

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

NINETEENTH CONGRESS
 First Regular Session

HOUSE BILL NO. 424



Introduced by Representative **CARLITO S. MARQUEZ**

EXPLANATORY NOTE

This refiled bill seeks to declare the Bakhawan Eco-Park in New Buswang, Kalibo, Aklan as a special ecological tourism zone. The proposed measure was approved and passed by the House of Representatives on Third and Final Reading in the 18th Congress on 02 September 2020, and likewise transmitted to and received by the Senate on 07 September 2020.

The declaration of the Bakhawan Eco-Park as a special ecological tourism zone shall help promote and develop the area as a tourist destination and for the area to 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.

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 an 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

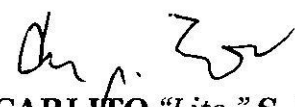
(NGOs), local government units (LGUs) and the DOT. Likewise, in order to guarantee the development and promotion of the local tourism industry, the LGU is directed to ensure that the needs of local residents in the area of water supply, food, energy and local construction materials are first secured 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.


ENGR. CARLITO "Lito" S. MARQUEZ

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

NINETEENTH CONGRESS
 First Regular Session

HOUSE BILL NO. 424

Introduced by Representative **CARLITO S. MARQUEZ**

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

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

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

Sec. 2. Bakhawan Eco-Park Ecotourism Zone. —The Bakhawan Eco-Park in Barangay New Buswang, Municipality of Kalibo, Province of Aklan is hereby declared a community-based ecotourism zone. As such, its development shall be prioritized by the Department of Tourism (DOT), subject to the rules and regulations governing the development of ecotourism zones.

Sec. 3. Scope and Coverage. — This Act shall cover the boundaries of the 220-hectare mangrove forest of the Bakhawan Eco-Park, Barangay New Buswang, Municipality of Kalibo, Province of Aklan.

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.

Sec. 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) *Homestay* refers to a system of tourist accommodation where a tourist stays with local residents and experiences the day-to-day life of the residents of the Bakhawan Eco-Park community, Barangay New Buswang and the Municipality of Kalibo; and
- 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 people in Barangay New Buswang and visitors.

Sec. 5. Development Strategies. — To accomplish the development of the Bakhawan Eco-Park as an ecotourism zone, the State shall:

- (a) develop and promote responsible "community-based ecological tourism" as the core management strategy in the development of the Bakhawan Eco-Park;
- (b) ensure the conservation of the biodiversity and the preservation of said Eco-Park;
- (c) develop tourism products and programs that shall generate employment and livelihood for the local residents and non-governmental organizations (NGOs) concerned, consistent with the preservation and maintenance of the mangrove forest;
- (d) guarantee that the financial and economic benefits of the tourism industry are equitably shared by and distributed among the local residents and NGOs concerned, by giving preference and support to community —and home-based micro and small tourism enterprises, such as local inns, lodges and homestays, restaurants, food and fruit stands, and other similar tourism-oriented industries and businesses;
- (e) ensure that the quality of local tourism programs and activities are educational and enriching for tourists and visitors through the provision of orientation, educational and tour programs by local tour operators, NGOs, the municipal government of Kalibo and the DOT; and
- (f) guarantee that, in the development and promotion of the local tourism industry, the municipal government of Kalibo ensures the adequate provision of water, food, energy, and local construction materials to residents.

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

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

- (a) Determination and description of the 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 the Municipality 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 of the Municipality of Kalibo and Barangay New Buswang, shall assist in the formulation of local tourism standards, ensuring that environmental protection is integrated in the development of ecotourism plans.

These local tourism standards shall:

- (a) raise the capacity of all stakeholders and ensure that best practices are followed;
- (b) ensure optional use of water and energy;
- (c) reduce waste and pollution through environmentally-sound waste management disposal schemes;
- (d) prevent vandalism in the facilities of the Eco-Park; and
- (e) encourage the use of local produce and services, and support the employment of local people.

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

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

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

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

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

15 **Sec. 12. Repealing Clause.** — All laws, decrees, executive orders, proclamation
16 and administrative regulations, or parts thereof inconsistent herewith are hereby
17 repealed or modified accordingly.

18 **Sec. 13. Effectivity.** - This Act shall take effect fifteen (15) days after its publication
19 in the Official Gazette or in a newspaper of general circulation.

Approved,