



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City. 1100
Tel Nos. (632) 8929-6626 to 29; VOIP Trunkline (632) 8755-3300/ 8755-3330
Website: <http://www.denr.gov.ph>

MEMORANDUM

TO : **The Director**
Legal Affairs Service

The Bureau Director
Biodiversity Management Bureau

The Administrator
National Mapping and Resource Information Authority

The Executive Director
Manila Bay Coordinating Office

The Regional Executive Directors
NCR, Region IV-A

FROM : **The Undersecretary**
Special Concerns and Legislative Affairs

SUBJECT : **REQUEST FOR POSITION PAPER ON CERTAIN ISSUES ON HOUSE BILL NO. 6577 AN ACT EXPANDING THE BOUNDARIES OF LAS PIÑAS-PARAÑAQUE WETLAND PARK AND ITS VICINITIES AS PROTECTED AREA AND FOR OTHER PURPOSES BY REP. CAMILLE A. VILLAR FROM THE COMMITTEE ON NATURAL RESOURCES OF THE HOUSE OF REPRESENTATIVES**

DATE : 07 July 2023

In reference to the letter received by our Office dated 06 July 2023, the Committee on Natural Resources of the House of Representatives is currently discussing House Bill No. 6577, entitled "An Act Expanding The Boundaries Of Las Piñas-Parañaque Wetland Park And Its Vicinities As Protected Area And For Other Purposes," by Rep. Camille A. Villar.

As resolved during the Committee Meeting conducted on 13 May 2023, the Committee on Natural Resources is requesting for a position paper from your office on the attendant issues in the bill, including, but not limited to, the following:

1. Whether or not a Protected Area Suitability Assessment (PASA) has already been conducted, and if so, kindly indicate the details and status of the said PASA;

2. Whether or not the maps and Technical Description have already been prepared and vetted by all concerned agencies and stakeholders, as well as the details thereon;
3. Whether or not the mandatory public consultations have been conducted, and if so, kindly indicate the details of the said requirements;
4. Whether or not the issuance of a Proclamation and the endorsement of such Proclamation to Congress is necessary for the establishment or expansion of a protected area; and
5. All other issues raised in the statements of the concerned House Members appended hereto.

In this regard, may we request a **position paper on the abovementioned issues**, in preparation for the Committee Meetings, as requested by the Committee. Kindly send them on or before **13 July 2023, (Thursday) at 5 PM** via email at denrlo@denr.gov.ph.

Attached herewith is the abovementioned letter and the following documents provided by the Committee, for your perusal and reference:

1. Technical Description of various protected areas, including the proposed expanded Las Piñas-Paranaque Protected Wetland Park, as submitted by NAMRIA;
2. Position paper of the DENR-NCR for HB 6577 (for the meeting held on February 15, 2023);
3. Legal Opinion of the Department of Environment and Natural Resources (DENR) re HB 6577;
4. Statement of the author, Deputy Speaker Camille Villar Re House Bill No. 6577;
5. Statement of Rep. Lani Mercado-Revilla Re HB 6577;
6. Statement of Rep. Edwin L. Olivarez Re HB 6577; and
7. A copy of House Bill no. 6577.

For information and action, please.


IGNATIUS LOYOLA A. RODRIGUEZ



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Committee on Natural Resources

✉ Committee Affairs Department, 3/F Speaker Ramon V. Mitra Building, Batasan Complex, Quezon City
☎ +63 (2) 8931-5001 local 7161; Telefax: +63(2) 8951-3003
committee.naturalresources@house.gov.ph, naturalresources.hrep@gmail.com

4 July 2023

ATTY. JONAS R. LEONES, CESO I

Undersecretary for Policy, Planning and International Affairs
Department of Environmental and Natural Resources
DENR Building, Visayas Ave., Diliman, Quezon City

Dear Undersecretary Leones:

The Committee on Natural Resources of the House of Representatives is currently discussing House Bill No. 6577, entitled "An Act Expanding The Boundaries Of Las Piñas Paranaque Wetland Park And Its Vicinities As Protected Area And For Other Purposes," by Rep. Camille A. Villar.

As resolved during the Committee Meeting conducted on May 31, 2023, we would like to request a position paper from your good office on the attendant issues in the bill, including, but not limited to, the following:


1. Whether or not a Protected Area Suitability Assessment (PASA) has already been conducted, and if so, kindly indicate the details and status of the said PASA;
2. Whether or not the maps and Technical Description have already been prepared and vetted by all concerned agencies and stakeholders, as well as the details thereon;
3. Whether or not the mandatory public consultations have been conducted, and if so, kindly indicate the details of the said requirements;
4. Whether or not the issuance of a Proclamation and the endorsement of such Proclamation to Congress is necessary for the establishment or expansion of a protected area; and
5. All other issues raised in the statements of the concerned House Members appended hereto.

In light of this, may we furnish your good office a copy of the following documents, for your perusal and reference:

1. Technical Description of various protected areas, including the proposed expanded Las Piñas Paranaque Protected Wetland Park, as submitted by NAMRIA;
2. Position paper of the DENR-NCR for HB 6577 (for the meeting held on February 15, 2023);
3. Legal Opinion of the Department of Environment and Natural Resources (DENR) re HB 6577;
4. Statement of the author, Deputy Speaker Camille Villar Re House Bill No. 6577;
5. Statement of Rep. Lani Mercado-Revilla Re HB 6577;
6. Statement of Rep. Edwin L. Olivarez Re HB 6577; and
7. A copy of House Bill no. 6577.

We would like to request the submission of the said position paper on or before **21 July 2023**, in order to give the Committee Members enough time to read through the materials. Attached herewith is a copy of the House Bill, for your kind reference.

Very truly yours,

A handwritten signature in black ink, appearing to be 'E. Barzaga Jr.', written over the closing 'yours'.

HON. ELPIDIO F. BARZAGA JR.
Chairperson
Committee on Natural Resources

STATEMENT OF DEPUTY SPEAKER CAMILLE VILLAR RE HB6577

Good afternoon, Mr. Chairman, ladies and gentlemen.

I just would like to emphasize the following points to crystallize and to highlight House Bill Number 6577:

1. The bill is to expand the boundaries of Las Pinas-Paranaque Wetland Park (LPPWP) and its vicinities AS A PROTECTED AREA;

2. The main reason for the bill is to include LPPWP expanded boundaries as a Protected Area. Under our existing law, in the definition of the Department of Environment and Natural Resources, a Protected Area is 'an identified portion of land and/or water set aside by reason of their unique physical and biological diversity and protected against destructive human exploitation.'

3. The reason is purely ecological, to maintain biodiversity, as a tool in addressing climate change. It is to better conserve the present ecosystem with a buffer zone that ensures the flow of water and the environmental integrity of the area.

4. The bill is consistent with the Manila Bay Sustainable Development Master Plan.

5. We should be mindful of our environment and our surroundings. Cliché as it may sound, but 'Mother Earth deserves our loving care.'

Thank you.

Opening Statement of Rep. Edwin L. Olivarez during the hearing of the Committee on Natural Resources on 31 May 2023

To the Honorable Chairman of the Committee on Natural Resources, Congressman Pidi Barzaga, to the Honorable members of this Committee, to our resource persons and fellow workers in Government, isang mapagpalang hapon po sa inyong lahat!

Una sa lahat, lubos akong nagpapasalamat sa ating kagalang-galang na Chairman at binigyan tayo ng pagkakataon to raise a few points regarding one of the bills under consideration in today's hearing that has a direct impact on my hometown of Parañaque City. *& nearby cities*

Layunin ng House Bill No. 6577 ang palawakin ang boundaries ng Las Piñas-Parañaque Wetland Park (LPPWP) at ang paligid nito bilang isang protected area. It can be recalled that the LPPWP, with an area of 181.63 hectares, was included as one of the protected areas with the classification of national park under Republic Act No. 11038 or the Expanded National Integrated Protected Areas System Act of 2018 (ENIPAS Act.) With the enactment of ENIPAS, Congress was able to identify and secure the ecological integrity of our protected areas.

Having said that, I would like to make known some of my concerns regarding HB No. 6577, which I hope the Committee will be able to thresh out and thereafter provide recommendations to address these.

Gaya ng aking nabanggit, HB No. 6577 primarily aims to increase the coverage of the LPPWP protected area from 181.63 hectares to 1,761.87 hectares. Bago naisabatas ang ENIPAS Act, ang LPPWP na marahil ang kauna-unahang critical habitat na naitaguyod sa ating bansa sa pamamagitan ng isang Presidential Proclamation nung taong 2007. At that time, the LPPWP (then known as Las Piñas-Parañaque Critical Habitat and Ecotourism Area) was established covering an area of 175.307 hectares. For more than a decade, the size of the protected area remained the same until the passage of the ENIPAS Act in 2018 wherein the size was increased by more or less six (6) hectares. Maybe the Committee would like to find out what studies were conducted or what discoveries were made in the protected area that would necessitate its expansion by more than 1,500 hectares in just a few years' time? May mga bago ba tayong natuklas sa lugar o meron bang pagsusuri na ginawa para magbigay sa atin ng dahilan para palawakin pa ang protected area?

Furthermore, Presidential Proclamation No. 1412 series of 2007 recognized the existence or future development of the protected area and its periphery which includes, among others, reclamation projects. I understand that there are ongoing reclamation projects within Manila Bay. In relation to this is, it may be well to mention that there is a Supreme Court ruling which favored a contractor to develop, finance, design and reclaim 381.26 hectares of land in Las Piñas and 174.88 hectares of land in Parañaque. In that particular case, the Supreme Court upheld the issuance of an Environmental Compliance Certificate (ECC) to the contractor and denied the issuance of a writ of kalikasan against the reclamation project. The Supreme Court further ruled that the ECC that was issued was valid and remains active for the lifetime of the project. Again, maybe the Committee can look into the viability of getting this planned expansion implemented without violating vested rights and impair the obligation of contracts. Hindi po ba natin nilalabag ang desisyon na ito ng Kataas-taasang Hukuman o anumang provision sa ating Konstitusyon kung sakaling ipapasa natin ang panukalang batas na ito?

To respectfully inform the honorable Committee Chair and Members, the City Government of Parañaque lawfully awarded a 286.86 hectare land reclamation and development contract in view

ENCLOSURE

of the clear public need of the City for such invaluable development and economic platform for our plans for our great city. This we did in accordance with all applicable laws, rules and regulations. This PPP project has also long been duly issued an ECC. The project is neither located within the LPPWP or any buffer zone that may be reasonable and lawfully established for the area. It is vast 1.98 km away (almost 2 km north) from the boundary of LPPWP, and entirely within the territorial jurisdiction of the City of Parañaque. ~~(...)~~

Lastly, maybe the Committee should first determine whether or not the ENIPAS Act is being properly implemented before considering the prospect of increasing or expanding the size of any protected area. This law would mean that possibly, no other project, whether related to land reclamation or not, may be located from Las Piñas all the way to other provinces, cities and municipalities in Metro Manila and Calabarzon. *INOTE LGUs*

As an example, I understand that the ENIPAS established the concept of creating buffer zones for the purpose of providing an extra layer of protection to the protected areas. Sa kasamaang palad, hanggang ngayon po ay wala pa akong natatanggap na balita na may deklarasyon na ang DENR patungkol sa buffer zone ng LPPWP. Perhaps, it would be wise to first revisit the ENIPAS Act and ascertain whether or not the DENR has properly implemented the same and from there, we will decide what should be the next steps, with the integrity and proper management of the protected area in mind.

The thousandfold increase in the size of the LPPWP is detrimental to virtually any type of industrial or commercial project or initiative in the Philippines, not just in Parañaque (though we are the immediate impact LGU) because of its excessive and over-reaching coverage. Per our last official consultations with the DENR based on official studies procured by said agency, this distance is not supported by the DENR's previous official findings and conclusions. We as legislators need to truly check if the expansion of the LPPWP and the motivations behind it are not against any existing law or arbitrary and baseless, before we hurriedly vote in its favor. I believe this is our clear duty.

Maraming salamat po, Mr. Chairman.

Mr. Chairman, Honorable members of the Natural Resources Committee, blessed morning to all.

In the agenda today is House Bill No. 6577, "An Act EXPANDING the Boundaries of Las Pinas Paranaque Wetland Park and its vicinities as Protected Area and for other purposes."

Las Piñas-Parañaque Critical Habitat and Ecotourism Area (LPPCHEA), also known as Las Piñas-Parañaque Wetland Park (LPPWP), included in the ENIPAS Act R.A. 11038, covers 181.63 hectares of wetland ecosystems. It is established on portion of reclaimed lands on Las Pinas and Paranaque waters. These are portion of properties owned by the PRA and titled under the name "Public Estates Authority (PEA)" which is now Philippine Reclamation Authority, under TCT Nos. 7309 (782,430 sq.m.); and 7312 (744,726 sq.m.) or a total of 152.7156 hectares of PRA properties. These reclaimed lands were originally intended for the projects of PEA-Amari.

HB 6577 seeks to expand the coverage of the protected area called LPPCHEA from 181 has. to 1,761 has. Or an increase of 1,580 hectares and its boundaries were technically and specifically described in the HB; The new boundaries of the PA shall be inclusive of about 430 hectares of Bacoor municipal waters.

There is also a provision to transfer the ownership of the PRA lands to the Department of Environment and Natural Resources (DENR) - Sec.4 of HB transfers TCTs 7309 and 7312 from "PEA" to "DENR"

The bill will also prohibit the exploration, exploitation, or utilization of non-renewable resources within the expanded wetland park for commercial purposes. It also prohibits wetland reclamation and entering the wetland park without prior permit, among others. These are not prohibited in RA 7586 (NIPAS Act of 1992), as amended by RA 11038 (ENIPAS). The **Expanded National Integrated Protected Areas System**.

The expansion of the PA is a 3-km seaward expansion from the current boundaries of LPPWP. The proposed expanded LPPCHEA will cover a 3rd island titled property of PRA under TCT no. 7311 (51,285 sq.m.)

A. Concerns of the People of Bacoor City

- The expanded wetland park will cover the municipal waters of Bacoor, 430 hectares, without any form of consultation from the DENR nor from NAMRIA, as provided in the NIPAS Act. LGU Bacoor is not even invited in this hearing. But the City Vice Mayor of Bacoor and our City Councilors are with me today.
- The subject area in Bacoor waters is part of our new CLUP of Bacoor, wherein the sea-use plan declares the area to be our reclamation development zone, and the affected area are already subject of an ongoing reclamation projects, the Bacoor and Diamond Reclamation and Development Projects, under two (2) valid MOAs with PRA, and with 2 valid JVAs between Bacoor LGU and our private sector partners, with valid DENR Area Clearances, valid ECCs and the same area are already declared as "coastal development zone" under the new City Land Use Plan of Bacoor.
- This bill will prevent LGU Bacoor City from having jurisdictional authority over the affected area.
- Bacoor City LGU has not been consulted by the DENR prior to bringing this PA expansion to the Halls of Congress.
- Bacoor LGU has not received any Notice of a Hearing on this subject matter from the DENR, in accordance with the NIPAS and ENIPAS Act
- DENR-Calabarzon is not part of the PAMB of LPPCHEA, and is also not yet aware of the bill.
- Bacoor LGU went through the Environmental Impact Assessment System hosted by the DENR Environmental Management Bureau
- The DENR Secretary duly issued valid Area Clearances to the Bacoor projects
- Bacoor submitted to DENR EMB results of scientific studies conducted by experts from UP Diliman, and even by the Dutch Hydraulic group DHI, showing

- that the Bacoor projects will NOT cause any new flooding, nor cause the exacerbation of flooding in Bacoor and its neighbors Las Pinas and Imus/Kawit.
- The new reclamation islands as specified in the projects can even serve as storm surge walls that will protect Bacoor mainland;
 - There are also scientific projections submitted to DENR EMB showing that this reclamation projects will not cause any harm to LPPCHEA.
 - The Bacoor Reclamation EIS which are available online also shows that there are no natural habitats in Bacoor Bay waters which will be affected adversely by the projects, nor any ground towards being declared as protected areas.

Offhand, Bacoor City should NOT be affected by this measure expanding the coverage of protected area. What is the basis of placing Bacoor Bay inside the ambit of the NIPAS Act and ENIPAS?

There are Jurisdictional Requirements for the proposed measure, for declaration of a PA, or expansion of a PA via legislative fiat. Have the concerned agencies complied with Sec.5 of RA 11038, amending Sec.4 of RA 7586? What are these?

- (1) Submission of maps by NAMRIA, duly certified accurate on every page thereof, indicating the boundaries and technical description of each protected area;
- (2) Submission of Suitability Study from DENR - with forest occupants survey, ethnographic study, PA resource profile, land use plans affected, other background studies;
- (3) Report of DENR on the Conduct of Mandatory Public Consultations:
 - 3.1. Notice to the Public/stakeholders 30 days prior to public consultation
 - 3.2. Publication of the Notice in a newspaper of general circulation
 - 3.3. Conduct of Public Consultation at location near the PA
 - 3.4. Invitation to ALL LGUs affected by the proposed expansion area of the PA, Bacoor City, Las Pinas LGU, Paranaque LGU, Pasay LGU, and to natl govt agencies concerned, such as PRA, DENR-Calabarzon, NAMRIA, BFAR, Philippine Coast Guard, Philippine Navy, people's organizations and NGOs and request for their position papers as well;
 - 3.5. Report /Recommendation to the Office of the President by the DENR;
- (4) NIPAS Act says that Upon appropriate review of the Recommendation from DENR, the President shall issue Proclamation to establish the PA and provide measures for its protection. The President will endorse the Proclamation of the PA to Congress (Senate and House) for inclusion in the NIPASystem (or for reclassification)

Clearly Mr. Chairman, with the indulgence of the author and the members of this Honorable Committee, there is a compelling need for the deliberation on this bill to be further postponed until the submission by various agencies of the jurisdictional requirements mentioned above, and by the various affected stakeholders of their position papers.

The City of Bacoor particularly requests that we be given ample time to put together a position paper, with attachments and justification as to why there is no ground nor urgency for the municipal waters of Bacoor to be declared as a protected area. But according to NIPAS Act the DENR will give us Notice of Meeting 30-days before, and should be set in Bacoor and explain to us why Bacoor Bay will be declared Protected Area. We demand for DENR to comply with NIPAS Act provisions.

It is incumbent upon DENR to show grounds and scientific evidence as to why they are proposing to declare Bacoor waters as Protected Area and included in the National Integrated Protected Areas System. Nasa inyo po DENR ang burden of proof. Talk to us.

Mr. Chairman for your indulgence, and as a member of this Committee, I would like to move for the postponement of deliberations on HB 6577 until such time as the jurisdictional requirements of the NIPAS and ENIPAS are complied. The scientific grounds and basis for expanding LPPCHEA from 181 has to 1761 should be clearly shown.



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. (632) 929-66-26/28; 929-6635/929-3618/929-4028
IP Phone Trunkline No. 988-3367
Website: <http://www.denr.gov.ph/> E-mail: web@denrgov.ph



15 February 2023

HON. ELPIDIO F. BARZAGA, JR.
Chairperson
Committee on Natural Resources
House of Representatives
Batasan Hills, Quezon City

THRU: **MS. LUCILA GABRIEL**
Committee Secretary

Dear Rep. Barzaga:

In reference to the committee hearing of the Committee on Natural Resources of the House of Representatives, to be conducted on **15 February 2023 (Wednesday), 1:30 in the afternoon at Belmonte Hall, South Wing Annex, House of Representatives**, to discuss the following bills:

Approval of Measures per Sec. 48 of the House Rules

1. House Bill No. 5500, entitled "An Act Declaring The Month Of June Of Every Year As The "Marine Turtle Awareness Month", by Rep. Mujiv S. Hataman;
2. Tamaraw Conservation Program
 - a. House Bill No. 5538, entitled "An Act Institutionalizing The Tamaraw Conservation Program, Creating Its Administrative And Implementation Mechanism, And Providing Funds Therefor," by Rep. Leody F. Tarriela and
 - b. House Bill No. 5818, Entitled "An Act Institutionalizing The Tamaraw Conservation Program, Creating Its Administrative And Implementation Mechanism, And Providing Funds Therefor," by Rep. Aman C. Panaligan

Initial Deliberations of the following Measures

1. House Bill No. 6516, entitled "An Act Establishing The Bantayan Island Protected Landscape And Seascape Under The Expanded National Integrated Protected Areas System (ENIPAS) And Providing For Its Management," By Rep. Janice Z. Salimbangon
2. House Bill No. 6577, entitled "An Act Expanding The Boundaries Of Las Piñas Paranaque Wetland Park And Its Vicinities As Protected Area And For Other Purposes," by Rep. Camille A. Villar

Continuation of the Deliberations on the following House Bills:

1. House Bill No. 1405, entitled "An Act Establishing The Mt. Masaraga Protected Landscape In The Province Of Albay As A Protected Area Under The Category Of Protected Landscape, Providing For Its Management And For Other Purposes," by Rep. Fernando T. Cabredo,
2. House Bill No. 2658, entitled "An Act Declaring The Sultan Naga Dimaporo Protected Landscape And Seascape Area Within The Municipality Of Sultan Naga Dimaporo, Province Of Lanao Del Norte As Component Of The National Integrated Protected Areas System Under The Category Of Protected Landscape And Seascape And Providing For Its Management," by Rep. Dimaporo, Sittie Aminah Q.2. Dimaporo, Mohamad Khalid Q.
3. House Bill No. 2785, entitled "An Act Establishing Aurora Memorial Protected Landscape In The Municipalities Of Maria Aurora And San Luis All In The Province Of Aurora And In The Municipality Of Bongabon, Nueva Ecija As A Protected Area, Providing For Its Management, And For Other Purposes," by Rep. Rommel Rico Angara
4. House Bill No. 3392, entitled "An Act Declaring A Parcel Of Land Located In The Municipalities Of President Manuel A. Roxas, Katipunan And Siayan In The Province Of Zamboanga Del Norte, A Protected Area With The Category Of Protected Landscape Under The National Integrated Protected Areas System (NIPAS) To Be Referred To As The Mt. Gutom

Protected Landscape, Providing For Its Management And Appropriating Funds Therefor,” by Rep. Glona G. Labadlabad

5. Panaon Island

a. House Bill No. 3743, Entitled “An Act Declaring The Panaon Island And Its Surrounding Areas, Situated In The Province Of Southern Leyte As Protected Seascape, Pursuant To Republic Act 11038, Otherwise Known As The Expanded National Integrated Protected System (ENIPAS) Act Of 2018,” by Rep. Luz Mercado

b. House Bill No. 4095, entitled “An Act Declaring The Panaon Island And Its Surrounding Areas, Situated In The Province Of Southern Leyte As Protected Seascape, Pursuant To Republic Act 11038, Otherwise Known As The Expanded National Integrated Protected System (ENIPAS) Act Of 2018,” by Rep. Christopherson "Coco" M. Yap

c. House Bill No. 6677, entitled “An Act Declaring The Waters Surrounding Panaon Island, In The Province Of Southern Leyte, A Protected Area With The Category Of Protected Seascape Under The National Integrated Protected Areas System (NIPAS), To Be Referred To As The Panaon Island Protected Seascape, Providing For Its Management, And Appropriating Funds Therefor,” by Rep. Christopherson "Coco" M. Yap

6. House Bill No. 3397, entitled “An Act Declaring The Olutanga Island Protected Landscape And Seascape Located In The Province Of Zamboanga Sibugay As A Protected Area, Providing For Its Management And For Other Purposes,” by Rep. Wilter Y. Palma

We are respectfully transmitting to your good office the consolidated comments from concerned DENR Offices, Bureaus and Attached Agencies, as follows:

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|--|
| <p><i>House Bill No. 6516, entitled “An Act Establishing The Bantayan Island Protected Landscape And Seascape Under The Expanded National Integrated Protected Areas System (ENIPAS) And Providing For Its Management,” By Rep. Janice Z. Salimbangon</i></p> |
| <p>BIODIVERSITY MANAGEMENT BUREAU (BMB)</p> <p>We fully support the passage of HBN 6516 for the establishment of the Bantayan Island Protected Landscape And Seascape Under The Expanded National Integrated Protected Areas System.</p> |
| <p>DENR REGION VII</p> <p>The Department of Environment and Natural Resources, Region 7 supports the passage of House Bill No. 6516 which aims to protect, conserve and preserve the coastal and marine biodiversity of Bantayan Island as well as its freshwater recharge area, provided that Mangrove Block F, with an area of 129.85 hectares, be excluded considering the same is already within Tañon Strait Protected Seascape (ISPS) pursuant to R.A. 11038. Further, DENR 7 is proposing for the inclusion of a seascape fronting the towns of Bantayan and Madridejos with a total area of 11,858.43 hectares to ensure marine ecosystem connectivity in Bantayan Island.</p> <p>DENR 7 strongly recommends the approval of House Bill 6516 as it will promote better management of the whole Bantayan Island for the conservation of biodiversity and ecosystem services, and exclude the existing Alienable and Disposable (A and D) lands for economic development of the island.</p> |
| <p>NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)</p> <p><u>Comments:</u> Observations based on initial plotting of the TDs are as follows: I) Mangrove Blocks</p> <ul style="list-style-type: none">a. Block-A<ul style="list-style-type: none">• TDs are in standard bearing-distance format• Error of closure is beyond the allowable limit• Coordinates of the tie point used are inconsistent with NAMRIA’s recordb. Blocks B, C, D, E, F, G, H, I, J, L, M & N<ul style="list-style-type: none">• TDs are in standard bearing-distance format;• Blocks G and F overlapped with each other; andc. Block-K<ul style="list-style-type: none">• TDs are in standard bearing-distance format;• Line 7 to 8 intersects with line 18 to 1; and |

II) Elevated Area
(Water Recharge Area)

- TDs are in standard bearing-distance format;

III) Seascape Parcel A

- TDs are in standard bearing-distance format;

Recommendation/s

- NAMRIA supports the enactment of these bills into law and defers possible comments to the concerned agencies whose mandates may be affected by the proposed legislation.

- Blks A, B & N, coordinates of PRS 92 Control Point CBU- 3703 should be:

Latitude: 11°17'39.07658"; and Longitude:123°43'18.63403"

- Blk C, coordinates of PRS 92 Control Point CBU-3701 should be:

Latitude: 11°14'38.8157"; and Longitude:123°45'12.98146"

- Blk D, coordinates of PRS 92 Control Point CBU-3699 should be:

Latitude: 11°11'52.89664"; and Longitude:123°46'09.33685"

- Blks E & F, coordinates of PRS 92 Control Point CBU- 3698 should be:

Latitude: 11°09'02.77486"; and Longitude:123°47'28.19934"

- Blks G, H & I, coordinates of PRS 92 Control Point CBU- 321 should be:

Latitude: 11°10'08.71467"; and Longitude:123°43'09.11919"

- Blks J, K & Seascape Parcel A, coordinates of PRS 92 Control Point CBU- 3702 should be:

Latitude: 11°14'25.67344"; and Longitude:123°43'18.63403"

- Blks L, M & Elevated Area, coordinates of PRS 92 Control Point CBU-3051 should be:

Latitude: 11°14'19.48346"; and Longitude:123°43'17.12731"

- Blks L, M & I, coordinates of PRS 92 Control Point CBU- 3051 should be:

Latitude: 11°14'19.48346"; and Longitude:123°43'17.12731"

In coordination with DENR Region VII to correct the TDs

House Bill No. 6577, entitled "An Act Expanding The Boundaries Of Las Piñas Paranaque Wetland Park And Its Vicinities As Protected Area And For Other Purposes," by Rep. Camille A. Villar

DENR NCR

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 No. 11038 or the Expanded National Integrated Protected Areas (ENIPAS) Act, which serves as a vital nature-based solution for several environmental challenges such as climate change, disaster risk reduction and biodiversity loss. However, it is currently under the threat of the potential impacts of proposed reclamation projects immediately adjacent to it. The subject bill thus aims to expand its coverage from 181.63 has to 1,761.87 has, extending seaward from its current shoreline.

Upon careful review of the proposed bill, it appears that all of the provisions stipulated therein uphold the interest of the environment and concur with Republic Act No. 11038. Nonetheless, this Office respectfully submits the following comments and recommendations, to wit:

1. **On Section 3-Declaration and Scope:** that the technical description in the proposed bill refers only to the area for expansion of LPPWP. The undersigned respectfully suggests that the said section should be rephrased and the technical description be amended to reflect both the existing boundaries of the LPPWP as specified in R.A. No. 11038 and the area of expansion proposed in this Bill. The DENR-NCR will prepare the amended proposed technical description. The proposed provision is as follows:

Section 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 the LPPWP, is hereby amended, from the **current** one hundred eighty-one point sixty-three hectares (181.63) into one thousand nine hundred forty-one point fifty hectares (1,943.50), extending seaward from its current shoreline.

2. **On Section 4 - Transfer of Title:** The boundaries of the expansion would also cover portions of the land under TCT No. 7311 owned by the Philippine Reclamation Authority in addition to the lands covered under TCT Nos. 7309 and 7312. In this regard, it would be prudent to include the land covered by TCT No. 7311 among the properties that shall be transferred to DENR, as it is within the boundaries of the proposed expansion.
3. **Section 6e – Prohibited acts:** The proposed temporal fisheries management (i.e. closed fishing season) in this section is important to ensure sustainability in the fisheries resources in Manila Bay. However, flexibility in determining the period, species, and spatial extent is important to effectiveness of this fisheries conservation method. It is proposed that the determination of the spatial extent, period covered, and species covered by this management method be determined by the PAMB with recommendation from the BFAR, to ensure responsiveness to the fish stock health in the proposed protected area. The proposed provision is as follows:

Section 6, Paragraph e): Fishing during general peak spawning season of marine species such as but not limited to sardines, slipmouths, mullets. The PAMB, with recommendation from the Bureau of Fisheries and Aquatic Resources (BFAR), shall determine the spatial extend, period covered and species covered by this paragraph.

On Section 7 - Allowable Use: The expansion adds One Thousand Seven Hundred Sixty-One Point Eighty-Seven Hectares (1,761.878 has) extending seaward from LPPWP's current shoreline. Portions of the expansion area may be part of navigational routes in Manila Bay. This might be needed to be considered in the allowable use or prohibited use, for that matter.

NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)

NAMRIA is in coordination with DENR-NCR for the Technical Description

BIODIVERSITY MANAGEMENT BUREAU (BMB)

The Bureau supports the passage of the Bill into law for reasons already articulated substantially in the explanatory note. Below are our comments and recommendations:

1. In relation to Section 4 (Transfer of Title), it should be noted that a third land title, TCT 7311 with an area of 51,285 sq. m and named after the PRA, is located approximately 1,054.57 meters from the current shoreline boundary of the LPPWP. This land title will be covered by the proposed expansion of the PA boundary. Hence, said title should similarly be transferred to the DENR as the other two land titles mentioned in the House Bill as a means of providing a legal mechanism that would release the PRA from their obligations over those titled lands;

2. Section 6 of the subject Bill accounts for the prohibited use within the protected area which includes, to state, Item b "entering LPPWP without prior permit" Considering that the expansion area covers a large expanse of the marine waters (3 km from the shoreline), this will cover marine waters normally or currently used for public navigation. A "no entry without permit" policy could affect freedom of navigation along routes to be subsumed by the expanded PA.

As mandated by Section 9 of the Republic Act 11038 or the Expanded National Integrated Protected Area System (ENIPAS), an updated management plan shall be formulated to include the expanded marine boundaries through proper Coastal and Marine Spatial Planning (CMSP). The adopted zoning for LPPWP shall identify the allowable and prohibited use areas zones and those which requires permission.

In view of the above, it is recommended that item b be rephrased as follows:

"Item b. entering LPPWP without prior permit in accordance with rules and regulations and zoning plan determined by the PAMB".

Lastly, the proposed expansion is supported by the science-based recommendations from the studies from: (1) the Ecosystems Research and Development Bureau (ERDB) on the determination of the extent of appropriate buffer zone for LPPWP, (2) the One Innovative Company as commissioned by the ERDB on the impact of reclamation projects in LPPWP, and following the provision of "up to 3 km radius from the complex habitats" as stated in the Manila Bay Sustainable Development Master Plan (MBSDMP).

However, please omit the BMB under Section 6 item a.

THE OFFICE OF THE SECRETARY

The DENR supports the intents and purposes of the proposed legislative measure. We shall endeavor to reconcile other issuances and permits issued by the DENR and attached agencies with respect to vested rights of third parties, if any, on areas that may be affected.

House Bill No. 1405, entitled "An Act Establishing The Mt. Masaraga Protected Landscape In The Province Of Albay As A Protected Area Under The Category Of Protected Landscape, Providing For Its Management And For Other Purposes", by Rep. Fernando T. Cabredo;

BIODIVERSITY MANAGEMENT BUREAU (BMB)

The Bureau supports the passage of the aforementioned bill into law, as this will significantly reinforce the protection and conservation of our natural heritage for future generations.

NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)

NAMRIA supports the enactment of these bills into law and defers possible comments to the concerned agencies whose mandates may be affected by the proposed legislation.

Line segment 22-23 should be S46°58'53"E instead of N46°58'53"E

House Bill No. 2658, entitled "An Act Declaring The Sultan Naga Dimaporo Protected Landscape And Seascape Area Within The Municipality Of Sultan Naga Dimaporo, Province Of Lanao Del Norte As Component Of The National Integrated Protected Areas System Under The Category Of Protected Landscape And Seascape And Providing For Its Management," by Rep. Dimaporo, Sittie Aminah Q.2. Dimaporo, Mohamad Khalid Q.

REGION X

Please be informed that this Office highly supports the aforesaid declaration. We actively participated in the preparation of all documents necessary for its establishment as a Protected Area (PA) with corrections in the technical description indicated in the original House Bill. Based on an actual survey conducted by this Office and referral to NAMRIA, the area is 8,134.06 hectares instead of 7,436 hectares.

Aside from this, we have no further comments on House Bill No. 2658.

| |
|---|
| <p>NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)</p> <p>NAMRIA supports the enactment of these bills into law and defers possible comments to the concerned agencies whose mandates may be affected by the proposed legislation.</p> <p>Adopt the corrected TDs submitted by Region X to NAMRIA which are found to be in order.</p> |
| <p><i>House Bill No. 2785, entitled "An Act Establishing Aurora Memorial Protected Landscape In The Municipalities Of Maria Aurora And San Luis All In The Province Of Aurora And In The Municipality Of Bongabon, Nueva Ecija As A Protected Area, Providing For Its Management, And For Other Purposes," by Rep. Rommel Rico Angara</i></p> |
| <p>NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)</p> <p>NAMRIA supports the enactment of these bills into law and defers possible comments to the concerned agencies whose mandates may be affected by the proposed legislation.</p> <p>Adopt the corrected TDs submitted by DENR Region III to NAMRIA which are found to be in order.</p> |
| <p><i>House Bill No. 3392, entitled "An Act Declaring A Parcel Of Land Located In The Municipalities Of President Manuel A. Roxas, Katipunan And Siayan In The Province Of Zamboanga Del Norte, A Protected Area With The Category Of Protected Landscape Under The National Integrated Protected Areas System (NIPAS) To Be Referred To As The Mt. Gutom Protected Landscape, Providing For Its Management And Appropriating Funds Therefor", by Rep. Glona G. Labadlabad;</i></p> |
| <p>BIODIVERSITY MANAGEMENT BUREAU (BMB)</p> <p>The Bureau supports the passage of the aforementioned bill into law, as this will significantly reinforce the protection and conservation of our natural heritage for future generations. However, we recommend adding the Department of Tourism as one of the PAMB members under Section 7.</p> |
| <p>NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)</p> <p>NAMRIA supports the enactment of these bills into law and defers possible comments to the concerned agencies whose mandates may be affected by the proposed legislation.</p> <p>The technical descriptions (TDs) are found to be in order.</p> |
| <p>DENR REGION IX</p> <p>This Office expresses its unwavering support for the passage of House Bill No. 3392, authored by Hon. Glona G. Labadlabad, District Representative of Zamboanga del Norte is proposing Mount Gutom as a protected area under NIPAS and with a category of Protected Landscape, given that Mount Gutom is one of the few surviving natural forests and the most significant watershed in the province of Zamboanga del Norte.</p> |
| <p><i>5. Panaon Island</i></p> <p><i>a. House Bill No. 3743, Entitled "An Act Declaring The Panaon Island And Its Surrounding Areas, Situated In The Province Of Southern Leyte As Protected Seascape, Pursuant To Republic Act 11038, Otherwise Known As The Expanded National Integrated Protected System (ENIPAS) Act Of 2018," by Rep. Luz Mercado</i></p> <p><i>b. House Bill No. 4095, entitled "An Act Declaring The Panaon Island And Its Surrounding Areas, Situated In The Province Of Southern Leyte As Protected Seascape, Pursuant To Republic Act 11038, Otherwise Known As The Expanded National Integrated Protected System (ENIPAS) Act Of 2018," by Rep. Christopherson "Coco" M. Yap</i></p> <p><i>c. House Bill No. 6677, entitled "An Act Declaring The Waters Surrounding Panaon Island, In The Province Of Southern Leyte, A Protected Area With The Category Of Protected Seascape Under The National Integrated Protected Areas System (NIPAS), To Be Referred To As The Panaon Island Protected Seascape, Providing For Its Management, And Appropriating Funds Therefor," by Rep. Christopherson "Coco" M. Yap</i></p> |
| <p>BIODIVERSITY MANAGEMENT BUREAU (BMB)</p> <p>This office here has supported the conduct of the Protected Area Suitability Assessment or the (PASA) for the Panaon Island by Region 8 and review of the report as submitted in</p> |

compliance to the Republic Act 11038, Otherwise Known As The Expanded National Integrated Protected System (ENIPAS) Act Of 2018.

For the item stipulated in Sections 5 in line with the Scope and Coverage of the area covered in hectares of the Panaon Islands is adjusted to 61,250.613. hectares covering the only seascape component as stipulated in the PASA report submitted by the regional office.

NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)

NAMRIA supports the enactment of these bills into law and defers possible comments to the concerned agencies whose mandates may be affected by the proposed legislation.

House Bill No. 3743- Adopt the latest TD indicated in HBN 6677

House Bill No. 6677- The technical descriptions (TDs) are found to be in order.

House Bill No. 3397, entitled "An Act Declaring The Olutanga Island Protected Landscape And Seascape Located In The Province Of Zamboanga Sibugay As A Protected Area, Providing For Its Management And For Other Purposes," by Rep. Wilter Y. Palma

DENR REGION IX

This Office expresses its unwavering support for the passage of House Bill No. 3397, authored by Hon. Wilter Y. Palma, District Representative of Zamboanga Sibugay proposed Olutanga Island within the Municipalities of Olutanga, Mabuhay, and Talusan, encompassing forty (40) barangays as a protected area under the category of Protected Landscape and Seascape to help conserve the presence of the rich native biological resources in both flora and fauna and its highly significant ecosystem services it can provide to the province of Zamboanga Sibugay.

Please be informed that an updated reference tie point provided by NAMRIA was already used to generate the revised Technical Description (TD) for the said protected area. The same also conforms with the prescribed bearing-distance format of NAMRIA. The size of the proposed protected area is now about 102,991.79 hectares with 873 comers covering three (3) municipalities and forty (40) coastal barangays.

This is in support of House Bill No. 3397 introduced by Is District Representative Walter Yap Palma of Zamboanga Sibugay.


NATIONAL MAPPING RESOURCE AND INFORMATION AUTHORITY (NAMRIA)

NAMRIA supports the enactment of these bills into law and defers possible comments to the concerned agencies whose mandates may be affected by the proposed legislation.

Should there be any additional comments, rest assured that the honorable Committee will be provided once received by our Office.

For your information and consideration.

Respectfully,


ROMIROSE B. PADIN
Director for Legislative Liaison Office

Approved by:


ATTY. IGNATIUS LOYOLA A. RODRIGUEZ
Undersecretary for Special Concerns and Legislative Affairs



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Visayas Avenue, Diliman, Quezon City
Tel. Nos. 929-66-26; 929-66-28; 929-66-35
VOIP Trunkline (632) 755-33-30; 755-33-00
Website: <http://www.denr.gov.ph> / Email: web@denr.gov.ph

MAY 30 2023

HON. ELPIDIO F. BARZAGA, JR.
District Representative
Cavite, 4th District
Chairperson, House Committee on Natural Resources
House of Representatives, Quezon City
Rm. RVM-402

Subject: Legal Opinion on House Bill 6577 on Expanding The Boundaries of Las Piñas-Parañaque Wetland Park and its Vicinities

Dear Hon. Barzaga, Jr.:

This refers to your request on the subject above.

Sec. 4 of HB 6577 provides:

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 provision of R.A. No. 11038.

After careful review, this Office finds that Congress may transfer the beneficial use of, and title to, but not the ownership of, reclaimed lands covered by TCT Nos. 7309 and 7312 from the Philippine Reclamation Authority to the DENR. If any private rights are existing and/or vested, such rights shall be respected, provided, that "the exercise of such property and private rights shall be harmonized, as far as practicable, with the provisions of [the NIPAS Act, as amended] Act". The following revision is recommended:

Sec. 4. Transfer of Title. - Beneficial use of, and title to 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 provision of R.A. No. 11038.

This finding and recommendation is made for the following reasons:

*First, in Republic vs. City of Parañaque,*¹ the Supreme Court held that: 1) the PRA is an instrumentality, and not a Government-Owned and -Controlled Corporation; 2) subject reclaimed lands, including those covered by TCT Nos. 7312 and 7309, remain to be lands of the public domain while held by, and titled in favor of the PRA, thus:

By virtue of its mandate, PRA reclaimed several portions of the foreshore and offshore areas of Manila Bay, including those located in Parañaque City, and was issued... TCT Nos. ... 7312, 7309... over the reclaimed lands.

...

PRA is not a GOCC either under Section 2(3) of the Introductory Provisions of the Administrative Code or under Section 16, Article XII of the 1987 Constitution. The facts, the evidence on record and

jurisprudence on the issue support the position that PRA was not organized either as a stock or a non-stock corporation. Neither was it created by Congress to operate commercially and compete in the private market. Instead, PRA is a government instrumentality vested with corporate powers and performing an essential public

service pursuant to Section 2(10) of the Introductory Provisions of the Administrative Code. Being an incorporated government instrumentality, it is exempt from payment of real property tax.

...

The Administrative Code allows real property owned by the Republic to be titled in the name of agencies or instrumentalities of the national government. Such real properties remain owned by the Republic and continue to be exempt from real estate tax.

Indeed, the Republic grants the beneficial use of its real property to an agency or instrumentality of the national government. This happens when the title of the real property is transferred to an agency or instrumentality even as the Republic remains the owner of the real property. Such arrangement does not result in the loss of the tax exemption, unless "the beneficial use thereof has been granted, for consideration or otherwise, to a taxable person."¹⁰

...

Here, the subject lands are reclaimed lands, specifically portions of the foreshore and offshore areas of Manila Bay. As

¹ G.R. No. 191109, 18 July 2012

such, these lands remain public lands and form part of the public domain. In the case of Chavez v. Public Estates Authority and AMARI Coastal Development Corporation,¹² the Court held that foreshore and submerged areas irrefutably belonged to the public domain and were inalienable unless reclaimed, classified as alienable lands open to disposition and further declared no longer needed for public service. The fact that alienable lands of the public domain were transferred to the PEA (now PRA) and issued land patents or certificates of title in PEA's name did not automatically make such lands private. This Court also held therein that reclaimed lands retained their inherent potential as areas for public use or public service.

As the central implementing agency tasked to undertake reclamation projects nationwide, with authority to sell reclaimed lands, PEA took the place of DENR as the government agency charged with leasing or selling reclaimed lands of the public domain. The reclaimed lands being leased or sold by PEA are not private lands, in the same manner that DENR, when it disposes of other alienable lands, does not dispose of private lands but alienable lands of the public domain. Only when qualified private parties acquire these lands will the lands become private lands. In the hands of the government agency tasked and authorized to dispose of alienable of disposable lands of the public domain, these lands are still public, not private lands. Furthermore, PEA's charter expressly states that PEA "shall hold lands of the public domain" as well as "any and all kinds of lands." PEA can hold both lands of the public domain and private lands. Thus, the mere fact that alienable lands of the public domain like the Freedom Islands are transferred to PEA and issued land patents or certificates of title in PEA's name does not automatically make such lands private.¹³

Likewise, it is worthy to mention Section 14, Chapter 4, Title I, Book III of the Administrative Code of 1987, thus:

SEC 14. Power to Reserve Lands of the Public and Private Dominion of the Government.-

(1)The President shall have the power to reserve for settlement or public use, and for specific public purposes, any of the lands of the public domain, the use of which is not otherwise directed by law. The reserved land shall thereafter remain subject to the specific public purpose indicated until otherwise provided by law or proclamation.

Reclaimed lands such as the subject lands in issue are reserved lands for public use. They are properties of public dominion.

The ownership of such lands remains with the State unless they are withdrawn by law or presidential proclamation from public use.

Under Section 2, Article XII of the 1987 Constitution, the foreshore and submerged areas of Manila Bay are part of the "lands of the public domain, waters x x x and other natural resources" and consequently "owned by the State." As such, foreshore and submerged areas "shall not be alienated," unless they are classified as "agricultural lands" of the public domain. The mere reclamation of these areas by PEA does not convert these inalienable natural resources of the State into alienable or disposable lands of the public domain. There must be a law or presidential proclamation officially classifying these reclaimed lands as alienable or disposable and open to disposition or concession. Moreover, these reclaimed lands cannot be classified as alienable or disposable if the law has reserved them for some public or quasi-public use.

Second, Sec. 22 of RA 7585, or the National Integrated Protected Areas (NIPAS) Act, as amended by RA 11038, provides:

SEC. 22. Existing Rights. - All property and private rights within the protected area and its buffer zones already existing and/or vested upon the effectivity of this Act shall be protected and respected in accordance with existing laws: Provided, That the exercise of such property and private rights shall be harmonized, as far as practicable, with the provisions of this Act. Notwithstanding this Act, all existing rights, contracts, or agreements entered into by government for the utilization of natural resources within protected areas shall continue to be recognized and governed by Philippine laws.

The renewal of permits, contracts, and agreements shall be subject to the provisions of this Act. If the permits, contracts, and agreements are not renewed, such areas shall be rehabilitated or restored by the permit holders within the period provided by the pertinent laws and shall revert to national parks classification. As such, all holders of permits, contracts, and agreements are required to prepare and submit a rehabilitation plan to the PAMB: *Provided*, That upon renewal, a sufficient bond shall be remitted by the proponent to the DENR to be released to the depository bank in the event of damage by or closure of the establishment after satisfactory rehabilitation according to the zones and objectives of the management plan as attested to by the PAMB.

The occupation of LGUs and communities within the protected area shall be respected. Within ninety (90) days after the creation of the PAMB, the Board shall assess the physical

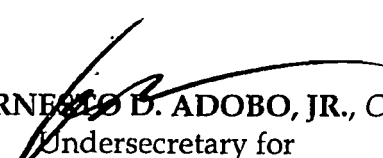
occupation of said LGUs and communities within protected areas and recommend to proper authorities measures to ensure the protection of their well-being. Municipalities and cities with existing townships and town centers within the protected area shall continue to occupy such townships and town centers: *Provided*, That in the development of their CLUPs and barangay development plans, due consideration shall be given to the intended use for conservation and biodiversity as well as the objectives for protected areas to keep human habitation and environmental conservation in harmony. (n)

This Office notes that the proposed expansion overlaps with reclamation projects, but, due to lack of sufficient information, makes no finding as to whether these involve existing and/or private rights.

The technical matters in the bills are best left to the sound discretion of the appropriate Bureaus and Offices.

For your consideration.

Very Truly Yours,


ATTY. ERNESTO D. ADOBO, JR., CESO I
Undersecretary for
Legal and Administration

Copy Furnished:

The Undersecretary
Special Concerns and Legislative Affairs

The Assistant Secretary
Policy, Planning and Foreign Assisted and Special Projects,
and the Director, Biodiversity Management Bureau, in concurrent capacity

**REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY**

**NINETEENTH CONGRESS
First Regular Session**

House Bill No. 6577



Introduced by Representative

CAMILLE A. VILLAR

**AN ACT
EXPANDING THE BOUNDARIES OF LAS PIÑAS PARAÑAQUE WETLAND PARK
AND ITS VICINITIES AS PROTECTED AREA AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

This bill is filed pursuant 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." It is also intended to further the country's commitment under the Ramsar Convention, and to promote the conservation and wise use of wetlands.

The Earth is continuously threatened with destruction. Studies show that the loss of biodiversity and climate change are the two main causes that will see the extinction of humans.

The Las Piñas-Parañaque Critical Habitat and Ecotourism Area (LPPCHEA) is a defense against these twin threats and can make Manila Bay as well as the cities of Las Piñas and Parañaque less vulnerable to the onslaught of these two emergencies.

The LPPCHEA, also known as the Las Piñas-Parañaque Wetland Park (LPPWP) is a legislated national protected area by virtue of Republic Act No. 11038 or the Expanded National Integrated Protected Areas Systems (E-NIPAS) Act of 2018, and a

declared “wetlands as it provides invaluable support to both human and wildlife populations”.

Despite being in a highly urbanized setting, the LPPWP is a thriving ecosystem. It 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 LPPWP currently has a total land area of 181.63 hectares, composed of shallow waters, tidal marshes, mudflats, and mangrove swamp forest.

The expansion and 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 is 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 neglect 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 E-NIPAS, 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:

1. 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;
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 when 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.

A counterpart measure has been filed in the Senate of the Philippines in recognition of the urgency of this bill.

In consideration of all the foregoing, the immediate passage of this bill is respectfully sought.

Camille Villar
CAMILLE A. VILLAR

**REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY**

**NINETEENTH CONGRESS
First Regular Session**

House Bill No. 6577

Introduced by Representative

CAMILLE A. VILLAR

**AN ACT
EXPANDING THE BOUNDARIES OF LAS PINAS PARANAQUE WETLAND PARK
AND ITS VICINITIES AS PROTECTED AREA 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 “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. |

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| 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. |

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| 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. |

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| 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 ° 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. |

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| 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. |

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| 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;
- d) Filling-in or drainage, except when necessary for national interest and security subject to existing environmental laws, rules, and regulations;
- e) Fishing during general peak spawning season of small pelagic species such as sardines, slipmouths, and mullets around February to April and then again on October to December;
- f) Any activity or development that disturbs or destroys the spawning area;
- g) Use of boat and gears, whether Municipal or Commercial, operating in the Bay which are not registered;
- h) Fishing with the use of "Sapra" or stationary liftnets; and
- i) Illegal Unregulated and Unreported (IUU) fishing e.g. blast fishing, "hulbot hulbot" fishing and trawl fishing.

Sec. 7. *Allowable Uses.* – The following acts are allowed within the expanded LPPWP:

- a) Subsistence fishing using hook and line, speargun and other permitted types of nets or fishing methods, provided that:
 - i. Non-motorized boat may be used;
 - 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
 - iii. The number of fishers allowed per day within the buffer zone shall be determined in a Carrying Capacity study.
- b) Gleaning of shellfish and other invertebrates on the intertidal areas provided that the number of gleaners is within carrying capacity;
- c) Eco-tourism activities such as bird watching, especially during peak migration season;
- d) Research studies for the LPPWP with appropriate permits and clearances. Provided that, results of the study/ies shall be used for the effective management of the PA;

- e) Other biodiversity friendly enterprises and practices of the local coastal communities; and
- f) 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,