



MEMORANDUM

FOR : **The Directors**
Legal Affairs Service
Policy and Planning Service
Climate Change Service

All Bureau Directors

The Executive Directors
Manila Bay Coordinating Office
Palawan Council for Sustainable Development

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **REQUEST FOR COMMENTS FROM THE COMMITTEE ON CLIMATE CHANGE OF THE HOUSE OF REPRESENTATIVES**

DATE : 02 November 2022

In reference to the invitation letter dated 28 October 2022 from the Committee on Climate Change of the House of Representatives, received by our Office on 30 October 2022 via Electronic Mail, requesting a meeting on 09 November 2022 to discuss the following bills:

1. **House Bill No. 3055** entitled "An Act to Conserve, Protect and Sustainably Manage Peatlands and its Resources to Increase the Country's Resilience to Climate Change, and for other Purposes," authored by Rep. Jonathan Keith T. Flores; and
2. **House Bill No. 5083** entitled: "An Act Promoting the Conservation, Protection and Sustainable Use of Peatlands and its Resources, to Enhance Climate Resiliency and for other Purposes," authored by Reprs. Raymond Democrito C. Mendoza and Ma. Alana Samantha Taliño Santos.

We are requesting for your comments and recommendations on or before November 4, 2022, 5PM via email at denrlegislative@yahoo.com for the drafting of the position paper requested by the Committee.

Attached herewith are the letter and copies of the House Bills for your reference.

For information and action, please.

ROMIROSE B. PADIN

*cc: Undersecretary for Legal, Administration, Human Resources and Legislative Affairs
Undersecretary for Policy, Planning and International Affairs
Undersecretary for Finance, Information Systems and Climate Change
Assistant Secretary for Administration and Legislative Affairs*



Republic of the Philippines
House of Representatives
Quezon City

COMMITTEE ON CLIMATE CHANGE

October 28, 2022

HON. MARIA ANTONIA YULO LOYZAGA

Secretary
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City

Dear Sec. Loyzaga:

We wish to inform you that the following House Bills (HB) on the management, conservation and protection of peatlands and its resources were referred to the Committee on Climate Change of the House of Representatives:

1. **HB No. 3055**, entitled: *"An Act to Conserve, Protect and Sustainably Manage Peatlands and its Resources to Increase the Country's Resilience to Climate Change, and for other Purposes,"* authored by Rep. Jonathan Keith T. Flores; and
2. **HB No. 5083**, entitled: *"An Act Promoting the Conservation, Protection and Sustainable Use of Peatlands and its Resources, to Enhance Climate Resiliency and for other Purposes,"* authored by Reps. Raymond Democrito C. Mendoza and Ma. Alana Samantha Taliño Santos.

As directed by the Honorable Committee Chairperson, the Secretariat has set the Committee meeting to hear, deliberate, and study the above-stated measures, **tentatively on November 9, 2022**. In view thereof, we would like to respectfully request a **position paper** from your good office on the matter. We would also appreciate it if you could send it *via* email at committee.climatechange@house.gov.ph before the scheduled meeting.

Attached are copies of HB Nos. 3055 and 5083 for your easy reference.

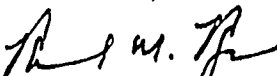
Should you need more information, please contact the Committee Secretary at 09277193534 or Ms. MeAnne Ordovez at 09154448595.

Thank you and we are hoping for your positive action in this regard.

Very truly yours,

HON. EDGAR M. CHATTO
Chairperson

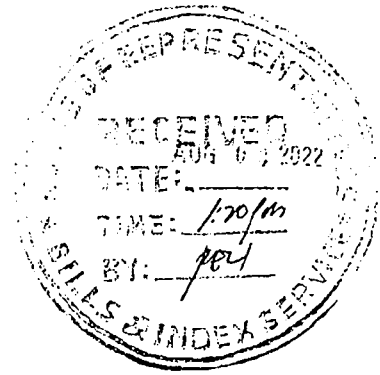
For the Chairperson:


ROMMEL M. REYES
Committee Secretary

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 3055



Introduced by Representative JONATHAN KEITH T. FLORES

EXPLANATORY NOTE

This Act seeks to manage, conserve and protect all peatlands and peatland resources nationwide within public and private lands. Specifically, this measure seeks to guide all concerned national government agencies and local government units in adjusting their sectoral or local policies, plans and programs to be consistent with protection and conservation of peatlands. This will also greatly enhance current efforts to raise awareness on the importance of peatlands particularly in terms of climate change mitigation. Furthermore, this Bill will be the driving force to achieve the long-term vision of our Philippine Development Plan 2017-2022 in ensuring ecological integrity by improving and strengthening peatlands conservation and management.

Peatlands are wetland ecosystems that are characterized by the accumulation of organic matter called peat which derives from dead and decaying plant material under high water saturation conditions (CC-GAP, 2005). They are one of the unique and most significant ecosystems which have key values for biodiversity conservation, water and climate regulation, and support for human welfare. They are the world's significant carbon sink but once drained and degraded, peatlands become susceptible to fire and become carbon source.

According to the Department of Environment and Natural Resources (DENR), peatlands cover an estimated area of 400 million hectares globally. This is equivalent to about 3 percent of the Earth's land surface.

In the Philippines, according to the DENR-BMB, citing the 2016 Atlas of Philippine Inland Wetlands and Classified Caves, there are currently nine identified peatlands in the country. They are the Tan-ag Ilaya in Quezon Province, Sab-A in Leyte, San Teodoro and San Vicente Peatlands in Agusan del Sur; and the Agusan Marsh peatlands in Talacogon, Caimpugan, Novelle and Bayugan III, Kalingayan-Consuelo and Pag-Asa, having the total area of 17, 019.90 hectares.

There are other lesser known and relatively disturbed smaller areas of peatlands in Mindoro, Samar and Quezon.

To date, there is no single national policy that deals directly on peatlands, specifically on their conservation and sustainable use. Of the nine (9) peatlands mentioned above, only the Caimpugan Peat Swamp Forest in Agusan Marsh Wildlife Sanctuary is protected under the National Integrated Protected Areas System (NIPAS) Act, as amended by Republic Act 11038 Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018.

As of 2019, a total of 24 possible peatlands areas all over the country had been reported, with 15 new records of peatlands added and facing threats of degradation.

The ASEAN Member States signed the ASEAN Agreement on Transboundary Haze Pollution (AATHP) on 10 June 2002, which aims to prevent, monitor, and mitigate land and forest fires to control transboundary haze pollution through concerted national efforts, regional and international cooperation. This Agreement was ratified by the Philippines on 1 February 2010. One of the concrete and collective actions under the AATHP Roadmap is specifically on the sustainable management of peatlands for peatland fire prevention. Moreover, under the ASEAN Peatland Management Strategy 2006-2020, the ASEAN Member States are committed to develop or strengthen policies and legislation to protect peatlands and reduce occurrence of peatland fires.

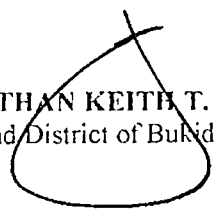
The Philippines, is also a signatory to the Convention on Wetlands, also known as the Ramsar Convention, which entered into force in the Philippines on November 8, 1994. As a Contracting Party, we are committed to work towards the adoption and legislation of a national policy that will protect wetlands, including peatlands. Recognizing the importance of peatlands, the Ramsar Convention also provides Contracting Parties with several guidance on global actions for peatland restoration, conservation and as criteria for identification of international significance through the Ramsar Site network.

Unlike any other wetland types, peatlands in the country were only documented starting in 2005. There is a fundamental lack of awareness on peatlands, its characteristics and appropriate management strategies for peatlands in all sectors, from local people to non-government organizations (NGOs) and government agencies. Peatlands have been a common target for agricultural development and palm oil plantations that drain and damage the features that make them globally-important carbon sinks. Since peatlands and their significance are poorly known, many of them were drained and converted to agriculture, and then lay abandoned after finding out too late that peatlands are unsuitable for planting rice. Peatland degradation did not just result to decline in biodiversity; many areas that were drained suffered from land subsidence and became fire prone.

The International Union for Conservation of Nature (IUCN) reported that peatlands store 30 percent of global carbon, and when drained and damaged, they exacerbate climate change, emitting 2 gigatons of carbon dioxide (CO₂) every year, which accounts for almost 6 percent of all global greenhouse gas emissions.

A number of Non-Government Organizations like Society for the Conservation of the Philippine Wetlands, Wetlands International, International Institute of Rural Reconstruction, Forest Foundation Philippines, Conservation International -Philippines, LaksamBuhay Foundation Inc., Klima-Climate Change Center and notably GabayKalikasan join the fight to protect and save not only the Caimpugan Peatland in Agusan Marsh but all peatland resources nationwide.

My dear colleagues, I am thus seeking your help and support in this fight for our future and for the future of our descendants. The passage of this bill is earnestly sought.


JONATHAN KEITH T. FLORES
2nd District of Bukidnon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 3055

Introduced by Representative JONATHAN KEITH T. FLORES

AN ACT TO CONSERVE, PROTECT AND SUSTAINABLY MANAGE
PEATLANDS AND ITS RESOURCES TO INCREASE THE COUNTRY'S RESILIENCE
TO CLIMATE CHANGE, AND FOR OTHER PURPOSES

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 “*National Peatland and Peatland Resources Management, Conservation and Protection Act*”.

SECTION 2. Declaration of Policy. – It is the policy of the State to promote the conservation and sustainable development of peatland and peatland resources consistent with the principles of sustainable development, inclusive economic development, poverty reduction, biodiversity conservation, climate change adaptation and mitigation, and disaster risk reduction and management; while advancing the right to a balanced and healthful ecology in accordance with the harmony and rhythm of nature.

SECTION 3. Coverage. - This Act shall apply to all peatland and peatland resources nationwide within public and private lands.

SECTION 4. Definition of Terms. - The following terms shall be construed to mean as:

- a.) *High Conservation Value* refers to the biological, ecological, social or cultural values of outstanding significance at the national, regional or global level or of critical importance at the local level;
- b.) *Land use planning* refers to the rational and judicious approach of allocating available land resources to different land - using activities. (e.g. agricultural, residential, industrial) and for different functions consistent with the overall development vision/goal of a particular locality;
- c.) *Peat* refers to dead and partially decomposed plant material that have accumulated under high water saturation or waterlogged conditions. Peat soil is defined using the definition of histosol (organic soil) which are soils with cumulative organic layer(s) comprising more than half of the upper 80cm of the soil surface containing 35% or more organic matter (35% or more loss on ignition) or 18% or more organic carbon;
- d.) *Peat swamp forest* refers to a type of peatland that has forest cover and can be found in certain areas in the tropical regions of the world including the Philippines;

- e.) *Peatlands* refers to wetland ecosystems characterized by the accumulation of peat at the surface. Major characteristics of peatlands are the presence of peat, and permanent water logging. Peatlands may have vegetation in the form of trees, shrubs, grasses, and mosses;
- f.) *Protected Area* refers to identified portions of land and/or water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;
- g.) *Riparian area or zone* refers to land that occurs along watercourses and water bodies and are composed of moist to saturated soils, water-loving plant species and their associated ecosystems. This may be found surrounding lakes, estuaries, streams and rivers;
- h.) *Subsidence* refers to the lowering or collapse of the ground level that results from draining water from peatlands and or due to fire incidence;
- i.) *Wetlands* refer to a wide variety of areas such as natural pools/ponds, springs, freshwater swamps/marshes, peatlands, floodplains, rivers and lakes, and coastal areas such as estuaries, saltmarshes, mangroves, lagoons, intertidal flats and seagrass beds, and also coral reefs and other marine areas no deeper than six meters at low tide, as well as human-made wetlands such as dams, reservoirs, rice paddies, fish ponds, salt pans, and wastewater treatment ponds;
- j.) *Wise use* refers to the maintenance of the ecological character of peatlands, achieved through the implementation of ecosystem approaches, within the context of sustainable development.

SECTION 5. Implementing and Monitoring Agencies. – The Department of Environment and Natural Resources (DENR) through the Biodiversity Management Bureau, shall be the lead agency in the monitoring of overall implementation and compliance of this Act. The Department of the Interior and Local Government (DILG) through the Bureau of Local Government Supervision shall support in the implementation of this Act, in coordination with Department of Agriculture - Bureau of Soils and Water Management, Philippine Atmospheric, Geophysical and Astronomical Services Administration, Department of Agrarian Reform, Bureau of Fire Protection -DILG, Bureau of Local Government Development – DILG, Department of Public Works and Highways, National Water Resources Board, National Museum, concerned DENR Offices, academe, and concerned Local Government Units for specific peatland areas, and concerned non-government organizations.

The DENR with the coordinating agencies shall exercise the following powers and functions within their mandates: formulate, implement and monitor policies, rules, ordinances, regulations, plans and programs; enter into partnership and engagements with interested partners; develop best practices on the wise use of peatland areas; communication education, public awareness; and convene regular meetings to update and share technical progress report to be shared among the coordinating agencies.

SECTION 6. Role of Local Government Units. – The municipal, city, or provincial Local Government having territorial jurisdiction over the peatland and its resources shall prioritize peatland for protection under the National Integrated Protected Area System (NIPAS), as amended by RA 11038, or declared as critical habitat under the Wildlife Act, or as local conservation area or other effective area-based conservation measures through the ordinances of LGUs. They shall also include the protection and conservation of peatland and its resources to their respective Comprehensive Land Use Plans (CLUPs) and other plans in consultation with concerned agencies. They shall coordinate with the DENR and DILG in monitoring of peatland and its resources within their jurisdiction and in compliance of this Act.

SECTION 7. Integration and Mainstreaming of Peatland Protection and Sustainable Use. - All government agencies and offices, and local government units (LGUs) shall integrate and mainstream peatland protection and sustainable use into their plans, policies, ordinances and rules and regulations, programs, projects, and development planning process. They shall also directly consult with the DENR and affected communities in the development and implementation of their plans, programs and projects within, or having impact, on peatlands.

SECTION 8. Development of National Peatland Conservation Program. - A National Peatland Conservation Program shall be developed by the DENR, in coordination with other concerned agencies, sectors, and stakeholders, within one year from the effectivity of this Act to provide direction, support and guidance to the local government units (LGU) and stakeholders in the development and implementation of their local peatland conservation programs. The National Peatland Conservation Program shall define national targets for the conservation of peatlands and the development of its national coordinating mechanism.

The Program shall include, but not limited to the following strategies:

- a.) Inventory, mapping, delineation, assessment and monitoring of peatlands. All peatlands in the country shall be inventoried and assessed. Peatland assessment including bio-capacity, carrying capacity, carbon storage and ecosystem services assessment and valuation of peatland ecosystems shall be conducted to measure the full extent of its value and guide agencies on its conservation and sustainable use;
- b.) Restoration and Rehabilitation of degraded peatlands;
- c.) Regulation against peatland drainage, conversion and reclamation, peat extraction and deliberate setting of fire within the peatland or immediately adjacent areas that may affect the peatland;
- d.) Enforcement of legal easement zones, dangers zones and other land use setbacks. All concerned government agencies and LGUs shall strictly implement land use setback provisions imposed by law;
- e.) Peat fire early warning systems, prevention, control and monitoring;
- f.) Research and Development;
- g.) Assessment of vulnerability to climate change and disaster risk management;
- h.) Peatland carbon stock assessment, accounting, verification and crediting;
- i.) Assessment and monitoring of greenhouse gas flux;
- j.) Knowledge management and peatland information system;
- k.) Implementation of soil and water conservation technologies;
- l.) Measures to address invasive alien species;
- m.) Establishment and promotion of peatland best management practices (including Public-Private Partnership);
- n.) Communication, education, participation, capacity-building and awareness program;
- o.) Collaboration with Indigenous and local communities in the management and wise use of the peatlands;

- p.) Integration of local and traditional ecological knowledge and practices with science-based knowledge systems; and,
- q.) Requiring environmental impact assessments for any development activity proposed within the peatland of adjacent areas or the catchment of the peatland which may potentially have a negative impact on the peatland.

SECTION 9. Land Classification of Peatland. – All areas which have been classified and released as agricultural land but that are currently or formerly may have been identified as peatland even if they have been subsequently degraded shall be reverted to either forest land or national park. The appropriate implementing agency shall immediately initiate the expropriation proceedings before the proper court under the existing law.

SECTION 10. Prohibited Acts.– In addition to acts or omissions already penalized by existing laws, the following offenses shall be punishable under this Act:

1. Drainage of peatlands for the following purposes:
 - a. Conventional agriculture development;
 - b. Illegal logging; or,
 - c. Transport and infrastructure, and other land use.
2. Forest clearance and degradation, such as:
 - a. Peatland conversion to agriculture, mining, residential, or any other kind of conversion;
 - b. Logging; or,
 - c. Fire.
3. Peatland deforestation and fires for the following purposes:
 - a. Land clearance;
 - b. Land claims and conflicts;
 - c. Resource extraction; or,
 - d. Accidental.

SECTION 11. Penal Provision. Violation under this Act or any rule or regulation pursuant to this Act, shall upon conviction, be punished with a fine not less than Two Hundred Thousand pesos (P200,000.00) or imprisonment of not less than six (6) months, or both, shall be imposed at the discretion of the court.

SECTION 12. Appropriations. – The amounts necessary to implement this Act during the first year of implementation shall be sourced from the DENR. Thereafter, such amounts necessary to effectively carry out the provisions of this Act shall be included in the General Appropriations Act.

SECTION 13. Implementing Rules and Regulations (IRR). – Within six (6) months from the date of this Act, the DENR, in close coordination with concerned agencies, shall prepare the IRR of this Act.

SECTION 14. Reporting on the Implementation of this Act. The Biodiversity Management Bureau in coordination with concerned agencies shall submit a report every three years to the President of the Philippines through the DENR Secretary on the implementation of this Act.

SECTION 15. 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.

SECTION 16. Repealing Clause. – All laws, decrees, executive orders, rules and regulations or parts thereof which are contrary or inconsistent with this Act are hereby repealed or modified accordingly.

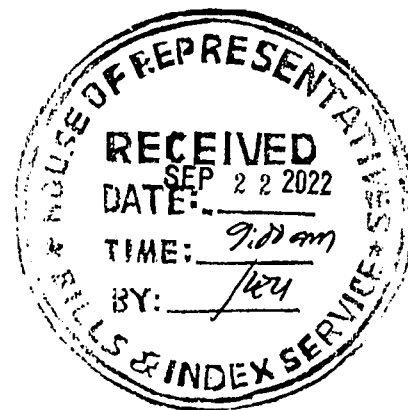
SECTION 17. Effectivity. - This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 5083



**Introduced by HON. RAYMOND DEMOCRITO C. MENDOZA and
HON. MA. ALANA SAMANTHA TALIÑO SANTOS**

EXPLANATORY NOTE

This Act recognizes the ecological functions of healthy peatlands, specifically in terms of its contributions to mitigating the impacts of climate change and increasing community resilience to the more frequent and intense natural hazards brought about by the changing climate. It seeks to manage, conserve and protect all peatlands and peatland resources nationwide so as to ensure that these ecosystem benefits are provided and sustained for future generations.

Specifically, this measure will also heighten efforts in raising awareness on the importance of peatlands, particularly in terms of climate change mitigation and adaptation. Furthermore, this Bill will be the driving force to achieve the long-term vision of our Philippine Development Plan 2017-2022 in ensuring ecological integrity by improving and strengthening peatland conservation and management in the country. It will also ensure that the country can contribute to achieving global targets on biodiversity, forestry, combatting land degradation and desertification, and sustainable water use, as well as on climate change adaptation and mitigation, and disaster risk reduction and management.

Peatlands are wetland ecosystems that are characterized by the accumulation of organic matter called peat which is derived from dead and decaying plant material under high water saturation conditions (CC-GAP, 2005). They are unique natural ecosystems which have key values for biodiversity conservation, water and climate regulation, and support for human welfare, including as source of raw materials for livelihoods and health. If kept wet and intact, peatlands can be considered as one of the most valuable among all wetland and terrestrial ecosystems. They are the world's significant carbon sink. Once drained and degraded, however, peatlands become susceptible to fire and become source of carbon and green house gas emissions.

According to the DENR, about 20,000 hectares of peatlands have been recorded in the Philippines. There are confirmed peatlands in Tan-ag Ilaya in Quezon Province, Sab-a in Leyte, San Teodoro and San Vicente Peatlands in Agusan del Sur, and the Agusan Marsh peatlands in Talacogon, Caimpugan, Novele, Bayugan III, Kalingayan-Consuelo and Pag-asa. Other lesser known and relatively smaller areas of peatlands are in Mindoro, Samar and Quezon. The unexplored swamps and marshlands of Ligawasan are also suspected to contain considerable amount of peat.

Peatlands in the Philippines are considered relatively small compared to other countries in Southeast Asia such as in Malaysia and Indonesia. However, regardless of how small our peatlands are, their globally significant role in the storage and sequestration of carbon should not be ignored.

To date, the country do not have a law that deals directly on peatlands, nor particularly on their conservation and sustainable use. Of the nine (9) peatlands recorded in the 2016 Atlas of Philippine Inland Wetlands and Classified Caves, only the Caimpugan Peat Swamp Forest in Agusan Marsh Wildlife Sanctuary is protected under the National Integrated Protected under the National Integrated Protected Area System (NIPAS) Act, as amended by Republic Act 11038 Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018. It is also the only remaining known intact peat swamp forest in the country.

The Philippines, being an ASEAN Member State (AMS), concur to the ASEAN Agreement on Transboundary Haze Pollution (AATHP), under of which, is the sustainable management of peatlands for peatland fire prevention, as embodied in the ASEAN Peatland Management Strategy. The APMS recommends that AMS should develop or strengthen policies and legislation to protect peatlands and reduce occurrence of peatland fires.

The Philippines, is also a signatory to the Convention on Wetlands, also known as the Ramsar Convention. Recognizing the importance of peatlands, the Ramsar Convention provides its Contracting Parties with several guidances on peatland restoration and conservation, and identifies peatlands as part of the criteria for identification of wetlands of international significance through the Ramsar Site network. One such Ramsar Site with peatland in the country is the Agusan Marsh Wildlife Sanctuary, which has more than 12,000 hectares of peatlands within and adjacent to its boundaries.

Due to the fundamental lack of awareness on peatlands, its characteristics and appropriate management strategies, peatlands have been a common target for agricultural development and oil palm plantations. This subsequently drains and damages the features that make them globally-important carbon sinks. Peatlands previously used for agricultural purposes now lay abandoned after finding out too late that these peatlands are unsuitable for planting rice. Peatland degradation did not just result to decline in biodiversity, many areas that were drained suffered from land subsidence and became fire prone.

This legislative measure seeks to guide all concerned national government agencies and local government units in adjusting their sectoral or local policies, plans and programs to be consistent with protection and conservation of peatlands. This Bill will be the driving force to achieve the long-term vision of our Philippine Development Plan 2017-2022 in ensuring ecological integrity. This will also support the country in achieving our commitments to various international agreements, particularly to the Convention on Wetlands, UN Convention on Biological Diversity, UN Convention of Migratory Species, UN Convention to Combat Desertification, Land Degradation and Drought, UN Framework Convention on Climate Change and to the Sustainable Development Goals and the Sendai Framework for Disaster Risk Reduction 2015-2030.

The approval of this bill will ensure the protection, conservation, and wise use of all wetlands found in the Philippines, eventually contributing to the well-being of the present and future generations of Filipinos.



MA. ALANA SAMANTHA TALIÑO SANTOS
3rd District, North Cotabato



RAYMOND DEMOCRITO C. MENDOZA
Party-list Representative, TUCP

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 5083

Introduced by HON. RAYMOND DEMOCRITO C. MENDOZA and
HON. MA. ALANA SAMANTHA TALIÑO SANTOS

**AN ACT PROMOTING THE CONSERVATION, PROTECTION AND
SUSTAINABLE USE OF PEATLANDS AND ITS RESOURCES, TO
ENHANCE CLIMATE RESILIENCY AND FOR OTHER PURPOSES**

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 “National Peatland and Peatland Resources Act of 2022”.

SECTION 2. Declaration of Policy. – It is the policy of the State to promote the conservation and sustainable development of peatland and peatland resources and enhance the resilience of the Filipino people towards climate change adaptation and mitigation, and disaster risk reduction and management consistent with the principles of sustainable development, inclusive economic development, poverty reduction, biodiversity conservation; while advancing the right to a balanced and healthful ecology in accordance with the harmony and rhythm of nature.

SECTION 3. Coverage. - This Act shall apply to all peatland and peatland resources nationwide within public and private lands.

SECTION 4. Definition of Terms. - The following terms shall be construed to mean as:

- a. *Climate Change* refers to a change in climate that can be identified by changes in the mean and/or variability of its properties and that persists for an extended period typically decades or longer, whether due to natural variability or as a result of human activity.
- b. *Disaster Risk Reduction and Management (DRRM)* refers to the systematic process of using administrative directives, organizations, and operational

skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster. Prospective Disaster Risk Reduction and Management refers to risk reduction and management activities that address and seek to avoid the development of new or increased disaster risks, especially if risk reduction policies are not put in place.

- c. *High Conservation Value* refers to the biological, ecological, social or cultural values of outstanding significance at the national, regional or global level or of critical importance at the local level;
- d. *Land use planning* refers to the rational and judicious approach of allocating available land resources to different land - using activities, (e.g. agricultural, residential, industrial) and for different functions consistent with the overall development vision/goal of a particular locality;
- e. *Peat* refers to dead and partially decomposed plant material that have accumulated under high water saturation or waterlogged conditions. Peat soil is defined using the definition of histosol (organic soil) which are soils with cumulative organic layer(s) comprising more than half of the upper 80cm of the soil surface containing 35% or more organic matter (35% or more loss on ignition) or 18% or more organic carbon;
- f. *Peat swamp forest* refers to a type of peatland that has forest cover and can be found in certain areas in the tropical regions of the world including the Philippines;
- g. *Peatlands* refers to wetland ecosystems characterized by the accumulation of peat at the surface and subsurface of the soil. Major characteristics of peatlands are the presence of peat, and permanent water logging. Peatlands may have vegetation in the form of trees, shrubs, grasses, and mosses;
- h. *Protected Area* refers to identified portions of land and/or water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;
- i. *Riparian area or zone* refers to land that occurs along watercourses and water bodies and are composed of moist to saturated soils, water-loving plant species and their associated ecosystems. This may be found surrounding lakes, or along estuaries, streams and rivers and coasts;
- j. *Subsidence* refers to the lowering or collapse of the ground level that results from draining water from peatlands and/or due to fire incidence;
- k. *Wetlands* refer to a wide variety of areas such as natural pools/ponds, springs, freshwater swamps/marshes, peatlands, floodplains, rivers and lakes, and coastal areas such as estuaries, saltmarshes, mangroves, lagoons, intertidal flats and seagrass beds, and also coral reefs and other marine areas no deeper than six meters at low tide, as well as human-made

wetlands such as dams, reservoirs, rice paddies, fish ponds, saltpans, and wastewater treatment ponds;

1. *Wise use* refers to the maintenance of the ecological character of peatlands, achieved through the implementation of ecosystem approaches, within the context of sustainable development.

SECTION 5. Implementing and Monitoring Agencies. – The Department of Environment and Natural Resources (DENR) through the Biodiversity Management Bureau, shall be the lead agency in monitoring of overall implementation and compliance with this Act. The Department of the Interior and Local Government (DILG) through the Bureau of Local Government Supervision shall support in the implementation of this Act, in coordination with Department of Agriculture - Bureau of Soils and Water Management, Philippine Atmospheric, Geophysical and Astronomical Services Administration, Department of Agrarian Reform, Bureau of Fire Protection - DILG, Bureau of Local Government Development – DILG, Department of Public Works and Highway, National Water Resources Board, National Museum, concerned DENR Offices, academe, and concerned Local Government Units for specific peatland areas, and concerned non-government organizations.

The DENR with the coordinating agencies shall exercise the following powers and functions within their mandates: formulate, implement and monitor policies, rules, ordinances regulations, plans and programs; enter into partnership and engagements with interested partners; develop best practices on the wise use of peatland areas; communication education public awareness; and convene regular meetings to update and share technical progress report to be shared among the coordinating agencies

SECTION 6. Role of Local Government Units. – The municipal, city, or provincial Local Government having territorial jurisdiction over the peatland and its resources shall prioritize peatland for protection under the National Integrated Protected Area System (NIPAS), as amended by RA 11038, or declared as critical habitat under the Wildlife Act, or as local conservation area or other effective area-based conservation measures through the ordinances of LGUs. They shall also include the protection and conservation of peatland and its resources to their respective Comprehensive Land Use Plans (CLUPs), Local Disaster Risk Reduction and Management Plans (LDRRMPs), Local Climate Change Adaptation Plans (LCCAPs) and other plans in consultation with concerned agencies. They shall coordinate with the DENR and DILG in monitoring of peatland and its resources within their jurisdiction and in compliance of this Act.

SECTION 7. Integration and Mainstreaming of Peatland Protection and Sustainable Use. - All government agencies and offices, and local government units (LGUs) shall integrate and mainstream peatland protection and sustainable use into their plans, policies, ordinances and rules and regulations, programs, projects, and development planning processes. Peatland conservation targets shall be identified in all plans related to biodiversity, forestry, land degradation, climate change and disaster risk reduction and management, as applicable. Concerned local government units shall also directly consult with the DENR and affected communities in the development and

implementation of their plans, programs and projects within, or having impact, on peatlands.

SECTION 8. Development of a National Peatland Conservation Program. – A National Peatland Conservation Program shall be developed by the DENR, in coordination with other concerned agencies, sectors, and stakeholders, within one year from the effectivity of this Act to provide direction, support and guidance to the local government units (LGU) and stakeholders in the development and implementation of their local peatland conservation programs. The National Peatland Conservation Program shall define national targets for the conservation of peatlands and the development of its national coordinating mechanism.

The Program shall include, but not be limited to the following strategies:

1. Inventory, mapping, delineation, assessment and monitoring of peatlands. All peatlands in the country shall be inventoried and assessed. Peatland assessment including bio-capacity, carrying capacity, carbon storage and ecosystem services assessment and valuation of peatland ecosystems shall be conducted to measure the full extent of its value and guide agencies on its conservation and sustainable use.
2. Restoration and rehabilitation of degraded peatlands. Nature-based solutions shall be primarily employed in the restoration of the ecosystem services lost from peatland degradation.
3. Regulation against peatland drainage, conversion and reclamation, peat extraction and deliberate setting of fire within the peatland or immediately adjacent areas that may affect the peatland
4. Enforcement of legal easement zones, dangers zones and other land use setbacks. All concerned government agencies and LGUs shall strictly implement land use setback provisions imposed by law.
5. Peat fire early warning systems, prevention, control and monitoring.
6. Research, development, and extension. Extensive researches that will determine the value of peatlands and peatland resources as well as best practices that will sustain these values shall be encouraged. The use of innovative technologies on sustainable peatland management and practices on peatland ecosystem-based adaptation shall also be promoted and made accessible particularly to vulnerable communities.
7. Assessment of vulnerability to climate change and disaster risk management
8. Peatland carbon stock assessment, accounting, verification and crediting. The nationwide assessment of carbon stocks shall be completed three (3) years after the completion of a national peatland inventory.

9. Assessment and monitoring of greenhouse gas flux. Results of nationwide assess met of GHG fluxes from peatlands shall be contributed to the biennial update reports (BUR) submitted to the UN Framework Convention on Climate Change.
10. Knowledge management and peatland information system
11. Implementation of soil and water conservation technologies
12. Measures to address invasive alien species
13. Establishment and promotion of peatland best management practices (including Public-Private Partnership)
14. Communication, education, participation, capacity-building and awareness program
15. Collaboration with Indigenous and local communities in the management and wise use of the peatlands
16. Integration of local and traditional ecological knowledge and practices with science-based knowledge systems
17. Requiring environmental impact assessments for any development activity proposed within the peatland of adjacent areas or the catchment of the peatland which may potentially have a negative impact on the peatland

SECTION 9. Land Classification of Peatland. – All areas which have been classified and released as agricultural land but that are currently or formerly may have been identified as peatland even if they have been subsequently degraded shall be reverted to either forest land or protected area The appropriate implementing agency shall immediately initiate the expropriation proceedings before the proper court under the existing law.

SECTION 10. Prohibited acts. (c/o proponent. Suggestion to include intentional draining and conversion to unsustainable agriculture, deliberate setting of fire, mining or extraction of peat soil, unpermitted construction of permanent structures as the key prohibited acts. Other prohibited acts are provided under the NIPAS/ENIPAS Act, Wildlife Act, Water Code and Clean Water Act, as applicable)

SECTION 11. Reporting Responsibility. - The DENR Regional Executive Director, under whose jurisdiction the peatland is located, shall submit an annual accomplishment report on their peatlands to the Secretary of the DENR through the BMB. The report shall also include the conditions and benefits of the biological resources and ecosystem services of the peatland to be submitted by the RED, through channels, to the Secretary of the DENR every five (5) years. Consequently, the BMB shall likewise prepare a report on the implementation of the National Action Plan for the Protection and Sustainable Use of Philippine Peatlands (NAPP) every five (5) years and shall submit the same to the President. The country report on the status of peatlands

shall also inform the updating of national action plans on biodiversity, forestry, land degradation, climate change and disaster risk reduction and management, among others.

SECTION 12. Appropriations. – The amounts necessary to implement this Act during the first year of implementation shall be sourced from the DENR. Thereafter, such amounts necessary to effectively carry out the provisions of this Act shall be included in the General Appropriations Act.

SECTION 13. Implementing Rules and Regulations (IRR). – The DENR, in close coordination with concerned agencies, shall, within six (6) months from the effectivity of this Act, issue rules and regulations necessary to implement the provisions hereof.

SECTION 14. 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.

SECTION 15. Repealing Clause. – All laws, decrees, executive orders, rules and regulations or parts thereof which are contrary or inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 16. 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,