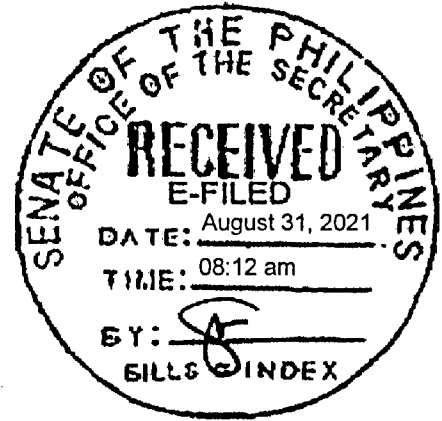


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE

Senate Bill No. 2370



Introduced by Senator Juan Miguel F. Zubiri

AN ACT DECLARING THE AGUSAN MARSH LOCATED IN THE MUNICIPALITIES OF TALACOGON, SAN FRANCISCO, ROSARIO, BUNAWAN, LORETO, LA PAZ AND VERUELA, ALL IN THE PROVINCE OF AGUSAN DEL SUR, AN ECOTOURISM ZONE AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The Agusan Marsh is one of the country's largest freshwater wetland and serves as an important biodiversity spot in the region of CARAGA with its complex network of marshes, rivers, lakes, ponds and other watercourses. The Marsh is home to a number of endemic bird species and reptiles. It is famously known as the home of Lolong, the world's largest crocodile caught in 2011.

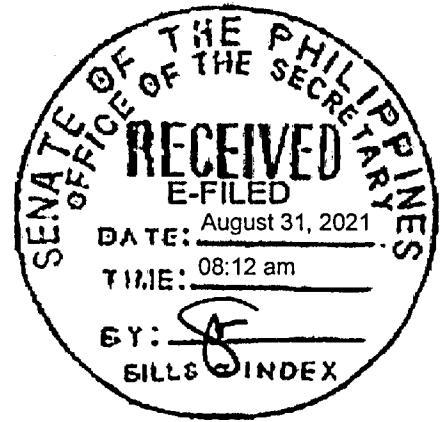
Agusan Marsh can be considered as one of the most important wetlands in the country, and it holds great potential for ecotourism activities. Being a stopover site for over 200 species of migratory birds fleeing winter in North Asia and Siberia, it is a prime spot for bird watching and its network of water courses also allows for various activities like river cruisings and a lot more. Opening up the Marsh for ecotourism would not only feature its natural allure and promote its unique biodiversity, but would also allow for more awareness and protection of this wildlife sanctuary.

This bill seeks to declare the Agusan Marsh as an ecotourism zone and provide appropriate policy and support from the local and national government. It is hoped that with the passage of this bill, relevant government agencies will be able to provide and institutionalize the necessary programs that would give way to the development and protection of the Agusan Marsh.

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


JUAN MIGUEL F. ZUBIRI

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

1 **SECTION 1. Declaration of Policy.** The State is mandated to promote a tourism
2 industry that is ecologically sustainable, responsible, participative, culturally sensitive,
3 economically viable and equitably beneficial to local communities.

4 **SEC. 2. Agusan Marsh Ecotourism Zone.** The Agusan Marsh located in the
5 Municipalities of Talacogon, San Francisco, Rosario, Bunawan, Loreto and Veruela, in the
6 Province of Agusan del Sur is hereby declared an ecotourism zone.

7 **SEC. 3. Scope and Coverage.** This Act shall cover the Municipalities of Talacogon,
8 San Francisco, Rosario, Bunawan, Loreto and Veruela, in the Province of Agusan del Sur
9 is hereby declared an ecotourism zone.

10 The setting of the technical boundaries of the Agusan Marsh Ecotourism Zone shall
11 be undertaken by the Department of Environment and Natural Resources (DENR) and
12 other concerned agencies.

13 **SEC. 4. Definition of Terms.** As used in this Act:

14 a. *Biodiversity conservation* refers to the practice of preserving the variety of species,
15 habits and ecosystems and genetic diversity of the place including inter alia,
16 terrestrial, marine, and other aquatic ecosystems and the ecological complexes
17 which they a part of;

18 b. *Community-based tourism* refers to a form of tourism where the local communities
19 and its residents have substantial control over and involvement in the development
20 and management of the local tourism industry and a greater portion of the
21 economic gains remain within the community;

22 c. *Ecotourism* refers to a form of sustainable tourism within a natural area where
23 community participation, protection and management of natural resources, cultural
24 and indigenous knowledge and practices, environmental education and ethics as

1 well as economic benefits are fostered and pursued for the enrichment of host
2 communities and satisfaction of visitors;

3 d. *Homestay* refers to a mode of tourism accommodation where a tourist stays in a
4 private home and experiences the day-to-day life of the local residents ;

5 e. *Responsible ecotourism* refers to a form of sustainable tourism in which both the
6 tourism sector and the tourist take responsibility in the protection and conservation
7 of the natural environment and local culture and ways of life and where community
8 participation in ecotourism as well as the economic benefits that may be derived
9 therefrom are fostered and pursued for the enjoyment and well-being of local
10 residents and visitors alike.

11 **SEC. 5. *Development Strategies.*** To accomplish the development of the Agusan
12 Marsh Ecotourism Zone, the State shall:

13 a. Develop and promote the responsible community-based ecological tourism as the
14 core management strategy in the development of the Agusan Marsh Ecotourism Zone;

15 b. Ensure the conservation of the biodiversity and the preservation of said ecotourism
16 zone;

17 c. Develop ecotourism products and programs that will generate employment and
18 livelihood for the local residents concerned consistent with the preservation and
19 conservation of natural resources;

20 d. Guarantee that the financial and economic benefits of the tourism industry are
21 equitably shared by, and distributed among the local residents concerned by giving
22 preference and support to community and home-based tourism enterprises, such as,
23 but not limited to, homestays, micro and small businesses including restaurants, food
24 and fruit stands, and other similar tourism-oriented industries and businesses;

25 e. Ensure that the equality of local tourism programs and activities are educational
26 and enriching for tourists and visitors through the orientation, educational and tour
27 programs by local tour operators, non-government organizations (NGOs), the
28 concerned Local Government Units (LGUs), the Department of Environment and
29 Natural Resources (DENR), and the Department of Tourism (DOT); and

30 f. Guarantee that in the development and promotion of the local tourism industry, the
31 concerned Local Government Units (LGUs) shall ensure that the needs of the local
32 residents for adequate water supply, food, energy, transportation and local
33 construction materials are first secured and met.

34 **SEC. 6. *The Agusan Marsh Ecotourism Development and Management Plan.***
35 Within one hundred twenty (120) days after the approval of this Act, the Department of Tourism
36 (DOT), in coordination with the Department of Environment and Natural Resources
37 (DENR), shall formulate an Agusan Marsh Ecotourism Development and Management Plan
38 that shall be complemented by a set of guidelines for a responsible, community-based
39 tourism.

40 The Agusan Marsh Ecotourism Development and Management Plan shall ensure
41 the preservation of the area and shall include the following components:

- 1 a. Carrying capacity of the Agusan Marsh Ecotourism Zone and its endemic and
2 migratory birds species;
- 3 b. Specific site assessment;
- 4 c. Identification of strategic priorities;
- 5 d. Product development plans for local income generation;

6 The process of formulating the Ecotourism Development and Management Plan for
7 the Agusan Marsh Ecotourism Zone shall be participatory, with the framework to be
8 provided by the DOT and the DENR, in consultation with the local governments of
9 Talacogon, San Francisco, Rosario, Bunawan, Loreto, La Paz, and Veruela.

10 **SEC. 7. *Agusan Marsh Ecotourism Board.*** An ecotourism governing board, to be
11 known as the Agusan Marsh Ecotourism Board, hereinafter referred as the Board, is
12 hereby created. It shall be composed of the following:

- 13 a. The Governor of the Province of Agusan del Sur, as Chairperson;
- 14 b. Secretary of Department of Tourism (DOT), or a duly authorized representative;
- 15 c. Secretary Department of Environment and Natural Resources (DENR), or its duly
16 authorized representatives;
- 17 d. Mayors of the Municipalities of Talacogon, San Francisco, Rosario, Bunawan,
18 Loreto, La Paz, and Veruela;
- 19 e. Representative from a non-government organization whose advocacy is
20 environmental preservation;
- 21 f. Representative from the academe;
- 22 g. Representative from the business sector; and
- 23 h. Representative from the private sector.

24 The Board shall promulgate the necessary rules and regulations for the proper
25 implementation of this Act by the concerned local government units, and shall, as the
26 need arises, amend, modify or revise such rules and regulations to meet the needs of
27 changing times.

28 **SEC. 8. *Appropriations.*** – The Secretaries of the DOT and DENR shall include in the
29 Department' program the implementation of this Act, the funding of which shall be
30 included in the annual General Appropriations Act and from internally generated funds of
31 the DOT.

32 **SEC. 9. *Repealing Clause.*** – All laws, rules, regulations, executive orders, presidential
33 decrees or other issuances contrary to or inconsistent with any of the provisions of this
34 Act are hereby deemed repealed or modified accordingly.

35 **SEC. 10. *Separability Clause.*** – If any provision or part of this part Act is declared
36 unconstitutional, the remaining provisions which are not affected shall remain in full force
37 and effect.

1 **SEC. 11. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
2 in the *Official Gazette* or in any newspaper of general circulation.

3 Approved,