



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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 831



Introduced by **REP. KRISTINE ALEXIE B. TUTOR**

Third District, Bohol

EXPLANATORY NOTE

The recognition of the whole province of Bohol as the country' first national geopark last year by UNESCO, with the Chocolate Hills standing at the center of that international accolade, is an honor that we sincerely cherish as Boholanos. The Chocolate Hills is not only our pride, our contribution to the world but, more importantly, it is the symbol of our commitment to the preservation and protection of the environment. And such commitment remain steadfast to this day.

As a testament to the importance of this national geological monument, the same has been subject of the two laws on National Integrated Protected Areas System¹ as well as two Presidential Proclamations².

The issue of the Chocolate Hills, however, is not as simple as it seems. Rights and interests of private individuals as well as local government units exist prior to its declaration as protected area. And this has consequences which cannot be brushed aside without prejudice to legal owners of properties within this natural monument. Lives of families and communities as well economic activities and public service stand to be sacrificed with the blanket declaration as protected area of almost 14,000 hectares shared by all three legislative districts of Bohol.

The current issue on the Chocolate Hills has brought to fore this dilemma which the local government and the constituents of the province has been dealing with for a time already. We take this opportunity, now, as our chance to finally lay to rest and give solution to this real challenge which us, Boholanos, face everyday. And we do this by harmonizing the need to protect and preserve our most treasured natural monument as well as the obligation to protect and promote the rights of our constituents to property and of our local government units in delivering public service.

Thus, we, the Representatives of all the Legislative Districts of the Province of Bohol, collectively file this bill seeking to set the boundaries of the Chocolate Hills Natural Monument and for the government to provide for the just compensation to owners of titled

¹ Republic Act No. 7586 passed on June 01, 1992 and Republic Act No. 11038 passed on June 22, 2018

² Presidential Proclamation No. 1037 issued by President Fidel V. Ramos on July 1, 1997 and Presidential Proclamation No. 333 issued by President Gloria Macapagal Arroyo on February 26, 2003

lots on the Chocolate Hills and within the 20-meter draw back from the baseline of those hills.

The 20-meter drawback is designated as a buffer zone and multiple use zone while the Chocolate Hills are the protected area.

The bill ensures owners of the titled properties will receive just compensation and appraisal of the titled properties will be by the Municipal Assessor or by court order.

The bill also provides that all existing private commercial structures without Protected Area Management Board (PAMB-CHNM) Clearance and Environmental Compliance Certificate (ECC) and those that pose detrimental impacts as maybe determined by the Environmental Management Bureau (EMB) will be "subjected to self-demolition for period of not more than two (2) years."

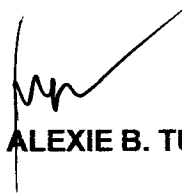
The bill allows residential structures within the 20-meter draw back to stay, be improved, and repaired provided that "no expansion will be conducted and the owner is listed as tenured migrant."

The bill lets the owners of the titled lots harvest planted trees, fruit trees and other agricultural crops as well as engage into small scale livelihood projects.

Membership in the CHNM Protected Area Management Board is expanded to include the Department of Tourism, National Museum, UNESCO Technical Committee of Bohol, representatives of religious groups and environmental planners and architects operations within the area or within the Province of Bohol.

In the new composition of the CHNM PAMB, Senators and Representatives will sit as ex-officio members of the PAMB without right to vote but shall exercise oversight functions in the implementation of all plans and programs approved by the PAMB.

Swift passage of this bill is earnestly sought.



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Third District, Bohol

AN ACT
ESTABLISHING THE COVERAGE OF THE CHOCOLATE HILLS NATURAL MONUMENT (CHNM), AMENDING THE COMPOSITION OF THE CHNM PROTECTED AREA MANAGEMENT BOARD, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER RELATED PURPOSES IN RELATION TO RA 11038 OR THE EXPANDED NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (E-NIPAS), AS AMENDED

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

Section 1. Short Title. This Act shall also be known as the "Chocolate Hills Natural Monument Act".

Section 2. Coverage of the Chocolate Hills Natural Monument. (CHNM) – The Chocolate Hills Natural Monument, the original coverage of which was set forth in Proclamation 1037, series of 1997, and amended by Proclamation 333, series of 2003, is hereby established to include the protected area of 1,776 hills and timberland areas, and the buffer zone consisting of the twenty-meter drawback from the baseline of every hill.

The protected area shall encompass a total area of 5,883.65 hectares as natural monument as described in the Technical Description attached to this legislation. (Please see attachment)

All existing public infrastructures and proposed government projects for public use within 20-meter drawback therefrom shall be allowed provided that the infrastructures and projects will not be detrimental to the natural state of the hills and its buffer zone.

All titled lots owned by private person and/or corporations within the hills and the 20-meter drawback shall be appraised by the Municipal Assessor or by court order, and subject to just compensation.

All existing private commercial structures without Protected Area Management Board (PAMB-CHNM) Clearance and Environmental Compliance Certificate (ECC) and those that pose detrimental impacts as maybe determined by the Environmental Management Bureau (EMB) will be subjected to self-demolition for period of not more than two (2) years.

All existing residential structures prior to ENIPAS within the 20-meter drawback shall be allowed to remain, improved and repaired, provided that no expansion will be conducted and the owner is listed as tenured migrant. The owners with titles are allowed to harvest planted trees, fruit trees and other agricultural crops as well as engage in small scale livelihood projects. This will be designated as Multiple Use Zone.

Section 3. Exclusions from the CHNM Protected Area. The alienable and disposable lands, and the flat lands outside the 20-meter drawback that are below eighteen (18) degrees in slope are excluded from the protected area.

Section 4. Changes to Membership of the CHNM Protected Area Management Board. The membership of the CHNM PAMB is hereby expanded to include the following: the Department of Tourism, the National Museum, the UNESCO Technical Committee of Bohol, and representatives of religious groups, and environmental planners and architects with operations within the area or within the Province of Bohol.

All Senators and District Representatives from the area will sit as ex-officio members of the PAMB without right to vote but shall exercise oversight functions in the implementation of all plans and programs approved by the PAMB.

Section 5. Implementing Rules and Regulations – Within one hundred and eighty (180) days following the effectivity of this Act, the Implementing Rules and Regulations specifically for Chocolate Hills Natural Monument shall be adopted and approved.

Section 6. 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.

Section 7. Suppletory Application of the NIPAS Law, as amended. The provisions of Republic Act No. 7586, as amended by Republic Act No. 11038, shall have suppletory application to this Act.

Section 8. 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.

Section 9. 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.

Section 10. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approve,