Senate Secretary

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

22 NOV 23 P2:25

SENATE

RECEIVED BY:

s. No. <u>1536</u>

## Introduced by **SENATOR CYNTHIA A. VILLAR**

### AN ACT

EXPANDING THE BOUNDARIES OF LAS PINAS PARANAQUE WETLAND PARK AND ITS VICINITIES AS PROTECTED AREA AND FOR OTHER PURPOSES

#### **EXPLANATORY NOTE**

The planet is confronted with a dual crisis of biodiversity loss and climate change.

Over a decade ago that the United Nations Environment Program declared that we may be in the middle of the 6th Mass Extinction event and that this time, it is being caused by humans. The extinction rate is many times that of the background rate and the interconnectedness of all life means such extinctions threaten the fiber of life on earth as well as human existence.

The second crisis is a scientific consensus, and year after year, new reports come out that yield figures more dire than the last. Just this year, the Intergovernmental Panel on Climate Change declared that "there is increasing evidence that degradation and destruction of ecosystems by humans increases the vulnerability of people. Unsustainable land-use and land cover change, unsustainable use of natural resources, deforestation, loss of biodiversity, pollution, and their interactions, adversely affect the capacities of ecosystems, societies, communities and individuals to adapt to climate change. Loss of ecosystems and their services has cascading and long-term impacts on people globally, especially for Indigenous

Peoples and local communities who are directly dependent on ecosystems, to meet basic needs"

The Las Piñas-Parañaque Wetland Park (LPPWP) is a bulwark against these twin threats and can make Manila Bay as well as the cities of Las Pinas and Paranaque less vulnerable to the onslaught of these two emergencies.

The Las Piñas - Parañaque Critical Habitat and Ecotourism Area (LPPCHEA), also known as the Las Piñas - Parañaque Wetland Park (LPPWP) is a legislated national protected area by virtue of Republic Act 11038 or the Expanded National Integrated Protected Areas (ENIPAS) Act, and a declared "Wetlands of as it provides invaluable support to both human and wildlife populations.

Despite being in a highly urbanized setting, the LPPWP is a thriving ecosystem. The LPPWP currently has a total land area of 181.63 hectares, composed of shallow waters, tidal marshes, mudflats, and mangrove swamp forest. The various ecosystems within hosts at least 5,000 individuals of about 82 species of migratory and resident birds, twenty-three (23) species of true and associate mangroves, several economically important fish species and mollusks. The waterbirds include those threatened with extinction such as the Philippine Duck (*Anas luzonica*) and the Chinese Egret (*Egretta eulophotes*). Moreover, the area supports more than 1% of the East Asian-Australasian Flyway (EAAF) population of the migratory black-winged stilt (*Himantopus himantopus*) highlighting its importance in the management of the global network of wetland habitats across the East Asian Australasian Flyway.

According to Mr. Arne Jensen in a 2018 report, "In midwinter from 171,500 to around 208,500 waterbirds of 90 species occur in Manila Bay. About 75% of the species are migratory. They include species threatened with global extinction and that feed on the fish and invertebrates occurring in shallower areas of the Bay including intertidal mudflats. Sixteen migratory species especially feeds and roost in large internationally important concentrations in just nine geographically locations of the Bay. They represent a very high percentage of their flyway populations, for some species up to about 27%, and as such their presence are internationally important for conseration."

Truth be told, the conservation of LPPWP, along with the remaining coastal ecosystems of Manila Bay, is vital as a nature-based solution for several environmental challenges such as climate change, disaster risk reduction and biodiversity loss. LPPWP, being the only remaining viable wetland ecosystem in Metro Manila, serves as a living laboratory and education center for wetland and environment conservation.

The Manila Bay Sustainable Development Master Plan (MBSDMP) provides for the protection of areas critical to the restoration and sustenance of the functions of the natural habitats, one of which is that of LPPWP. The plan, stated as Guiding Principle 2, allows development activities that will not significantly or permanently affect, reduce, and alter the biodiversity integrity for up to 3 kilometers radius from the complex habitats (i.e. LPPWP). The master plan also provides for the protection of natural areas with high biodiversity value and are part of the Strict Protection Zone within Manila Bay. Accordingly, "These areas are to be closed to all human activities except for scientific studies and/or ceremonial activities of IPs, and sustainable fishing/ fishery livelihood activities by local communities traditionally dependent on Manila Bay. Habitats of threatened species or degraded areas that have been designated for restoration and subsequent protection are included in this zone. This zone also includes a buffer zone to maximize the protection of habitats where the majority of dispersing fish and invertebrate larvae are predicted to settle. This zone is closed to all human activities including reclamation activities except religious, scientific, artisanal fishing, and other livelihood activities that adhere to sustainable best practices". In addition, the study of Villanoy and Martin (1997), as cited in the MBSDMP, stresses the need to maintain the natural flow or tidal movement and water circulation in Manila Bay, and be considered in implementing future plans and developments along the coastline of Manila Bay.

Currently, the LPPWP is under the threat of the potential impacts of proposed reclamation projects immediately adjacent to it. Based on the study commissioned by the DENR- ERDB in 2021, the presence of the proposed reclamation projects within Manila Bay exacerbates erosion, sedimentation, coastal and inland flooding in the adjacent built-up areas of Metro Manila, and reshapes the intertidal mudflats of

LPPWP. These reclamation projects neglects the threats posed by sea level rise and ignores the critical importance of the areas as the last few remaining stop overs of critically endangered migratory birds going through the East Asian Australasian Flyway. As we pursue a blue economy, Manila Bay faces continuing challenges from the destruction of habitats, continuing pollution and fisheries decline.

Much effort and resources have been expended by the Government in the conservation of Manila Bay. The Supreme Court has, in fact, ordered 13 Government agencies to plan its rehabilitation and monitors the execution of that plan in a Continuing Mandamus. Any further reduction to the productive areas and ecosystems as rich as diverse as that of LPPWP and its surrounding waters will render such efforts wasted.

As a legislated protected area pursuant to the National Integrated Protected Areas System (NIPAS) Act, the LPPWP will be better conserved and more ecosystems can be conserved with a buffer zone that will broaden the scope of protection, ensure the integrity of its ecosystems and ensure the free flow of water coming from Parañaque River connected to the Las Piñas River thus ensuring the hydrological flows that the migratory birds as well as the fisheries depend.

This Act proposes to expand the protected area to ensure that ecological integrity of both its land and water is well preserved and managed, and that this shall safeguard said biodiversity critical areas from the tensions of developments. In addition, the proposed 3-km seaward expansion from the current shoreline boundary shall greatly enhance conservation efforts, and will specifically ensure the following:

 Maximize the protection of mudflats and shallow water habitats serving as foraging sites of migratory birds, spawning and nursery ground of fish, and maintain and protect a greater dispersal area for dispersing fish and invertebrate larvae. It shall also cover intertidal flats not subsumed in the current boundary of LPPWP;

The Manila Bay's coastal and marine ecosystem is evidently thriving given the discovery of a new sardine species, Sardinella pacifica, in its waters last 2019

by Japanese taxonomists. The Bureau of Fisheries and Aquatic Resources (BFAR) even described the Bay as a spawning area of sardines and remains to be the main fishing grounds of artisanal fisherfolk. Further, 67 species of macrobenthic invertebrates were recorded in Manila Bay, including Cavite and the Las Piñas Parañaque Wetland Park based on the study of Benjamin Vallejo Jr in 2012.

- 2. Enable the LPPWP Protected Area Management Board (PAMB) to effectively manage allowable activities within the expansion thereby ensuring the maintenance of the natural coastal ecosystems and the overall ecological character of LPPWP; and
- 3. Considering the primary concern of the Manila Bay Sustainable Development Master Plan (MBSDMP) and the findings of the ERDB-commissioned study on potential interference of certain projects such as reclamation, on water circulation and tidal movement, the proposed boundary expansion shall help preserve natural water circulation that significantly defines the natural regimes, including distribution, diversity, and composition of species, sedimentation, nutrient cycling, and salinity. This shall also help locate large projects away from the coastline, hence minimizing effects to water circulation, tidal movements, the reshaping of intertidal mudflats, and the sedimentation of estuaries as well as on flooding regime.
- 4. It will also fortify, among others, the flood mitigation mechanisms to afford better protection to our vulnerable coastal communities in the area of LPPWP.

The expansion of the coverage of the LPPWP is being proposed at a critical period where the nation is gearing up its preparedness and capacity to mitigate and adapt to impacts of climate change and reduce risk of disaster, and rebuild a livable urban environment for the post-pandemic era.

Lastly, the bill is in pursuit of Article II, Section 16 of the 1987 Constitution, which states 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.";

and also, to further the country's commitment under the Ramsar Convention, and to promote the conservation and wise use of wetlands.

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

CYŇTHIA A. VILLAR



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

Section 1. *Short Title.* – This Act shall be known as the "Expanded Las Piñas Parañaque Wetland Park Act of 2022".

Sec. 2. Declaration of Policy. – By virtue of its legislation as a Protected Area and designation as a Ramsar Site, and in consideration of the diversity of Las Pinas Paranaque Wetland Park's (LPPWP) biological resources, and its aesthetic, socio-cultural, economic and ecological importance to the nation and globally, and its significant contributions to the biological diversity and ecological characteristics of the Manila Bay, it is hereby declared the policy of the State to ensure its protection and conservation, including the communities of people dependent therein, their culture and way of life in so far as they are in harmony with nature and do not alter the ecological systems and the magnitude of biological diversity of the area. In so doing, the State shall ensure the protection and conservation of the biodiversity of LPPWP through sustainable and participatory development, advance and protect the customs and interests of its legitimate inhabitants, and migrants alike, and foster partnership among government, non-government and people's organizations, in accordance with the National Integrated Protected Areas System (NIPAS) Act (RA

7586) as amended by the Expanded NIPAS Act (RA 11038), and international conventions, to which the Philippines is a signatory.

Sec. 3. *Declaration and Scope.* – Pursuant to and in accordance with the NIPAS Act as amended, Section 5. (A.I.) of RA 11038, specifically the extent of Las Pinas - Paranaque Wetland Park, is hereby amended, expanding the coverage of the protected area from one hundred eighty one point sixty three hectares (181.63 has.) into one thousand seven hundred sixty one point eighty seven hectares (1,761.87 has), extending seaward from its current shoreline; and its boundaries shall be as follows:

Line	Bearing	Distance
Tie Point - 1	N. 78 ° 43' W.,	1033.31 m.
1-2	S. 88 ° 08' W.,	26.44 m.
2-3	S. 53 ° 29' W.,	16.26 m.
3-4	S. 16 ° 19' E.,	53.23 m.
4-5	S. 06 ° 15' E.,	63.48 m.
5-6	S. 09 ° 06' E.,	111.21 m.
6-7	S. 06 ° 16' W.,	170.68 m.
7-8	S. 12 ° 12' W.,	101.37 m.
8-9	S. 04 ° 52' W.,	63.82 m.
9-10	S. 00 ° 35' W.,	229.70 m.
10-11	S. 11 ° 55' W.,	77.02 m.
11-12	S. 13 ° 48' W.,	53.77 m.
12-13	S. 27 ° 20' W.,	49.03 m.
13-14	S. 55 ° 27' W.,	41.22 m.
14-15	S. 73 ° 04' W.,	107.95 m.
15-16	N. 86 ° 10' W.,	57.19 m.
16-17	S. 71 ° 06' W.,	29.39 m.
17-18	S. 89 ° 55' W.,	60.09 m.

18-19	S. 69 ° 08' W.,	53.32 m.
19-20	S. 38 ° 01' W.,	237.39 m.
20-21	S. 32 ° 30' W.,	230.47 m.
21-22	S. 37 ° 54' W.,	137.34 m.
22-23	S. 35 ° 10' W.,	149.23 m.
23-24	S. 31 ° 03' W.,	79.75 m.
24-25	S. 29 ° 16' W.,	154.46 m.
25-26	S. 38 ° 08' E.,	42.23 m.
26-27	S. 05 ° 40' E.,	15.17 m.
27-28	S. 19 ° 00' W.,	33.55 m.
28-29	S. 32 ° 05' W.,	28.95 m.
29-30	S. 27 ° 16' W.,	99.63 m.
30-31	S. 20 ° 02' W.,	277.76 m.
31-32	S. 00 ° 47' E.,	20.57 m.
32-33	S. 30 ° 54' E.,	10.05 m.
33-34	S. 73 ° 23' E.,	9.93 m.
34-35	S. 08 ° 46' E.,	92.29 m.
35-36	S. 26 ° 37' W.,	139.26 m.
36-37	S. 22 ° 51' W.,	106.73 m.
37-38	S. 10 ° 58' E.,	29.68 m.
38-39	S. 24 ° 14' E.,	31.90 m.
39-40	S. 56 ° 32' E.,	29.01 m.
40-41	S. 67 ° 41' E.,	106.26 m.
41-42	S. 57 ° 06' W.,	830.37 m.
42-43	S. 69 ° 21' W.,	125.08 m.
43-44	S. 81 ° 52' W.,	44.90 m.
44-45	N. 88 ° 27' W.,	58.76 m.

45-46	N. 71 ° 58' W.,	71.79 m.
46-47	N. 57 ° 54' W.,	55.28 m.
47-48	S. 88 ° 35' W.,	96.07 m.
48-49	S. 39 ° 20' W.,	73.89 m.
49-50	S. 19 ° 14' W.,	36.15 m.
50-51	S. 10 ° 32' E.,	69.44 m.
51-52	S. 16 ° 49' E.,	35.66 m.
52-53	S. 41 ° 11' W.,	16.88 m.
53-54	S. 69 ° 03' W.,	450.49 m.
54-55	S. 69 ° 22' W.,	295.15 m.
55-56	S. 71 ° 46' W.,	365.22 m.
56-57	S. 75 ° 44' W.,	193.28 m.
57-58	S. 75 ° 39' W.,	455.17 m.
58-59	N. 24 ° 51' W.,	56.76 m.
59-60	N. 23 ° 10' W.,	110.88 m.
60-61	N. 21 ° 03' W.,	110.88 m.
61-62	N. 18 ° 52' W.,	118.03 m.
62-63	N. 16 ° 37' W.,	118.03 m.
63-64	N. 14 ° 21' W.,	118.03 m.
64-65	N. 12 ° 06' W.,	118.03 m.
65-66	N. 10 ° 40' W.,	81.09 m.
66-67	N. 08 ° 44' W.,	130.88 m.
67-68	N. 06 ° 14' W.,	130.88 m.
68-69	N. 03 ° 44' W.,	130.88 m.
69-70	N. 01 ° 14' W.,	130.88 m.
70-71	N. 01 ° 16' E.,	130.88 m.
71-72	N. 03 ° 46' E.,	130.88 m.

72-73	N. 06 ° 16' E.,	130.88 m.
73-74	N. 08 ° 46' E.,	130.88 m.
74-75	N. 11 ° 16' E.,	130.88 m.
75-76	N. 13 ° 46' E.,	130.88 m.
76-77	N. 11 ° 18' E.,	92.40 m.
77-78	N. 11 ° 16' E.,	130.88 m.
78-79	N. 13 ° 46' E.,	130.88 m.
79-80	N. 16 ° 16' E.,	130.88 m.
80-81	N. 18 ° 46' E.,	131.36 m.
81-82	N. 20 ° 24' E.,	82.25 m.
82-83	N. 14 ° 00' E.,	130.82 m.
83-84	N. 16 ° 16' E.,	130.88 m.
84-85	N. 18 ° 46' E.,	130.88 m.
85-86	N. 21 ° 16' E.,	130.88 m.
86-87	N. 23 ° 46' E.,	130.88 m.
87-88	N. 26 ° 16' E.,	130.88 m.
88-89	N. 28 ° 46' E.,	130.88 m.
89-90	N. 31 ° 16' E.,	130.88 m.
90-91	N. 33 ° 46' E.,	130.88 m.
91-92	N. 36 ° 16' E.,	130.88 m.
92-93	N. 38 º 46' E.,	32.89 m.
93-94	N. 28 ° 45' E.,	75.21 m.
94-95	N. 31 ° 00' E.,	103.06 m.
95-96	N. 32 ° 58' E.,	103.06 m.
96-97	N. 34 ° 56' E.,	21.55 m.
97-98	N. 32 ° 30' E.,	153.17 m.
98-99	N. 33 ° 53' E.,	144.25 m.

99-100	N. 36 ° 38' E.,	69.69 m.
100-101	N. 11 ° 15' E.,	87.42 m.
101-102	N. 13 ° 45' E.,	130.88 m.
102-103	N. 16 ° 15' E.,	130.88 m.
103-104	N. 18 ° 45' E.,	130.88 m.
104-105	N. 21 ° 15' E.,	130.88 m.
105-106	N. 23 ° 45' E.,	130.88 m.
106-107	N. 26 ° 15' E.,	130.88 m.
107-108	N. 28 ° 45' E.,	130.88 m.
108-109	N. 31 ° 15' E.,	130.88 m.
109-110	N. 33 ° 45' E.,	130.88 m.
110-111	N. 36 ° 15' E.,	130.88 m.
111-112	N. 38 ° 45' E.,	130.88 m.
112-113	N. 41 ° 15' E.,	130.88 m.
113-114	N. 43 ° 45' E.,	130.88 m.
114-115	N. 46 ° 15' E.,	130.88 m.
115-116	N. 48 ° 45' E.,	130.88 m.
116-117	N. 50 ° 52' E.,	90.81 m.
117-118	N. 52 ° 36' E.,	90.81 m.
118-119	N. 53 ° 29' E.,	16.26 m.
119-120	N. 54 ° 18' E.,	85.48 m.
120-121	N. 55 ° 55' E.,	85.48 m.
121-122	N. 57 ° 33' E.,	85.48 m.
122-123	N. 59 ° 11' E.,	85.48 m.
123-124	N. 61 ° 15' E.,	130.88 m.
124-125	N. 63 ° 45' E.,	130.88 m.
125-126	N. 66 ° 15' E.,	130.88 m.

126-127	N. 69 ° 23' E.,	61.59 m.
127-128	N. 64 ° 03' E.,	130.82 m.
128-129	N. 66 ° 15' E.,	130.88 m.
129-130	N. 68 ° 45' E.,	130.88 m.
130-131	N. 71 ° 15' E.,	130.88 m.
131-132	N. 73 ° 45' E.,	130.88 m.
132-133	N. 76 ° 15' E.,	130.88 m.
133-134	S. 68 ° 55' E.,	66.63 m.
134-135	S. 02 ° 18' E.,	773.07 m.
135-136	S. 01 ° 29' W.,	368.45 m.
136-137	S. 02 ° 36' W.,	46.62 m.
137-138	S. 13 ° 03' W.,	224.90 m.
138-139	S. 23 ° 57' W.,	320.78 m.
139-140	S. 28 ° 03' W.,	310.61 m.
140-141	S. 29 ° 36' W.,	455.81 m.
141-142	S. 58 ° 24' E.,	296.58 m.
142-143	S. 67 ° 08' E.,	126.64 m.
143-144	S. 72 ° 14' E.,	366.75 m.
144-145	S. 61 ° 27' E.,	455.31 m.
145-146	S. 46 ° 35' W.,	43.65 m.
146-147	S. 57 ° 25' W.,	59.13 m.
147-148	S. 66 ° 11' W.,	56.78 m.
148-149	S. 42 ° 04' W.,	44.98 m.
149-150	S. 66 ° 43' W.,	46.48 m.
150-151	S. 82 ° 12' W.,	38.05 m.
151-152	N. 83 ° 28' W.,	16.72 m.
152-1	N. 39 ° 25' W.,	10.74 m.

Once surveyed and verified on the ground, and incorporating changes recommended by the LPPWP Protected Area Management Board (PAMB) which are supported by sound technical scientific basis, the DENR shall mark on the ground the boundaries set forth in this Act which shall not be modified except by an act of Congress.

The technical descriptions provided in this Act will be subject to ground survey and verification to be conducted by the DENR within ninety (90) days after the effectivity of this Act. Any modification of the coverage of this Act due to such factors as changing ecological situations, new scientific findings, or discovery of traditional boundaries not previously taken into account shall be made through an act of Congress, after consultation with the affected public and concerned government agencies.

- Sec. 4. *Transfer of Title.* Ownership of portions of the properties of the Philippine Estates Authority, or also known as the Philippine Reclamation Authority, covered by Transfer Certificate of Title (TCT) Nos. 7309 and 7312 within the boundaries of LPPWP, as described in Section 3 hereof, shall be transferred to the DENR, for the purpose of conservation, protection, and development of LPPWP as an important wildlife habitat and an ecotourism site in accordance and consistent with the provisions of R.A. No. 11038.
- Sec. 5. *Utilization of Resources.* No exploration, exploitation or utilization of non-renewable resources within the expanded LPPWP for commercial purposes shall be allowed.
- Sec. 6. *Prohibited Acts.* In addition to the prohibited acts as stated under Section 20 of RA 7586, as amended by RA 11038, the following are also prohibited within the expanded LPPWP:
  - a) Violating the LPPWP Protected Area Management Plan (PAMP) or any resolution issued by the BMB/PAMB;
    - b) Entering the LPPWP without prior permit;
  - c) Wetland reclamation;

1 2	d)	Filling-in or drainage, except when necessary for national interest and security subject to existing environmental laws, rules, and regulations;
3	e)	Fishing during general peak spawning season of small pelagic species such as sardines, slipmouths, and mullets around February to April and
5		then again on October to December;
6 7	f)	Any activity or development that disturbs or destroys the spawning area;
8	g)	Use of boat and gears, whether Municipal or Commercial, operating in the Bay which are not registered;
10	h)	Fishing with the use of "Sapra" or stationary liftnets; and
11 12	i)	Illegal Unregulated and Unreported (IUU) fishing e.g. blast fishing, "hulbot hulbot" fishing and trawl fishing.
13 14	Sec. 7	7. Allowable Uses. – The following acts are allowed within the expanded
15 16	a)	Subsistence fishing using hook and line, speargun and other permitted types of nets or fishing methods, provided that:
17		i. Non-motorized boat may be used;
18 19 20		<ul><li>ii. The catch limit per boat is determined pursuant to Section 8 of R.A. 8550 and also known as "The Philippine Fisheries Code of 1998"; and</li></ul>
21 22		iii. The number of fishers allowed per day within the buffer zone shall be determined in a Carrying Capacity study.
23	b)	Gleaning of shellfish and other invertebrates on the intertidal areas
24		provided that the number of gleaners is within carrying capacity;
25	c)	Eco-tourism activities such as bird watching, especially during peak
26		migration season;
27	d)	Research studies for the LPPWP with appropriate permits and
28		clearances. Provided that, results of the study/ies shall be used for the
29		effective management of the PA:

- Other biodiversity friendly enterprises and practices of the local coastal communities; and
- Other activities as may be allowed by the LPPWP PAMB, and consistent with the LPPWP PAMP.
  - Sec. 8. *Penal Provision*. Violations of this Act shall be subject to the penalties as stated under Section 21 of RA 7586, as amended by RA 11038, and its pertinent rules and regulations.
  - Sec. 9. *Implementing Rules and Regulations.* Within six (6) months after the effectivity of this Act, the Department of Environment and Natural Resources (DENR), in consultation with the Senate Committee on Environment and Natural Resources, the House of Representatives Committee on Natural Resources, and the PAMB, shall promulgate the necessary rules and regulations to effectively implement the provisions of this Act.
  - Sec. 10. *Appropriations.* The Secretary of the DENR shall include in its program the implementation of this Act, the funding of which shall be charged against the Integrated Protected Areas Fund authorized under Section 16 of RA 7586, as amended by RA 11038, and from the appropriations authorized under the General Appropriations Act.
  - Sec. 11. *Separability Clause*. If any provision of this Act is declared unconstitutional or invalid, any part or provisions hereof not affected thereby shall continue to be in full force and effect.
- Sec. 12. *Repealing Clause.* All laws, decrees, executive orders, rules and regulations or parts thereof which are contrary or inconsistent with this Act are hereby repealed, amended or modified accordingly.
- Sec. 13. *Effectivity.* This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

# Approved,