

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



'22 JUL 12 A11 :12

**SENATE**

RECEIVED BY: \_\_\_\_\_

S. No. 355

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Introduced by **SENATOR CYNTHIA A. VILLAR**

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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 TANDOG GROUP OF ISLANDS NATURAL PARK, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Under the 1987 Philippine Constitution, it is a declared state policy that the State " shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."<sup>1</sup> In line with safeguarding a healthful ecology, the Constitution likewise provides that Congress shall determine the national parks, which shall be conserved and may not be increased nor diminished, except by law.<sup>2</sup>

Pursuant to the said constitutional provisions, the National Integrated Protected Areas System (NIPAS) was established by virtue of Republic Act (RA) No. 7586, as amended by RA No. 11038, otherwise known as the "Expanded NIPAS Act of 2018". Cognizant of the exacting impact of diverse human activities on all components of the natural environment, the NIPAS Act declared it 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 establishment of a

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<sup>1</sup> Article II, Section 16, 1987 Philippine Constitution

<sup>2</sup> Article XII, Sec. 3, 1987 Philippine Constitution

comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution.” The system shall encompass ecologically rich, unique and biologically important areas that are habitats of threatened species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine, all of which shall be designated as 'protected areas'.<sup>3</sup>

Presently, as of July 1, 2022 there are already 113 protected areas in the Philippines that have been so declared through legislation. And yet, based on the records and various suitability assessments by the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR), there are still numerous sites in the country that have to be given 'protected area' status, by legislative action, in order to ensure its conservation.

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.<sup>4</sup>

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 species of soft corals, 9 species of seagrasses and 26 species of mangroves including *Rhizophora x lamarckii* which can be found only in Guimaras, Bohol and Masbate. The islets are covered with indigenous plant species such as Molave, Magtalisay, Pandan Dagat, Kamachile, Batino, Passi, Duhat and Pitogo. Among the mangrove forests are Bacauan spp., Avicennia spp. such as Api-api and Bungalon, 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-

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<sup>3</sup> Section 2, RA No. 7586, as amended by RA 11038

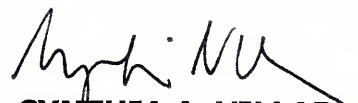
<sup>4</sup> Explanatory Note, HB No. 8335, filed by Rep. Ma. Lucille L. Nava in the 18<sup>th</sup> Congress

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 as the Philippine Megapode or Tabon Scub Fowl which is often observed foraging and laying eggs in Taklong and in Apugan Islands with their nesting sites sighted in Kaliruhan. Notable also in 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.<sup>5</sup>

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.<sup>6</sup>

Filed by Rep. Ma. Lucille L. Nava of the Lone District of Guimaras, the house bill declaring Taklong and Tandog Group of Islands a protected area was passed by the House of Representatives on February 2, 2022 during the previous 18<sup>th</sup> Congress; however, due to lack of material time, the Senate was not able to timely act on the bill. This 19<sup>th</sup> Congress, I see the wisdom of filing a counterpart in the Senate and push for the passage of this bill.

In view of the foregoing, I recommend the approval of this measure.

  
**CYNTHIA A. VILLAR**

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<sup>5</sup> Ibid

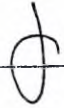
<sup>6</sup> Ibid

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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 TANDOG GROUP OF ISLANDS NATURAL PARK, PROVIDING**  
**FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR**

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

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

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

9 In recognition of the richness of the biological resources, both flora and  
10 fauna, that are native and distinct to a parcel of land located in the Municipality of  
11 Nueva Valencia in the Province of Guimaras, as well as their aesthetic and ecological  
12 importance, the said area is hereby declared a protected area with the category of  
13 natural park, and shall hereinafter be referred to as the Taklong and Tandog Group



1 of Islands Natural Park (TTGINP). As such, the State shall ensure the conservation,  
2 protection, management and rehabilitation of the area. It is likewise recognized that  
3 effective administration of this area is possible only through cooperation among  
4 national government, local government units (LGUs), concerned nongovernmental  
5 organizations (NGOs), private entities and local communities. The use and  
6 enjoyment of this area must be consistent with the principles of biological diversity  
7 and sustainable development.

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

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

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

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

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

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

- 25 thence S 45°22' E 87.84 meters to corner 2;
- 26 thence N 86°28' E 86.93 meters to corner 3;
- 27 thence S 54°43' W 32.81 meters to corner 4;
- 28 thence S 29°53' E 78.64 meters to corner 5;

1	thence	S 41°20' W	34.08	meters to corner 6;
2	thence	S 15°33' W	202.60	meters to corner 7;
3	thence	S 86°34' W	224.88	meters to corner 8;
4	thence	S 41°22' W	47.65	meters to corner 9;
5	thence	S 21°22' W	63.21	meters to corner 10;
6	thence	S 03°52' W	136.26	meters to corner 11;
7	thence	S 09°46' W	277.82	meters to corner 12;
8	thence	N 76°31' E	139.33	meters to corner 13;
9	thence	N 84°05' E	34.159	meters to corner 14;
10	thence	S 87°04' E	43.31	meters to corner 15;
11	thence	S 72°31' E	73.45	meters to corner 16;
12	thence	S 30°42' W	83.10	meters to corner 17;
13	thence	S 00°47' E	97.65	meters to corner 18;
14	thence	S 33°38' E	93.91	meters to corner 19;
15	thence	S 63°15' E	23.35	meters to corner 20;
16	thence	S 63°04' W	160.57	meters to corner 21;
17	thence	S 14°39' W	133.86	meters to corner 22;
18	thence	S 54°21' E	102.41	meters to corner 23;
19	thence	N 43°18' E	170.27	meters to corner 24;
20	thence	S 78°00' E	159.82	meters to corner 25;
21	thence	N 17°50' E	243.42	meters to corner 26;

1	thence	S 73°17' E	118.80	meters to corner 27;
2	thence	S 34°28' W	25.34	meters to corner 28;
3	thence	S 61°20' E	85.85	meters to corner 29;
4	thence	N 68°51' E	55.93	meters to corner 30;
5	thence	S 15°47' W	51.03	meters to corner 31;
6	thence	S 40°37' E	105.14	meters to corner 32;
7	thence	S 03°55' W	71.28	meters to corner 33;
8	thence	S 56°23' W	36.08	meters to corner 34;
9	thence	S 38°18' W	58.56	meters to corner 35;
10	thence	S 08°30' E	95.06	meters to corner 36;
11	thence	S 02°44' W	245.92	meters to corner 37;
12	thence	S 89°21' W	182.35	meters to corner 38;
13	thence	S 43°50' W	280.92	meters to corner 39;
14	thence	S 11°35' W	103.97	meters to corner 40;
15	thence	S 15°30' W	100.98	meters to corner 41;
16	thence	S 38°44' E	79.50	meters to corner 42;
17	thence	S 68°22' E	58.84	meters to corner 43;
18	thence	S 71°50' E	148.32	meters to corner 44;
19	thence	N 60°35' E	82.56	meters to corner 45;
20	thence	S 28°27' E	92.30	meters to corner 46;
21	thence	S 33°21' W	221.81	meters to corner 47;





- 1 a) DENR Regional Executive Director for Region VI, as Chairperson;
- 2 b) Governor of the Province of Guimaras, as Co-Chairperson;
- 3 c) Senators of the Republic of the Philippines who are duly registered  
4 residents of the Province of Guimaras, or their duly designated  
5 representatives, unless the Senators decline the membership in the  
6 PAMB;
- 7 d) District Representatives of the Congressional Districts where the  
8 TTGINP is located, or their duly designated representatives, unless the  
9 District Representatives decline the membership in the PAMB;
- 10 e) Mayor of the Municipality of Nueva Valencia in the Province of  
11 Guimaras, or a duly authorized representative;
- 12 f) Chairpersons of all the barangays with territorial jurisdiction over the  
13 TTGINP;
- 14 g) Regional Directors of the following government agencies, namely:  
15 Department of Agriculture (DA), National Economic and Development  
16 Authority (NEDA), Department of Science and Technology (DOST),  
17 Philippine National Police (PNP), Department of National Defense  
18 (DND) and Department of Tourism (DOT);
- 19 h) Three (3) representatives from either NGOs or people's organizations  
20 (POs), based in the Province of Guimaras, duly accredited both by the  
21 DENR and the provincial government. The NGOs or POs represented  
22 should have been in existence for at least five (5) years and with track  
23 record in or related to protected area management;
- 24 i) At least one (1) but not more than three (3) representatives from all  
25 the ICC/ IP present in the area and recognized by the National  
26 Commission on Indigenous Peoples (NCIP);

- 1 j) One (1) representative from an academic institution, preferably from a  
2 university or college in the Province of Guimaras, with proven track  
3 record in or related to protected area management; and
- 4 k) One (1) representative from the private sector, preferably a resident of  
5 the Province of Guimaras, who is distinguished in a profession or field  
6 of interest relevant to the protected area management.

7 The terms of office of members of the PAMB, as well as the grounds for their  
8 removal shall be in accordance with the provisions of Republic Act No. 7586,  
9 otherwise known as the "National Integrated Protected Areas System Act of 1992" as  
10 amended by Republic Act No. 11038, otherwise known as the "Expanded National  
11 Integrated Protected Areas System Act of 2018".

12 *Sec. 8. Functions of the PAMB.* – The PAMB shall have the following powers  
13 and functions:

- 14 a) Oversee the management of the TTGINP;
- 15 b) Approve policies, plans and programs, proposals, agreements, and  
16 other related documents for the management of the TTGINP;
- 17 c) Approve the management plan of the TTGINP and ensure its  
18 harmonization with and integration into the Ancestral Domain  
19 Sustainable Development and Protection Plan, land use plan and other  
20 development plans, public or private, and their implementation;
- 21 d) Adopt a manual of operations to include rules of procedures in the  
22 conduct of business, and the creation of committees and their  
23 respective terms of reference;
- 24 e) Recommend the deputation of appropriate agencies and individuals for  
25 the enforcement of the laws, rules and regulations governing the  
26 management of the TTGINP;
- 27 f) Allocate financial resources for the implementation of the management

- 1 plan and manage the Protected Area Retention Income Account and  
2 other funds in accordance with government accounting, budgeting, and  
3 auditing rules and regulations;
- 4 g) Set fees and charges in accordance with existing guidelines;
- 5 h) Issue rules and regulations for the resolution of conflicts through  
6 appropriate and effective means;
- 7 i) Recommend appropriate policy changes to the DENR and other  
8 government authorities with respect to the management of the  
9 TTGINP;
- 10 j) Monitor and assess the performance of the Protected Area  
11 Superintendent (PASu) and other protected area personnel and  
12 compliance of partners with the terms and conditions of any  
13 undertaking, contract or agreement relative to any project or activity  
14 within the TTGINP;
- 15 k) Recommend from among a shortlist of qualified candidates, the  
16 designation or appointment of the PASu; and
- 17 l) Assess the effectiveness of the management of the TTGINP: Provided,  
18 That the members of the PAMB representing the LGUs and national  
19 agencies shall inform their respective constituents, offices or sectors, of  
20 PAMB-approved or other relevant policies, rules, regulations, programs,  
21 and projects and shall ensure that the provisions of this Act and the  
22 rules and regulations issued to implement it are complied with and  
23 used as reference and framework in their respective plans, policies,  
24 programs, and projects. Failure to comply with the foregoing shall be  
25 the basis for disciplinary action against such member according to  
26 administrative rules and regulations and such penalties as the PAMB  
27 may provide: Provided, further, That the DENR, through the Regional  
28 Director, shall ensure that the PAMB acts within the scope of its powers  
29 and functions. In case of conflict between the resolutions issued by the



1 PAMB and the existing administrative orders of national application, the  
2 latter shall prevail.

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

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

- 16 a) Prepare the management plan, in consultation with the stakeholders,  
17 including the annual work and financial plan and ensure its  
18 implementation;
- 19 b) Ensure the integration of the TTGINP management plans, programs,  
20 projects, and policies with relevant national and LGUs' plans and  
21 programs;
- 22 c) Provide secretariat services to the PAMB and its committees and  
23 ensure the availability of relevant and timely information for decision-  
24 making;
- 25 d) Formulate and recommend to the PAMB proposed policies, rules,  
26 regulations, and programs;
- 27 e) Establish, operate, and maintain a database management system  
28 which shall be an important basis for decision-making;

- 1 f) Enforce the laws, rules and regulations relevant to the TTGINP,  
2 commence and institute administrative and legal actions in  
3 collaboration with other government agencies or organizations, and  
4 assist in the prosecution of offenses committed in violation of the  
5 provisions of this Act;
- 6 g) Monitor, evaluate, and report the implementation of management  
7 activities of the TTGINP;
- 8 h) Request for and receive any technical assistance, support or advice  
9 from any agency or instrumentality of the government as well as  
10 academic institutions, NGOs, and the private sector, as may be  
11 necessary for the effective management, protection and administration  
12 of the TTGINP;
- 13 i) Issue permits and clearances for activities that implement the  
14 management plan and other permitted activities in accordance with  
15 terms, conditions, and criteria established by the PAMB: Provided, That  
16 all permits for extraction of natural resources, including collection of  
17 wildlife, and its by-products or derivatives for research purposes, shall  
18 continue to be issued by relevant authorities, subject to prior clearance  
19 from the PAMB, through the PASu, in accordance with the specific acts  
20 to be covered;
- 21 j) Collect and receive pertinent fees, charges, donations, and other  
22 income for the TTGINP: Provided, That such fees, charges, donations,  
23 and other income collected and received shall be reported regularly to  
24 the PAMB and the DENR in accordance with existing guidelines;
- 25 k) Prepare and recommend to the PAMB, approval of the annual work and  
26 financial plans of the TTGINP based on the management plan; and
- 27 l) Perform such other functions as the PAMB and the DENR may assign.

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

3 **ARTICLE III**  
4 **PROCEEDS AND FEES**

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

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

24 The fund may be augmented by grants, donations, endowment from various  
25 sources, domestic or foreign: *Provided*, That the fund shall be deposited in full as a  
26 special account in the National Treasury and disbursements therefrom shall be made  
27 solely for the protection, maintenance, administration and management of the  
28 NIPAS and duly approved projects endorsed by the PAMB in accordance with  
29 existing accounting, budgeting and auditing rules and regulations: *Provided, further*,  
30 That the fund shall not be used to cover personal services expenditures.

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

4 **ARTICLE IV**  
5 **TRANSITORY AND MISCELLANEOUS PROVISIONS**

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

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

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

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

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

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

Approved,