

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



24 MAR 18 P4:10

SENATE

P. S. Res. No. 973

RECEIVED BY 

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Introduced by Senator Loren B. Legarda

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**RESOLUTION**  
**URGING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT**  
**AN INQUIRY IN AID OF LEGISLATION INTO THE**  
**CONSTRUCTION OF RESORTS WITHIN THE CHOCOLATE HILLS**  
**NATURAL MONUMENT (CHNM) WITH THE END VIEW OF**  
**REVIEWING EXISTING POLICIES, PROCEDURES, AND**  
**STANDARDS TO ENSURE THE CONSERVATION AND**  
**PROTECTION OF OUR PROTECTED AREAS**

**WHEREAS**, the recent virality of Captain’s Peak Garden and Resort within the Chocolate Hills Natural Monument (CHNM) in Sagbayan, Bohol, has raised concerns among citizens;

**WHEREAS**, the Captain’s Peak Garden and Resort built cottages and water slides for a swimming pool at the foot or sides of at least three Chocolate hills;

**WHEREAS**, the chocolate hills are located throughout the towns of Carmen, Batuan and Sagbayan and consist of about 1,776 mounds of the same general shape that turn chocolate brown during the dry season;

**WHEREAS**, CHNM was proclaimed as a protected landscape in 1997 under Proclamation No. 1037 issued by then President Fidel V. Ramos;

**WHEREAS**, it was recognized as a United Nations Educational, Scientific and Cultural Organization (UNESCO) Global Geopark in 2023;

**WHEREAS**, it was legislated as a protected area under Republic Act No. 11038 or the Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018. The law mandates that proponent of development projects and activities with potentially significant adverse impacts, as determined by the Environmental

Management Bureau (EMB), within protected areas shall secure an Environmental Compliance Certificate (ECC) in accordance with the Philippine Environment Impact Statement (EIS) System, and that no project or activity may be undertaken by any project proponent without prior clearance from the PAMB;

**WHEREAS**, upon recommendation of the Department of Environment and Natural Resources (DENR), Presidential Proclamation No. 333, Series of 2003, excluded certain alienable and disposable lands from the coverage of CHNM but mandated the retention of 20 meters from the baseline of every hill as part of CHNM. The same proclamation clearly prohibits any activity altering, mutilating, defacing, or destroying the hills within CHNM, regardless of prior private rights;

**WHEREAS**, notwithstanding these guidelines, the resort owners disclosed that the DENR-Protected Area Management Board (PAMB) approved the construction of the resort in 2018, and that they obtained a business permit from the local government of Sagbayan the following year. It is not clear what documents were submitted in order to secure such clearance as early as 2018;

**WHEREAS**, on the other hand, the DENR stated that it issued a Temporary Closure Order on September 6, 2023, against the resort, and a Notice of Violation on January 22, 2024, as the resort operated without an Environment Compliance Certificate (ECC);

**WHEREAS**, DENR Regional Executive Director Paquito Melicor issued a Memorandum on March 13, 2024, directing the Bohol Provincial Environment and Natural Resources Office (PENRO) Officer Ariel Rica to create a team to inspect and evaluate the resort's compliance with the Temporary Closure Order;

**WHEREAS**, according to the Department of Tourism, the Captain's Peak Garden and Resort is not the only structure built in the area. There is another resort in Sagbayan and a campsite in Carmen, Bohol;

**WHEREAS**, since the CHNM covers an area of nearly 14,000 hectares, other developments and resorts have come to light, some of them claiming to have the necessary permits and being built on the hills themselves;

**WHEREAS**, there is a need for accountability of concerned entities, mobilization of uniformed personnel for strict enforcement, and the implementation of applicable laws, highlighting the importance of avoiding unnecessary exclusions of lands as protected area;

**WHEREAS**, the situation with respect to private lands inside protected areas, the restrictions under the eNIPAS, the management plan and unique biodiversity needs in each site, the procedure and requirements for PAMB clearances as well as the requirements, processes and standards used in the Philippine Environmental Impact Study System urgently need review in aid of legislation;

**NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED**, that the Senate of the Philippines direct the appropriate committee to conduct an inquiry, in aid of legislation, on the construction of resorts within the Chocolate Hills Natural Monument (CHNM), with an end view of reviewing existing policies, procedures, and standards to ensure the conservation and protection of our protected areas.

*Adopted,*



**LOREN LEGARDA**