

**DENR Administrative Order
No. 99-31
July 30, 1999**

SUBJECT : Ecological Destination Development Guidelines for Turtle Islands, Tawi-Tawi .

Pursuant to Executive Order No. 192 giving mandate to the Department of Environment and Natural Resources to protect and manage the country's biological resources; Republic Act 6734, creating the Autonomous Region of Muslim Mindanao (ARMM); Executive Order No. 542 as the government's response to conserve our endangered marine turtle resources; Memorandum Circular No. 83, a Philippine government initiative creating the Brunei-Indonesia-Malaysia-Philippines East Asian Growth Area (BIMP-EAGA) to encourage economic and social development in the sub-region; Joint DENR-DOT Memorandum Circular No. 98-02, providing guidelines for ecotourism development in the Philippines to promote sustainable development through tourism; and the recent Bilateral Agreement between the Governments of the Philippines and Malaysia establishing the Turtle Islands Heritage Protected Area (TIHPA) towards the conservation of the only major remaining green turtle nesting rookery in the ASEAN Region, the following guidelines are hereby promulgated.

**ARTICLE I
BASIC POLICY, OBJECTIVES AND DEFINITION OF
TERMS**

Section 1. Basic Policy

It is the policy of the state to attain and maintain a national and orderly balance between environmental protection and socio-economic growth through the sustainable use, development, management, renewal, and conservation of the country's natural

resources, including the protection and enhancement of the quality of the environment for the present and future generations.

Sec. 2 Objectives

This Administrative Order shall have the following objectives:

- a. Ensure that environmental considerations are incorporated at the earliest possible stage of any development within the Turtle Islands; and
- b. Protect the species biodiversity and environment of the Turtle Islands while assuring the socio-economic benefit for the community through appreciation of the ecological destination.

Sec. 3 Definition of Terms

For purposes of this Order, the following terms shall mean as defined hereunder:

- a. ***Carrying Capacity*** is the extent of development and maximum number of individuals that can be accommodated in an area without adversely affecting the state of the environment, the level of satisfaction of the visitor, and the social culture of the host community.
- b. ***Ecological destination*** refers to an environmentally sound activity in a given ecosystem enhancing the natural and cultural diversity conservation and addressing the socio-economic needs of the communities.
- c. ***Environmental Impact Assessment (EIA)*** is the process of predicting the likely environmental consequences of implementing projects or undertakings and designing appropriate preventive, mitigating and enhancement measures.
- d. ***Indigenous Cultural Community/Indigenous Peoples (ICCs/IPs)*** refers to a group of people or homogenous societies identified by self-ascription and ascription by others, who have

continuously lived as organized community on communally bounded and defined territory, and who have under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of the Filipinos (RA 8371 or the Indigenous Peoples' Rights Act of 1997).

- e. ***Local inhabitants*** refer to bonafide residents of the municipality for at least one year and a qualified voter of the same municipality.
- f. ***Manual on the Ecological Destination Development in the Turtle Islands***, refers to the herewith attached Manual which shall serve as reference for tourism developers and other stakeholders in the implementation of ecological destination related activities as specified in this guideline. It aims to clarify in detail the steps and procedures required to implement the various provisions of this Order.
- g. ***Sustainable Development*** is a process of development in which the use of resources, direction of investments, orientation of technological development, and institutional change are all in harmony and enhance both current and future potential to meet human needs and aspiration (Philippine National Biodiversity Study, 1997).

ARTICLE II

SCOPE AND COVERAGE OF THE ECOLOGICAL DESTINATION GUIDELINES

Sec. 4 Scope and Coverage

This Administrative Order covers the ecological destination activities that have direct impacts of the environment and on the different life stages of marine turtles and shall not adversely affect

existing traditional activities and livelihood of the communities therein.

The guidelines prescribed herein shall be applicable only in the Turtle Islands, Tawi-Tawi, composing of the islands of Taganak, Great Bakkungan, Boan, Langaan, and Lihiman. Baguan island is both a sanctuary and a strict zone; therefore, excluded in the coverage of the guidelines.

Sec. 5 Ecological Destination Zones

For purposes of ecological destination development in the Turtle Islands, the islands are categorized into zones according to their significance to marine turtles and other marine resources. The zones are as follows:

- a. Strict Protection Zone* - The Baguan Island Marine Turtle Sanctuary and 5 kilometers radius from the lowest low tide shall be designated as a Strict Protection Zone. As such, the island and surrounding waters shall remain a restricted area not subject to any commercial development and will only be limited to scientific research and strict bio-diversity and habitat conservation.
- b. Habitat Management Zone* - The islands of Langaan, Lihiman, portions of Taganak (Pallang Beach and nesting area on the north western side extending to the mangrove vegetation in Bakkao) and mangroves of Boan shall be designated as Habitat Protection Zone. These areas are designated as such since they support important marine habitats (coral reefs, mangrove vegetation and nesting grounds for marine turtles). Infrastructure development in these areas shall be restricted.
- c. Recreation Zone* - Great Bakkungan and portions of Taganak and Boan not managed as Habitat Management Zone shall be designated as Recreation Zone. This shall be the least restricted area and shall allow for a range of activities with low impacts on the environment and on marine turtles.

The allowable ecotourism activities and infrastructure development shall be as listed in Annex 1.

ARTICLE III GENERAL GUIDELINES

Sec. 6 Project Evaluation and Assessment

- a. Interested ecological destination operators/investors/developers are required to under a full-blown Environmental Impact Assessment (EIA) as prescribed in DENR Administrative Order 96-37. Further, no activity shall be allowed without an Environmental Compliance Certificate (ECC).
- b. Notwithstanding DAO 96-37, all Environmental Impact Assessments for projects or activities in the Turtle Islands shall be evaluated by the Environmental Management Bureau (EMB) and the ECC shall be issued only by the DENR Secretary.
- c. The National Ecotourism Committee (NEC) shall review and evaluate all proposed ecotourism development projects in the Turtle Islands upon submission of all necessary requirements, in accordance with the provisions of the Joint DENR-DOT Memorandum Circular No. 98-02.
- d. An endorsement from the NEC shall be a requirement in the processing of the ECC application of any developer.

Sec. 7 Carrying Capacity

Ecological destination development activities and projects must work within the prescribed carrying capacity of the islands and its marine ecosystem as indicated in the Turtle Islands Management Plan based on the following parameters, among others:

- a. Availability of water
- b. Spatial considerations

- c. Social considerations
- d. Biological capacity
- e. Ecological thresholds
- f. Economic/environmental sustainability

Sec. 8 Socio-cultural Consideration

All development activities and projects shall conform to the socio-cultural considerations prescribed in Part II the Manual attached hereto which form part of this Order, such as but not limited to employment, relocation, traditional values and beliefs, and indigenous peoples/local inhabitants.

Sec. 9 Ecological Destination Operation and Visitor Management

Ecological destination operation and visitor conduct shall be in accordance with the guidelines as prescribed in Part III of the Manual. This may include but not limited to turtle watching and SCUBA/snorkelling etiquette, code of ethics of visitors, tourist awareness programs, and tourist protection and safety.

**ARTICLE IV
ECOLOGICAL DESTINATION DEVELOPMENT
GUIDELINES**

Sec. 10 Strict Protection Zone

Ecological destination activities shall not be allowed except for scientific research and monitoring.

Sec. 11 Habitat Management Zone

- 1) All restrictions in Section 12 shall apply.
- 2) Ecological destination activities and infrastructure projects in the Habitat Protection Zone shall be limited only for day use.

- 3) Allowable ecological destination activities are listed in Annex 1. Some activities are restricted due to the sensitivity/importance of the area for some natural resources.

Sec. 12 Recreation Zone

To ensure that the ecological destination activities complement conservation, the following restrictions are prescribed. Details are provided in the Manual. It is also provided that the Ecological Destination Masterplan for Turtle Islands, Tawi-Tawi shall incorporate provisions of this Order.

12.1 Wildlife and habitat management

All ecological destination development and tourist activities shall be implemented in accordance to the provisions set forth Part IV of the Manual.

12.2 Physical development and Land Use

The behavioral patterns, i.e., feeding, nesting, internesting, of marine turtles shall be respected by all tourism developers. Tourist facilities shall conform to the natural behavior of marine turtles and other faunal species in the area. Specific guidelines are provided in Part V of the Manual.

12.2.1 Beachfront easement

A mandatory beachfront easement along coastal areas shall be not less than 50 meters from the highest high tide mark and an additional 10 meters inland as buffer zone where no permanent structures shall be built.

12.2.2 Development density

The maximum allowable density in the Multiple Use Zone shall be 4 guests/hectare. However, only 50% of the total land area of the islands designated as Recreation Zone shall be developed for ecotourism.

12.2.3 Architectural Restrictions

Because of the extreme sensitivity of the turtles to artificial lights, only single level clustered or single-detached villas shall be allowed. Areas subject to landscaping shall only be allowed in the following:

- a. open areas of lots already developed
- b. flower beds of all types
- c. pathways and divider strips
- d. common public areas

12.3 Water resource and waste management and pollution control

The developers shall adopt a water resource and waste management and pollution control plan provided in Part VI of the Manual.

ARTICLE V PROHIBITED ACTS AND PENALTIES

Sec. 13 Prohibited Acts

In addition to the restriction in the preceding sections and Manual, the following are prohibited acts in the Turtle Islands:

- a. Gathering, storing, processing, selling and buying of turtles or any wild plant and animal or their components except only for scientific research in accordance with E.O. 247 (Bioprospecting Law);

- b. Hunting, destroying, disturbing or mere possession of any wild plant and animal or products derived therefrom without a permit from the DENR.
- c. Dumping/disposing of any waste products detrimental to the environment, plants and animals or inhabitants therein;
- d. Mutilating or defacing objects of natural beauty or other objects belonging to the cultural communities;
- e. Mineral exploration and/or extraction;
- f. Constructing or maintaining any kind of structure, fence or enclosures and conducting business enterprise without a permit.
- g. Construction and/or operation of casinos, high rise hotels, tenement/apartment type facilities, golf courses, swimming pools;
- h. Extraction of sand, gravel, pebbles or any stone or mineral products for construction purposes;
- i. Use of the following vehicles such as jet skis, buggies, motorcycles, watercycles, all-terrain vehicles; and
- j. Introduction of exotic species.

Sec. 14 Penalty

Violators of these acts shall be penalized in accordance with applicable laws, rules and regulations. Any form of violation shall be the basis for the cancellation of the permits to develop and operate.

ARTICLE VI GENERAL PROVISIONS

Sec. 15 Monitoring

A multisectoral body shall monitor all activities of developers and resort owners. The body shall be composed of the following agencies: Protected Areas and Wildlife Bureau (PAWB), DENR Region 9, DENR-ARMM, Local Government

and one Non-government Organization. The multisectoral body shall be chaired by PAWB.

Sec. 16 Repealing clause

All previous orders/memo/circulars and other issuance inconsistent herewith are hereby repealed, amended or modified accordingly.

Sec. 17 Effectivity

This Order shall take effect 15 days after its publication in newspapers of general circulation.

(Sgd.) ANTONIO H. CERILLES
Secretary

Note: Annex 1 omitted

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