

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. _____
(in substitution of House Bills Numbered 3460 and 8925)

Introduced by Representatives Rep. Mujiv S. Hataman, Rep. Amihilda J. Sangcopan, Rep. Luis Raymund "LRay" F. Villafuerte Jr., Elpidio F. Barzaga Jr. and Eric Go Yap

**“AN ACT
INSTITUTIONALIZING THE NATIONAL WETLANDS
CONSERVATION POLICY”**

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

1 **SECTION 1. *Title.*** – This Act shall be known as the “National Wetlands
2 Conservation Act”.

3 **SEC. 2. *Declaration of Policy.*** – The State shall protect and advance the
4 right of the people to a balanced and healthful ecology in accord with the rhythm
5 and harmony of nature. Towards this end, the State shall establish measures for
6 the conservation and judicious use of wetlands and wetland resources consistent
7 with the principles of sustainable development, inclusive growth, poverty
8 reduction, food security, biodiversity conservation, climate change adaptation and
9 mitigation, and disaster risk reduction and management.

10 **SEC. 3 *Definition of Terms.*** – As used in this Act:

- 11 a. *Biodiversity* refers to the variability among living organisms from all
12 sources, including terrestrial, marine, and other aquatic ecosystems in the
13 ecological complexes of which they are part of;
14 b. *Ecological character* refers to the combination of the ecosystem components,
15 processes, benefits and services that characterize the wetland at a given
16 point in time;
17 c. *Ecosystem approach or ecosystem-based approach* refers to a strategy for the

1 integrated management of land, water and living resources that promotes
2 conservation and sustainable use in an equitable way;

3 d. *Ecosystem goods and services* refer to the multitude of material and
4 nonmaterial provisions and benefits from healthy ecosystems necessary for
5 human sustenance, well-being, and survival including support processes,
6 provisioning and environment regulating services, and cultural resource
7 preservation services;

8 e. *Riparian areas or zones* refer to interfaces between aquatic and terrestrial
9 ecosystems, the adjacent areas to bodies of water, and intermittent streams
10 that are distinguished by gradients in biophysical conditions, ecological
11 processes, and biota;

12 f. *Sustainable use* refers to the use of resources in a way and a rate that does
13 not lead to its long-term decline, thereby maintaining its potential to meet
14 the needs and aspirations of present and future generations;

15 g. *Wetlands* refer to a wide variety of inland habitats such as natural pools or
16 ponds, springs, freshwater swamps or marshes, peatlands, floodplains,
17 rivers, lakes, and coastal areas such as estuaries, saltmarshes, mangroves,
18 lagoons, intertidal flats and seagrass beds. These also include coral reefs
19 and other marine areas no deeper than six (6) meters at low tide, and
20 human-made wetlands such as dams, reservoirs, rice paddies, fish ponds,
21 saltpans, and wastewater treatment ponds.

22 **SEC. 4. Coverage.** – This Act shall apply to all types of wetlands, including
23 inland, coastal and marine and human-made wetlands in the Philippines. In the
24 case of human-made wetlands, application of this Act shall be limited to those with
25 high biodiversity value, and are critical as wildlife habitat or migratory routes of
26 birds and fishes.

27 **SEC. 5. Categories of Wetlands.** – Wetlands are composed of bodies of
28 water or aquatic ecosystems, as well as their riparian areas. The three (3) broad
29 categories of wetlands are the following;

30 a. Inland wetlands are aquatic-influenced environments, sometimes referred
31 to as freshwater or inland water/waterbodies, located within land
32 boundaries; examples are inland deltas, springs, creeks, rivers, streams,

1 waterfalls, freshwater swamps and/or marshes, peatlands, natural ponds or
2 pools, wet caves and lakes;

3 b. Coastal wetlands are wetlands located within the coastal watershed, such
4 as bays, marine shores, estuaries, coastal lagoons, saltmarshes, mangroves,
5 swamps, intertidal flats, seagrass beds, coral reefs and other marine areas
6 no deeper than 6 meters at low tide; and

7 c. Human-made wetlands are any type of wetland constructed or maintained
8 by humans, examples are dams, reservoirs, rice paddies, fish and shrimp
9 ponds, farm ponds, salt pans, dams, small water impounding areas, and
10 wastewater treatment ponds and lagoons.

11 **SEC. 6. *Establishment of Wetland Conservation Areas.*** – Where
12 appropriate, wetland conservation areas shall be prioritized for establishment
13 under Republic Act No. 7586, or the “National Integrated Protected Areas System
14 Act of 1992”, as amended by Republic Act No. 11038, or the “Expanded National
15 Integrated Protected Areas System Act of 2018”; Republic Act No. 8550 or the “The
16 Philippine Fisheries Code of 1998”; Republic Act No. 9147 or the “Wildlife
17 Resources Conservation and Protection Act”, or as local conservation areas
18 through the issuance of ordinances of LGUs, or for recognition as indigenous
19 community conserved areas (ICCAs) within the ancestral domains of indigenous
20 cultural communities and indigenous peoples (ICCs/IPs).

21 **SEC. 7. *Development of a National Wetland Conservation Program***
22 ***and Action Plan.*** – Within one year from the effectivity of this Act, the
23 Department of Environment and Natural Resources (DENR) shall, in coordination
24 with other government agencies, and concerned sectors, develop a National
25 Wetland Conservation Program and Action Plan, to provide direction, support and
26 guidance to local government units (LGUs) and stakeholders in the development
27 and implementation of their local wetland conservation programs. The National
28 Wetland Conservation Program and Action Plan shall be consistent with existing
29 national policies, plans and programs on coastal wetlands and their resources. It
30 shall also define national targets for the conservation of wetlands and the
31 development of its national coordinating mechanism.

32 The National Wetland Conservation Program and Action Plan shall include

the following objectives:

- a. To conduct wetland assessment including bio-capacity and carrying capacity assessment and valuation of wetland ecosystems in order to measure the full extent of its value and guide agencies on the wise use of wetlands;
- b. To adopt an ecosystem-based approach in the rehabilitation of priority wetlands to ensure the ecological integrity and original functioning of specific ecosystem. Prioritization of wetlands for rehabilitation shall be based on a national inventory of wetlands with potential for rehabilitation such as wetlands susceptible to hazard, and wetlands critical to biodiversity. Partnerships may be established with nongovernmental organizations (NGOs), people's organizations (POs), the academe and private sector in the rehabilitation of priority wetlands.
- c. To ensure the strict implementation by concerned government of land use setback provisions including the prohibition on the construction of any structure along the easement zones of banks or rivers and streams and the shores of the seas and lakes pursuant to existing laws. The easement zone has a width of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas.
- d. To limit reclamation activities and conversion of wetlands to those that are necessary for national interest and security, and in compliance with legal requirements provided under applicable rules and regulations on environmental impact statements and National Economic and Development Authority (NEDA) approval for reclamation projects.
- e. To establish the Philippine Wetlands Conservation Awards (PWCA) which shall recognize individuals, NGOs, POs and LGUs with significant contributions to the wise use of the country's wetlands. The PWCA shall be given by the Biodiversity Management Bureau of the DENR.
- f. To promote research and development, database and knowledge management, and develop communication, capacity-building and awareness programs;
- g. To assess the vulnerability of priority wetlands to climate change and

1 disaster risk;

2 h. To develop soil and water conservation technologies for the wetlands and
3 institute measures to address the introduction of invasive alien species to
4 wetland areas;

5 i. To encourage the participation of LGUs, communities, and private entities
6 in the governance of wetlands through various schemes, such as the “Adopt-
7 a-Wetland” scheme through Public-Private Partnership; and

8 j. To support international recognition of suitable wetlands, such as
9 declaration of Wetlands of International Importance (Ramsar Sites),
10 Flyway Sites, ASEAN Heritage Park, World Heritage Site, and the like,
11 through the Ramsar Convention on Wetlands, Convention on Migratory
12 Species, East Asian Australasian Flyway Partnership, ASEAN and other
13 such multi-lateral environmental agreements and bodies.

14 **SEC. 8. *Integration and Mainstreaming of Conservation and Wise***
15 ***Use of Wetlands.*** – All government agencies and offices and local government
16 units shall integrate and mainstream conservation and wise use of wetlands into
17 their policies, rules and regulations, programs, projects and development planning
18 processes. They shall also directly consult with the DENR and affected LGUs in
19 the development and implementation of their plans, programs and projects having
20 an impact on wetlands.

21 The municipal, city, or provincial government having territorial jurisdiction
22 over the wetlands shall integrate in their local development plans, the
23 conservation measures referred to in this Act.

24 **SEC. 9. *Lead Implementing and Monitoring Agency.*** – The Department
25 of Environment and Natural Resources (DENR), through the Biodiversity
26 Management Bureau, shall be the lead agency in the overall implementation and
27 monitoring of this Act.

28 The Department of the Interior and Local Government (DILG) shall
29 monitor compliance by local government units and shall formulate and implement
30 incentive schemes to promote wetland conservation and wise use practices
31 through effective local governance.

32 **SEC. 10. *Appropriations.*** – The Secretary of the DENR shall immediately

1 include in the Department's program the implementation of this Act, the funding
2 of which shall be included in the annual General Appropriations Act.

3 **SEC. 11. *Implementing Rules and Regulations.*** – Within ninety (90)
4 days from the effectivity of this Act, the Secretary of the DENR shall, in
5 consultation with concerned national government agencies, issue the
6 corresponding rules and regulations for the effective implementation of this Act.

7 **SEC. 12. *Separability Clause.*** – If any section or provision of this Act is
8 held unconstitutional or invalid, the remaining sections or provisions with the
9 provisions not affected thereby shall continue to be in full force and effect.

10 **SEC. 13. *Repealing Clause.*** – All laws, decrees, executive orders, rules
11 and regulations, issuance or parts thereof inconsistent with the provisions of this
12 Act are hereby repealed or modified accordingly.

13 **SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
14 publication in the *Official Gazette* or in a newspaper of general circulation

15 *Approved,*