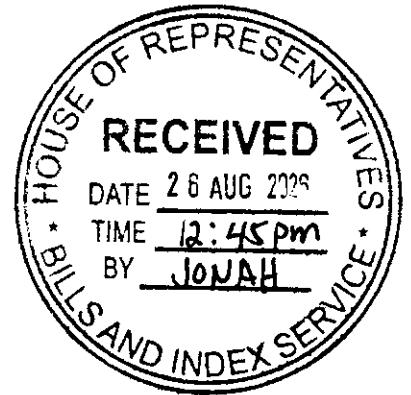




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
Second Regular Session



HOUSE BILL NO. **10970**

Introduced by Representative John Geesnell “Baba” Yap

EXPLANATORY NOTE

This bill seeks to exclude the Tubigon Group of Islands Mangrove, Swamp, Forest Reserve / Wilderness Area (TGIMSFR/WA) comprising the islands of Batasan and Inanuran, and the islets of Cancostino, Cabgan, Budloan, and Hayaan in the Municipality of Tubigon, Province of Bohol, from the coverage of the National Integrated Protected Areas System (NIPAS) under Republic Act No. 7586, as amended.

Republic Act (RA) No. 7586 or the *National Integrated Protected Areas System (NIPAS) Act of 1992*, as strengthened by RA 11038 or the *Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018*, plays a vital role in conserving the Philippines’ biodiversity and safeguarding critical ecosystems. ENIPAS has rightly expanded protections for forests, wetlands, and marine habitats that sustain fisheries, buffer storm surge, sequester carbon, and preserve species found nowhere else. At the same time, the law must be implemented in a manner that is equitable, evidence-based, and responsive to long-standing human communities that have coexisted with these ecosystems.

In the First Legislative District of Bohol, several long-inhabited island communities and islets, including the Tubigon Group of Islands have been put under protected status and declared as Mangrove Swamp Forest Reserve and Wilderness Area (TGIMSFR/WA) by virtue of Proclamation Nos. 2151 and 2152. The TGIMSFR/WA covers the islands of Budlaan, Batasan, Cabgan, Canconstino, Hayaan, and Inanoran. When RA 11038 was enacted, areas covered under Proclamation No. 2152 were integrated into the NIPAS framework.

For generations, local inhabitants relied on small-scale agriculture, artisanal fishing, and mangrove stewardship for their livelihoods. Because these populated areas remain classified as strict protected public domain, residents are effectively barred from applying for formal land titles. This lack of secure tenure constrains access to formal credit, discourages sustainable investment in homes and small enterprises, and leaves families vulnerable to displacement and economic marginalization.

Moreover, on October 15, 2013, a magnitude 7.2 earthquake struck the Province of Bohol. Studies conducted by geoscientists and the Department of Environment and Natural Resources (DENR) confirmed that the islands off Tubigon experienced significant tectonic land subsidence, sinking by roughly 1 meter. As a result, islands such as Batasan and Inanuran face daily tidal inundation and constant flooding. The physical features that originally justified their establishment as wilderness areas or forest reserves under Presidential Decree No. 2151 and Proclamation No. 2152 have been permanently altered.

Under strict NIPAS regulations, the Local Government of Bohol and national agencies face severe bureaucratic hurdles when attempting to build necessary public infrastructure—such as elevated walkways, flood barriers, climate-resilient evacuation centers, and public utilities. Excluding the area from NIPAS coverage enables the LGU and national government to implement urgent climate-adaptation and public safety measures without legal impediment

This bill proposes a narrowly tailored, science-informed re-delineation of protected-area boundaries to remove TGIMSFR/WA with a total area of 1,048 hectares from the coverage of NIPAS and later on, reclassify them as Alienable and Disposable (A&D) eligible for titling after the standard DENR classification process.

The measure is carefully calibrated to achieve the following: secure tenure and economic inclusion by granting title to long-occupying residents; unlock access to formal social and financial services; and empowering the local government to implement localized, community-managed coastal resource management. Another is to conserve based on up-to-date ecological mapping, community land-use histories, and participatory ground-truthing so that critical mangrove stands, coral habitats, and other high-value conservation areas remain protected.

More importantly, it encourages partnerships between local governments, protected-area management boards, and resident communities to ensure that titling does not translate into habitat loss.

The proposed approach aligns with international best practices that reconcile human rights to land and livelihood with biodiversity protection. Secure tenure is widely recognized as a foundation for sustainable resource management: when communities have legal certainty, they are more likely to invest in long-term stewardship and to cooperate with conservation authorities.

For these reasons, this bill advances both social justice and environmental protection. It recognizes the lived realities of island communities in Bohol, restores their ability to secure family assets and access economic opportunity, and does so without compromising the integrity of adjacent protected habitats. The State can and must balance conservation goals with the human right to tenure and livelihood; this measure provides a lawful, transparent, and accountable pathway to do so.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



JOHN GEESNELL “Baba” YAP



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AN ACT
EXCLUDING THE TUBIGON GROUP OF ISLANDS MANGROVE, SWAMP, FOREST RESERVE/WILDERNESS AREA IN TUBIGON, PROVINCE OF BOHOL, FROM THE COVERAGE OF REPUBLIC ACT NO. 7586 OR THE *NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) ACT OF 1992, AS AMENDED*

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

SECTION 1. *Exclusion.* --- The area described as Tubigon Group of Islands Mangrove Forest Reserve and Wilderness Area (TGIMSFR/WA), comprising the islands of Budlaan, Batasan, Cabgan, Canconstino, Hayaan and Inanoran in Tubigon, Province of Bohol, which are currently included in the National Integrated Protected Areas System (NIPAS) pursuant to Proclamation No. 2151 and Proclamation No. 2152 and Republic Act No. 7586, or the *National Integrated Protected Areas System (NIPAS) Act of 1992*, as amended, is hereby excluded from NIPAS coverage.

SEC. 2. *Procedural Preconditions.* --- Prior to any final exclusion or under this Act, the Secretary of Environment and Natural Resources shall require and certify the completion of the following:

(a) DENR-certified technical ecological assessment, land classification survey, and socio-economic study;

(b) Climate vulnerability assessment and, where applicable, an Environmental and Social Impact Assessment (ESIA) consistent with Presidential Decree No. 1586, and other DENR rules;

(c) Documented public consultations and disclosure of technical data to affected communities, local government units, civil society, and other stakeholders; and

(d) Concurrence of the Protected Area Management Board (PAMB).

Upon exclusion, the area shall revert to its status as part of the public domain under the administration of the DENR. If the area is found to be alienable and disposable, the Secretary of Environment and Natural Resources shall recommend its classification as to such to the President.

SEC. 3. *Maps and Records.* --- All maps, technical descriptions, and legal instruments referenced in Proclamation Nos. 2151 and 2152 shall be attached to the DENR certification and made part of the administrative record.

SEC. 4. *Indigenous Peoples.* --- If Indigenous Cultural Communities or Indigenous Peoples (ICCs/IPs) are present or claim ancestral domain within the

affected area, the procedures under Republic Act No. 8371 or the *Indigenous People's Rights Act* shall apply, including Free, Prior and Informed Consent (FPIC) and coordination with the National Commission on Indigenous Peoples (NCIP). No alienation or titling shall proceed without compliance with IPRA.

SEC. 5. *Climate Risk.* --- No disposition, sale, lease, or conversion of the excluded area shall be allowed upon areas that the DENR climate vulnerability assessment determines to be chronically inundated, permanently subsided, or otherwise unsafe for habitation, or until a Positive Environmental Compliance Certificate is issued by the DENR. For parcels so identified, the DENR and the LGU shall prepare a relocation or managed-retreat plan and provide alternative tenure or livelihood support as appropriate.

SEC. 6. *Conservation Easements and Title Conditions.* --- If such area or certain parts thereof are declared alienable and disposable, titles issued under this Act shall include restrictive contracts and conservation easements prohibiting conversion of designated mangrove, coral, or other critical habitats. The DENR shall record such contracts and retain enforcement rights. Violations shall be subject to revocation of title and penalties under applicable laws.

SEC. 7. *Monitoring and Oversight.* --- The PAMB, DENR, and the LGU shall form a joint monitoring committee to oversee compliance with conservation contracts, coastal resource plans, and disaster risk measures. The joint monitoring

committee shall submit annual reports to the DENR and the appropriate congressional committee.

SEC. 8. *Issuance of Technical Descriptions.* --- Within one hundred eighty (180) days from the effectivity of this Act, the Secretary of Environment and Natural Resources shall, in coordination with the PAMB and LGUs concerned, conduct a land classification and survey of the excluded area and issue the exact technical descriptions, bearings, and boundaries of the excluded parcels of land. The DENR shall publish the technical descriptions and maps and provide a thirty (30) day period for final objections or claims.

SEC. 9. *Conditions and Safeguards.* --- The DENR shall alienate the agricultural land described under this Act in accordance with Commonwealth Act No. 141 or the *Public Land Act*, and existing land administrative rules, subject to the approval of the President and the following conditions and safeguards:

(a) *Free Patent.* A free patent may be issued to a qualified claimant who demonstrates continuous cultivation or occupation or through predecessors-in-interest, or who has paid real property tax thereon, for at least ten (10) years prior to the approval of this Act. The maximum area per applicant shall not exceed twelve (12) hectares.

(b) *Documentary and Anti-Speculation Safeguards.* --- Applicants must submit documentary evidence and community attestations of continuous occupation. The DENR shall apply anti-speculation measures, including a prohibition on transfer or sale of the title for a period of five (5) years from issuance, except by inheritance or with DENR approval.

(c) *Public Land Reservations.* --- Prior to distribution to private individuals, the DENR shall reserve lands for essential public purposes for the Municipality of Tubigon, the Province of Bohol, and national agencies including schools, roads, health or sports centers, or public plazas. Titles for lands reserved for public purpose shall be in the name of the Republic of the Philippines.

(d) *Waterway Buffers.* --- A strip of land twenty (20) meters in width from both banks of rivers, creeks, and natural depressions that serve as waterways shall be preserved as permanent forestland and planted with indigenous species, maintenance of which shall be the joint responsibility of DENR and the LGU.

(e) *Title Conditions.* --- All patents and titles issued shall include recorded conservation agreements and use restrictions consistent with Section 6 of this Act.

SEC. 10. *Land Titles to Qualified Occupants.* --- The DENR, through its Land Management Bureau and in coordination with the Land Registration Authority, shall facilitate the processing, cadastral surveying, and issuance of appropriate land titles or patents to qualified occupants in accordance with existing land administrative laws and regulations, and consistent with conservation conditions and other requirements set forth in this Act. The DENR shall establish a transparent claims adjudication process, publish a list of qualified claimants, and provide an administrative appeals mechanism.

SEC. 11. *Areas under NIPAS Jurisdiction.* --- All areas not explicitly declared alienable and disposable under this Act shall remain under the jurisdiction and protection of the NIPAS framework. The final use of lands declared alienable and disposable shall not prejudice ecological balance. Removal of timber and other forest products shall remain subject to forestry laws and DENR regulations.

The DENR shall enforce conservation covenants recorded on titles and shall coordinate with Bureau of Fisheries and Aquatic Resources, PAMB, and the LGU for habitat protection.

SEC. 12. *Continued Protection.* --- Notwithstanding the exclusion from NIPAS, designated mangrove forests, marine habitats, and environmentally sensitive coastal zones within the excluded areas shall remain protected under RA

8550 or the *Philippine Fisheries Code of 1998*, as amended, Presidential Decree No. 705 or the *Revised Forestry Code of the Philippines*, as amended, and applicable LGU environmental ordinances. The LGU of Tubigon, in coordination with the DENR and PAMB, shall formulate a Comprehensive Coastal Resource and Disaster Risk Management Plan (CCRDRMP) to ensure sustainable island living and marine conservation.

SEC. 13. *Report.*--- The DENR shall submit a progress report to the appropriate congressional committees every six (6) months until all titles and conservation measures under this Act are finalized.

SEC. 14. *Violations.* --- Violations of conservation agreements or contracts, illegal conversion of protected habitats, falsification of claims, collusion, or other fraudulent acts in the titling process shall be subject to administrative, civil, and criminal penalties under existing laws, and to revocation of titles where appropriate.

SEC. 15. *Implementing Rules and Regulations.* --- Within one hundred eighty (180) days from the effectivity of this Act, the Secretary of Environment and Natural Resources shall formulate the necessary rules and regulations for the effective implementation of this Act.

SEC. 16. *Repealing Clause.* --- All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances or parts thereof that are

inconsistent with the provisions of this Act are hereby amended, modified, or repealed to the extent of such inconsistency, provided that such amendments shall not prejudice existing rights or obligations arising under RA 8371, RA 11038, the Public Land Act, PD 1586, RA 8550, PD 705, and other applicable statutes..

SEC. 17. *Effectivity.* --- This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,