitably shared by, and distributed among, the residents of Barangay Buswang and local residents by giving preference and support to community-and-home-based tourism enterprises, such as micro and small businesses like local inns, lodges and homestays, restaurants, food and fruit stands, arts and craft shops, and similar tourism-oriented industries and businesses. Under the measure, 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 proportion of the economic gains remain within the community.

It shall also provide to ensure that the quality of local tourism programs and activities are educational and enriching for tourists

and visitors through orientation, educational and tour programs by local tour operators, non-government organizations (NGOs), local government units (LGUs) and the DOT. Likewise, in order to guarantee the development and promotion of the local tourism industry, the LGU is directed to ensure that the needs of local residents in the area of water supply, food, energy and local construction materials are first secured and met. The DOT, in coordination with the DENR, the Kalibo Save the Mangroves Association, shall be complemented by a set of guidelines and standards for a responsible community-based ecotourism.

When the bill is enacted into a law, it will mandate the DOT to prepare, in coordination with the local government and other agencies, a development plan involving the construction, installation and maintenance of appropriate faculties and infrastructure which shall enhance tourism in the area.

The development plan, it said, shall ensure the preservation and conservation of the natural beauty and indigenous nature of the area giving consideration to the formulation, development, and implementation of programs and strategies that will generate livelihood and employment opportunities for the local inhabitants.

The DOT will likewise be mandated to implement the tourism development plan that will suit the natural characteristics of the area and shall incorporate the same in the overall development plans and programs for national implementation.

Immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'A. Z.', is positioned above the printed name.

ENGR. CARLITO "Lito" MARQUEZ

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AN ACT
DECLARING THE BAKHAWAN ECO-PARK IN BARANGAY NEW
BUSWANG, MUNICIPALITY OF KALIBO, PROVINCE OF AKLAN,
AN ECOTOURISM ZONE AND APPROPRIATING FUNDS
THEREFOR

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

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

5 **Sec. 2.** *Bakhawan Eco-Park Ecotourism Zone.* – The
6 Bakhawan Eco-Park in Barangay New Buswang, Municipality of
7 Kalibo, Province of Aklan is hereby declared a community-based
8 ecotourism zone. As such, its development shall be prioritized by

1 the Department of Tourism (DOT), subject to the rules and
2 regulations governing the development of ecotourism zones.

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

5 (a) develop and promote responsible “community-based
6 ecological tourism” as the core management strategy in
7 the development of the Bakhawan Eco-Park;

8 (b) ensure the conservation of the biodiversity and the
9 preservation of said eco-park;

10 (c) develop tourism products and programs that shall
11 generate employment and livelihood for the local
12 residents and non-governmental organizations (NGOs)
13 concerned, consistent with the preservation and
14 maintenance of the mangrove forest;

15 (d) guarantee that the financial and economic benefits of
16 the tourism industry are equitably shared by and
17 distributed among the local residents and NGOs
18 concerned, by giving preference and support to
19 community- and home-based tourism enterprises, such
20 as micro and small businesses, like local inns, lodges
21 and homestays, restaurants, food and fruit stands, and

1 other similar tourism-oriented industries and
2 businesses;

3 (e) ensure that the quality of local tourism programs and
4 activities are educational and enriching for tourists and
5 visitors through the provision of orientation,
6 educational and tour programs by local tour operators,
7 NGOs, the municipal government of Kalibo and the
8 DOT; and

9 (f) guarantee that, in the development and promotion of
10 the local tourism industry, the municipal government of
11 Kalibo ensures that the need of local residents for water,
12 food, energy and local construction materials is
13 adequately met.

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

15 a) *Biodiversity conservation* refers to the practice of
16 preserving the variety of species, habits and
17 ecosystems, and genetic diversity of the place, including
18 *inter alia*, terrestrial, marine and other aquatic
19 ecosystems, and the ecological complexes which they
20 are a part of;

- 1 b) *Community-based tourism* refers to a form of tourism
2 where the local community and its residents have
3 substantial control over and involvement in the
4 development and management of the local tourism
5 industry and a greater portion of the economic gains
6 remain within the community;
- 7 c) *Ecotourism* refers to a form of sustainable tourism
8 within a natural area where community participation,
9 protection and management of natural resources,
10 cultural and indigenous knowledge and practices,
11 environmental education and ethics, as well as
12 economic benefits are fostered and pursued for the
13 enrichment of host communities and satisfaction of
14 visitors;
- 15 d) *Homestay* refers to a system of tourist accommodation
16 where a tourist stays with local residents and
17 experiences the day-to-day life of the residents of the
18 Bakhawan Eco-Park community, Barangay New
19 Buswang and the Municipality of Kalibo; and
- 20 e) *Responsible ecotourism* refers to a form of sustainable
21 tourism in which both the tourism sector and the

1 tourists take responsibility in the protection, respect,
2 and conservation of the natural environment and the
3 local culture and ways of life, and where community
4 participation as well as economic benefits are fostered
5 and pursued for the well-being of the local people in
6 Barangay New Buswang and visitors.

7 **Sec. 5. *Scope and Coverage.*** - This Act shall cover the
8 boundaries of the 220-hectare mangrove forest of the Bakhawan
9 Eco-Park at Barangay New Buswang, Municipality of Kalibo,
10 Province of Aklan.

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

14 **Sec. 6. *Tourism Development Plan for the Bakhawan Eco-***
15 ***Park.*** - The DOT, in coordination with the DENR, shall assist the
16 municipal government of Kalibo in the formulation of a Tourism
17 Development Plan for the Bakhawan Eco-Park that shall be
18 complemented by a set of guidelines for a responsible, community-
19 based ecotourism.

20 The Tourism Development Plan shall ensure the preservation
21 of the area and shall include the following components:

- (a) Carrying capacity of the eco-park;
- (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 of the Bakhawan Eco-Park and its local residents.

The process of formulating the Tourism Development Plan for the Bakhawan Eco-Park shall be participatory, with the framework to be provided by the DOT and the DENR, in consultation with the local governments of Kalibo and Barangay New Buswang.

Sec. 7. *Formulation of Guidelines and Standards.* - The concerned Protected Area Management Board of the DENR and the local tourism council, in coordination with the local governments

1 of Kalibo and Barangay New Buswang, shall assist in the
2 formulation of local tourism standards, ensuring that
3 environmental protection is integrated in the development of
4 ecotourism plans.

5 These local tourism standards shall:

- 6 (a) raise the capacity of all stakeholders and ensure that
7 best practices are followed;
- 8 (b) ensure optional use of water and energy;
- 9 (c) reduce waste and pollution through the encouragement
10 and recycling and environmentally-sound waste
11 management disposal schemes, with a principle of
12 taking as much waste away from the eco-park as
13 possible;
- 14 (d) prevent vandalism in the facilities of the eco-park; and
- 15 (e) encourage the use of local produce and services, and
16 support the employment of local people.

17 **Sec. 8. *Coordination with National Agencies.***- The DOT shall
18 closely coordinate with the municipal government of Kalibo, as well
19 as the regional offices of the DENR, the Department of Labor and
20 Employment, the Department of Public Works and Highways, the
21 Department of Transportation, the Department of Agriculture, the

1 Department of Education, the Department of Trade and Industry,
2 the Department of Interior and Local Government, the Philippine
3 National Police, the Maritime Industry Authority, and other line
4 agencies of the government in the implementation of this Act.

5 **Sec. 9. Appropriations.** – The Secretary of the DOT shall
6 include in the Department's program the implementation of this
7 Act, the funding of which shall be included in the annual General
8 Appropriations Act and from internally generated funds of the
9 DOT.

10 **Sec. 10. Implementing Rules and Regulations.** - Within thirty
11 (30) days from the effectivity of this Act, the DOT, the DENR, in
12 consultation with the municipal government of Kalibo and other
13 concerned government agencies and stakeholders, shall
14 promulgate the necessary rules and regulations for the proper
15 implementation of this Act.

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

20 **Sec. 12. Repealing Clause.** – All laws, decrees, executive
21 orders, proclamation and administrative regulations, or parts

1 thereof inconsistent herewith are hereby repealed or modified
2 accordingly.

3 **Sec. 13. *Effectivity.*** – This Act shall take effect fifteen (15)
4 days after its publication in the Official Gazette or in any
5 newspaper of general circulation.

6 *Approved.*

7