



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



Nineteenth Congress
First Regular Session

HOUSE BILL NO. 3695

Introduced by Representative MA. LUCILLE L. NAVA, M.D.

EXPLANATORY NOTE

This Bill had been previously filed during the 18th Congress as House Bill No. 10643. After being substituted as House Bill No. 08335, this Bill was approved by both Committees on Natural Resources and Appropriations. It passed the Third Reading on 02 February 2022 and was transmitted to the Senate on 03 February 2022. However, up to the present, this proposed measure did not materialize.

Guimaras has one protected area under the National Integrated Protected Area System (NIPAS) as amended by Expanded National Integrated Protected Area System Act of 2018, the Taklong Island National Marine Reserve (TINMR). Located in the Municipality of Nueva Valencia at the southern tip of the island, TINMR covers 46 islets and the coastline barangays of La Paz and San Roque (Presidential Proclamation No. 525 s.1990). It has an aggregate area of approximately 1,143.45 hectares consisting of 183.0000 hectares of terrestrial area and 960.45 hectares of brackish and marine water.

TINMR is rich in biodiversity. It prides itself with 64 species of birds, 16 species of reptiles, 8 species of mammals, 114 species of hard corals, 17 species of soft corals, 9 species of seagrasses and 26 species of mangroves including *Rhizophoraxlamarckii* which can be found only in Guimaras, Bohol and Masbate. The islets are covered with indigenous plant species such as Molave, Magtalisay, PandanDagat, Kamachile, Batino, Passi, Duhat and Pitogo. Among the mangrove forests are Bacauan spp., Avicennia spp. such as Api-api andBungalon, Pagatpat and Bantigue. Wildlife species found in the area are: Island Flying Fox, Western Visayas Water Monitor and bird species that include Philippine Pied Fantail, Yellow-vented Bulbul, Olive-backed Sunbird, Pink-necked Green Pigeon, Pied Triller, White-collared Kingfisher, Asian Glossy Starling, Buff-eared Brown Dove, Large-billed Crow, Blue Rock Thrush, Common Emerald Dove, White-breasted Woodswallow, Philippine Coucal, Philippine Night Jar and Black-naped Tern. Among these birds are some threatened species such as the Philippine Megapode or Tabon Scrub Fowl which is often observed foraging and laying eggs in Taklong and in Apugan Islands with their nesting sites sighted in

Kaliruhan. Notable also is the presence of the endemic Philippine Ducks or *Anas luzonica* especially in the early morning at Suba Malawig mangrove area. The islets are also covered with secondary growth and indigenous plant species and some planted trees and agricultural crops by previous settlers.

TINMR was placed under protected area status by virtue of Presidential Proclamation No. 525 signed by then President Corazon C. Aquino on February 8, 1990. Prior to its proclamation, the area was categorized as unclassified public forest. Currently, the Protected Area Management Board (PAMB), based on the National Review, proposed the Marine Reserve to be renamed as Taklong and Tandog Group of Islands Natural Park.

It is for this reason that we seek for the approval of this bill.



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**“AN ACT
DECLARING A PARCEL OF LAND LOCATED IN THE
MUNICIPALITY OF NUEVA VALENCIA IN THE PROVINCE OF
GUIMARAS, A PROTECTED AREA, WITH THE CATEGORY OF
NATURAL PARK UNDER THE NATIONAL INTEGRATED
PROTECTED AREAS SYSTEM, TO BE REFERRED TO AS THE
TAKLONG AND TANDONG GROUP OF ISLANDS NATURAL
PARK, PROVIDING FOR ITS MANAGEMENT, AND
APPROPRIATING FUNDS THEREFOR”**

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. *Title.*—This Act shall be known as the “Taklong and Tandog
Group of Islands Natural Park Act”.

SEC. 2. *Declaration of Policy.*—Cognizant of the profound impact of
human activities on all components of the natural environment, it is hereby
declared the policy of the State to secure for the Filipino people of present and
future generations, the perpetual existence of all native plants and animals
through the declaration of protected areas under the National Integrated
Protected Areas System (NIPAS) within the classification of national park as
provided for in the Constitution.

In recognition of the richness of the biological resources, both flora and
fauna, that are native and distinct to a parcel of land located in the Municipality

of Nueva Valencia in the Province of Guimaras, as well as their aesthetic and ecological importance, the said area is hereby declared a protected area with the category of natural park, and shall hereinafter be referred to as the Taklong and Tandog Group of Islands Natural Park (TTGINP). As such, the State shall ensure the conservation, protection, management and rehabilitation of the area. It is likewise recognized that effective administration of this area is possible only through cooperation among national government, local government units (LGUs), concerned nongovernmental organizations (NGOs), private entities and local communities. The use and enjoyment of this area must be consistent with the principles of biological diversity and sustainable development.

Towards this end, the State shall ensure the full implementation of this Act, the mobilization of resources for the institutional mechanisms herein established, and the full scientific and technical support needed for the conservation of biodiversity and the integrity of the ecosystems, culture and indigenous practices.

SEC. 3. *Definition of Terms.* – As used in this Act:

- a. *Buffer zones* refer to identified areas outside the boundaries of and immediately adjacent to designated protected areas that need special development control in order to avoid or minimize harm to the protected area;
- b. *Conservation* refers to any act or acts of preservation and sustainable utilization of wildlife or maintenance, restoration and enhancement of habitats;
- c. *Indigenous cultural communities (ICCs)/Indigenous peoples (IPs)* refer to groups of people sharing common bonds of language, customs, traditions, and other distinctive cultural traits, and who have, since time immemorial occupied, possessed and utilized a territory;
- d. *National park* refers to land of the public domain classified as such in the Constitution which includes all areas under the NIPAS, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;

- e. *Natural park* refers to a relatively large area not materially altered by human activity where extractive resource uses are not allowed and is maintained to protect outstanding natural and scenic areas of national or international significance for scientific, educational, and recreational use;
- f. *Protected area* refers to an identified portion of land and water set aside by reason of its unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation; and
- g. *Tenured migrants* refer to protected area occupants who have been actually, continuously and presently occupying a portion of the protected area for five (5) years before the proclamation or law establishing the same as a protected area, and are solely dependent therein for subsistence.

SEC. 4. *Classification as a National Park.*—The TTGINP is comprised of a parcel of land of the public domain situated in the Municipality of Nueva Valencia in the Province of Guimaras. All lands of the public domain within the coverage and scope of the TTGINP shall fall under the classification of national park as provided for in Article XII, Section 3 of the Constitution.

SEC. 5. *Scope and Coverage.* – The boundaries of the TTGINP are more particularly described as the area beginning at a point marked “1” on the Map, which is S 34° 41’ W, 528.49 meters from PRS 92 “GMS 3114” with geographic coordinates of 10°26’16.53” Latitude and 122°30’45.26” Longitude, situated in Barangay San Roque, Municipality of Nueva Valencia, Province of Guimaras,

thence	S 45°22' E	87.84	meters to corner 2;
thence	N 86°28' E	86.93	meters to corner 3;
thence	S 54°43' W	32.81	meters to corner 4;
thence	S 29°53' E	78.64	meters to corner 5;
thence	S 41°20' W	34.08	meters to corner 6;
thence	S 15°33' W	202.60	meters to corner 7;
thence	S 86°34' W	224.88	meters to corner 8;
thence	S 41°22' W	47.65	meters to corner 9;
thence	S 21°22' W	63.21	meters to corner 10;
thence	S 03°52' W	136.26	meters to corner 11;

thence	S 09°46' W	277.82	meters to corner 12;
thence	N 76°31' E	139.33	meters to corner 13;
thence	N 84°05' E	34.159	meters to corner 14;
thence	S 87°04' E	43.31	meters to corner 15;
thence	S 72°31' E	73.45	meters to corner 16;
thence	S 30°42' W	83.10	meters to corner 17;
thence	S 00°47' E	97.65	meters to corner 18;
thence	S 33°38' E	93.91	meters to corner 19;
thence	S 63°15' E	23.35	meters to corner 20;
thence	S 63°04' W	160.57	meters to corner 21;
thence	S 14°39' W	133.86	meters to corner 22;
thence	S 54°21' E	102.41	meters to corner 23;
thence	N 43°18' E	170.27	meters to corner 24;
thence	S 78°00' E	159.82	meters to corner 25;
thence	N 17°50' E	243.42	meters to corner 26;
thence	S 73°17' E	118.80	meters to corner 27;
thence	S 34°28' W	25.34	meters to corner 28;
thence	S 61°20' E	85.85	meters to corner 29;
thence	N 68°51' E	55.93	meters to corner 30;
thence	S 15°47' W	51.03	meters to corner 31;
thence	S 40°37' E	105.14	meters to corner 32;
thence	S 03°55' W	71.28	meters to corner 33;
thence	S 56°23' W	36.08	meters to corner 34;
thence	S 38°18' W	58.56	meters to corner 35;
thence	S 08°30' E	95.06	meters to corner 36;
thence	S 02°44' W	245.92	meters to corner 37;
thence	S 89°21' W	182.35	meters to corner 38;
thence	S 43°50' W	280.92	meters to corner 39;
thence	S 11°35' W	103.97	meters to corner 40;
thence	S 15°30' W	100.98	meters to corner 41;
thence	S 38°44' E	79.50	meters to corner 42;
thence	S 68°22' E	58.84	meters to corner 43;

thence	S 71°50' E	148.32	meters to corner 44;
thence	N 60°35' E	82.56	meters to corner 45;
thence	S 28°27' E	92.30	meters to corner 46;
thence	S 33°21' W	221.81	meters to corner 47;
thence	S 03°43' E	152.39	meters to corner 48;
thence	S 11°57' E	119.44	meters to corner 49;
thence	N 49°48' E	125.75	meters to corner 50;
thence	N 71°32' E	217.63	meters to corner 51;
thence	S 46°05' E	253.16	meters to corner 52;
thence	S 00°00' E	826.00	meters to corner 53;
thence	S 90°00' W	3650.00	meters to corner 54;
thence	N 00°00' E	3636.00	meters to corner 55;
thence	S 89°51' E	2785.43	meters to corner 1,

and comprises one thousand one hundred forty-one (1,141) hectares, more or less.

SEC. 6. *Establishment of Buffer Zones.*—The Secretary of the Department of Environment and Natural Resources (DENR), upon the recommendation of the Protected Area Management Board (PAMB) created under Section 7 of this Act, may designate areas surrounding the TTGINP as buffer zones for the purpose of providing an extra layer of protection where restrictions may be applied: *Provided, That*, in cases where the designated buffer zone would cover private lands, the owners thereof shall be required to design their development with due consideration to the protected area management plan.

ARTICLE II

MANAGEMENT MECHANISMS

SEC. 7. *Protected Area Management Board (PAMB)*—Within ninety (90) days from the effectivity of this Act, a Protected Area Management Board (PAMB) shall be created to oversee the management of the TTGINP. The PAMB shall be composed of the following:

- a. DENR Regional Executive Director for Region VI, as Chairperson;
- b. Governor of the Province of Guimaras, as Co-Chairperson;
- c. Senators of the Republic of the Philippines who are duly registered

residents of the Province of Guimaras, or their duly designated representatives, unless the Senators decline the membership in the PAMB;

- d. District Representatives of the Congressional Districts where the TTGINP is located, or their duly designated representatives, unless the District Representatives decline the membership in the PAMB;
- e. Mayor of the Municipality of Nueva Valencia in the Province of Guimaras, or a duly authorized representative;
- f. Chairpersons of the all the *barangays* with territorial jurisdiction over the TTGINP;
- g. Regional Directors of the following government agencies, namely: Department of Agriculture (DA), National Economic and Development Authority (NEDA), Department of Science and Technology (DOST), Department of Tourism (DOT), Philippine National Police (PNP), and Department of National Defense (DND);
- h. Three (3) representatives from either NGOs or people's organizations (PO), based in the Province of Guimaras, duly accredited both by the DENR and the provincial government. The NGO or PO represented should have been in existence for at least five (5) years and must have a record of accomplishments in the field of protected area management;
- i. At least one (1) but not more than three (3) representatives from all the ICC/ IP present in the area and recognized by the National Commission on Indigenous Peoples (NCIP);
- j. One (1) representative from an academic institution, preferably from a university or college in the Province of Guimaras, with proven track record in or related to protected area management; and
- k. One (1) representative from the private sector, preferably a resident of the Province of Guimaras, who is distinguished in a profession or field of interest relevant to the protected area management.

The terms of office of members of the PAMB, as well as the grounds for their removal shall be in accordance with the provisions of Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act

of 1992” as amended by Republic Act No. 11038, otherwise known as the “Expanded National Integrated Protected Areas System Act of 2018”.

SEC. 8. *Functions of the PAMB.*—The PAMB shall have the following powers and functions:

- a. Oversee the management of the TTGINP;
- b. Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the TTGINP;
- c. Approve the management plan of the TTGINP and ensure its harmonization with and integration into the Ancestral Domain Sustainable Development and Protection Plan, land use plan and other development plans, public or private, and their implementation;
- d. Adopt a manual of operations to include rules of procedures in the conduct of business, and the creation of committees and their respective terms of reference;
- e. Recommend the deputation of appropriate agencies and individuals for the enforcement of the laws, rules and regulations governing the management of the TTGINP;
- f. Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account and other funds in accordance with government accounting, budgeting, and auditing rules and regulations;
- g. Set fees and charges in accordance with existing guidelines;
- h. Issue rules and regulations for the resolution of conflicts through appropriate and effective means;
- i. Recommend appropriate policy changes to the DENR and other government authorities with respect to the management of the TTGINP;
- j. Monitor and assess the performance of the Protected Area Superintendent (PASu) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or agreement relative to any project or activity within the TTGINP;
- k. Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASu; and

1. Assess the effectiveness of the management of the TTGINP; *Provided*, That the members of the PAMB representing the LGUs and national agencies shall inform their respective constituents, offices or sectors, of PAMB-approved or other relevant policies, rules, regulations, programs, and projects and shall ensure that the provisions of this Act and the rules and regulations issued to implement it are complied with and used as reference and framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be the basis for disciplinary action against such member according to administrative rules and regulations and such penalties as the PAMB may provide: *Provided, further*, That the DENR, through the Regional Director, shall ensure that the PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and the existing administrative orders of national application, the latter shall prevail.

SEC. 9. *The Protected Area Management Office (PAMO).* — There is hereby established a Protected Area Management Office (PAMO) to be headed by a Protected Area Superintendent (PASu) who shall supervise the day to day management, protection, and administration of the TTGINP. The PASu shall hold a permanent plantilla position and shall be appointed by the DENR Secretary. A sufficient number of support staff with permanent plantilla positions shall likewise be appointed by the DENR Secretary to assist the PASu in the management of the TTGINP: *Provided*, That in the appointment of all PAMO staff, highly qualified residents of the Province of Guimaras, living proximate to the TTGINP shall be given priority.

The PASu shall be primarily accountable to the PAMB and the DENR for the management and operations of the TTGINP. Pursuant thereto, the PASu shall have the following duties and responsibilities:

- a. Prepare the management plan, in consultation with the stakeholders, including the annual work and financial plan and ensure its implementation;

- b. Ensure the integration of the TTGINP management plans, programs, projects, and policies with relevant national and LGUs' plans and programs;
- c. Provide secretariat services to the PAMB and its committees and ensure the availability of relevant and timely information for decision-making;
- d. Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;
- e. Establish, operate, and maintain a database management system which shall be an important basis for decision-making;
- f. Enforce the laws, rules and regulations relevant to the TTGINP, commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the prosecution of offenses committed in violation of the provisions of this Act;
- g. Monitor, evaluate, and report the implementation of management activities of the TTGINP;
- h. Request for and receive any technical assistance, support or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, and the private sector, as may be necessary for the effective management, protection and administration of the TTGINP;
- i. Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with terms, conditions, and criteria established by the PAMB: *Provided*, That all permits for extraction of natural resources, including collection of wildlife, and its by-products or derivatives for research purposes, shall continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASu, in accordance with the specific acts to be covered;
- j. Collect and receive pertinent fees, charges, donations, and other income for the TTGINP: *Provided*, That such fees, charges, donations, and other income collected and received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;

- k. Prepare and recommend to the PAMB, approval of the annual work and financial plans of the TTGINP based on the management plan; and
- l. Perform such other functions as the PAMB and the DENR may assign.

The PAMO may be augmented by the deputized local environment and natural resources officers upon the recommendation of the PAMB and approval of the DENR.

ARTICLE III PROCEEDS AND FEES

SEC. 10. *The Taklong and Tandog Group of Islands Natural Park Fund.* – There is hereby established a trust fund to be known as the Taklong and Tandog Group of Islands Natural Park Integrated Protected Area Fund (TTGINP-IPAF) for purposes of financing projects of the TTGINP and the NIPAS. All income generated from the operation and management of wild flora and fauna in the TTGINP shall accrue to the TTGINP-IPAF. The income shall be derived from fees from permitted sale and export of flora and fauna and other resources from the TTGINP, proceeds from lease of multiple-use areas, contributions from industries and facilities directly benefiting from the TTGINP, and such other fees and income derived from the operation of the TTGINP.

The PAMB shall retain seventy-five percent (75%) of all revenues raised through the above means, which shall be deposited in the Protected Area-Retained Income Account (PA-RIA) in any authorized government depository bank within the locality: *Provided*, That disbursements out of such deposits shall be used solely for the protection, maintenance, administration, and management of the TTGINP and implementation of duly approved projects of the PAMB. The remaining twenty-five percent (25%) of revenues shall be deposited as a special account in the general fund in the National Treasury for purposes of financing the programs and projects of the NIPAS.

The fund may be augmented by grants, donations, endowment from various sources, domestic or foreign: *Provided*, That the fund shall be deposited in full as a special account in the National Treasury and disbursements therefrom shall be made solely for the protection, maintenance, administration and management of the NIPAS and duly approved projects endorsed by the

PAMB in accordance with existing accounting, budgeting and auditing rules and regulations: *Provided, further,* That the fund shall not be used to cover personal services expenditures.

The LGUs shall continue to impose and collect all other fees not enumerated herein which they have traditionally collected, such as business permits, property tax and rentals of LGUs' facilities.

ARTICLE IV

TRANSITORY AND MISCELLANEOUS PROVISIONS

SEC. 11. *Appropriations.*– The Secretary of the DENR shall immediately include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 12. *Suppletory Application of the NIPAS Law.* – The provisions of Republic Act No. 7586 as amended by Republic Act No. 11038, shall have suppletory application to this Act.

SEC. 13. *Implementing Rules and Regulations.*– Within ninety (90) days from the effectivity of this Act, the Secretary of the DENR shall, in consultation with the local government of the Municipality Nueva Valencia, the provincial government of Guimaras, and concerned national government agencies, issue the corresponding rules and regulations for the effective implementation of this Act.

SEC. 14. *Separability Clause.* – If any section or provision of this Act is held unconstitutional or invalid, the remaining sections or provisions with the provisions not affected thereby shall continue to be in full force and effect.

SEC. 15. *Repealing Clause.* – All laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 16. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation

Approved,