

WHEREAS, it is the policy of the state to ensure the sustainable use, development, management, protection, and conservation of the country's environment and natural resources and cultural heritage for the enjoyment of the present and future generations;

WHEREAS,the state is mandated to promote a tourism industry that is ecologically sustainable, responsible, participative culturally sensitive, economically viable and equitable for a local community;

WHEREAS, considering a huge potential for revenue generation, there is a need to identify and develop potential areas in the locality for tourism purposes and to appoint officers for the same purpose;

WHEREAS,there are mangrove areas in the City of General Santos which can be developed into an eco-tourist destination;

WHEREAS, it can also generate investments that would provide employment opportunities for local residents, given that the influx of tourist would make the ecotourism zone a significant source of business opportunities while protecting its natural habitat;

NOW, THEREFORE, on motion of City Councilor Brix T. Tan _____, duly seconded by _____, be it-

RESOLVED, as it hereby resolved to enact this Ordinance.

AN ORDINANCE ESTABLISHING THE DATU SHARIF ZAINAL ABEDIN MANGROVE ECO-TOURISM ZONE, SITUATED IN THE BARANGAYS OF BULA, BALUAN, BUAYAN ALL OF THIS CITY, PRESCRIBING GUIDELINES FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES

HON. BRIX T. TAN, HON. RAMON R. MELLIZA – AUTHORS/SPONSORS

Be it enacted by the Sangguniang Panlungsod of General Santos City that;

SECTION 1. Short Title. – This ordinance shall be known and cited as “**Datu Sharif Zainal Abedin Mangrove Eco-tourism Zone of General Santos City.**”

SECTION 2. Declaration of Policy. –. The City Government of General Santos City hereby declare the mangrove area situated in Barangay Bula, Barangay Baluan and Barangay Buayan all of this city as Datu Sharif Zainal Abedin Mangrove Eco-tourism Zone. It shall be accorded priority development by the Department of Tourism (DOT) and shall be subject to the rules and regulations governing the development of ecotourism zones.

SECTION 3. Objectives. – The Datu Sharif Zainal Abedin Mangrove Ecotourism Zone is purposely established to:

- a) Develop and promote responsible, community- based ecological tourism as the core management strategy in the development of mangrove area;
- b) Ensure the conservation of the biodiversity and the preservation of the said area;
- c) Develop tourism products and programs that will generate employment and livelihood for the local residents, consistent with the preservation and maintenance of the mangrove;
- d) Guarantee that the financial and economic benefits of the tourism industry are equitably shared by, and distributed among the local residents by giving preference and support to community and home-based tourism enterprises, such as micro and small businesses lodges and homestays, restaurants, food and fruit stands, and similar tourism oriented industries and businesses;
- e) Ensure that the quality of local tourism programs and activities are educational and enriching for tourists and visitors through the provision of orientation, educational and tour programs by local tour operators, Barangay Bula, Barangay Baluan, and Barangay Buayan and the DOT; and
- f) Guarantee that in the development and promotion of the local tourism industry, the LGU of General Santos shall ensure that the needs of local residents in the area of water supply, food energy and local construction materials are first secured and met.

SECTION 4. Definition of Terms.- As used in this Ordinance, the following words and phrases are hereby defined:

- a) **Biodiversity conservation-** refers to the practice of preserving the variety of species, habits and ecosystems, and genetic diversity of the place, including terrestrial, marine and other aquatic ecosystems, and the ecological complexes which they are a part of;
- b) **Community-based tourism-** refers to a form of tourism where the local community and its residents have substantial control over and involvement in the development and management of the local tourism industry and a greater portion of the economic gains remain within the community;
- c) **Ecotourism-** refers to a form of sustainable tourism within a natural area where community participation, protection and management of natural resources, cultural and indigenous knowledge and practices environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and satisfaction of visitors;
- d) **Homestays-** refers to a system of tourist accommodation where a tourist stays with local residents and experiences the day-to-day life of the residents of Barangay Bula, Barangay Buayan, and Barangay Baluan;
- e) **Responsible ecotourism-** refers to a form of sustainable tourism in which both the tourism sector and the tourist take responsibility in the protection, respect, and conservation of the natural environment and the local culture and ways of life, and where community participation as well as economic benefits are fostered and pursued for the well-being of the local people in Barangay Bula, Barangay Baluan, Barangay Buayan and visitors;
- f) **Sustainable tourism development-** refers to the management of all resources in a way that simultaneously meets the needs of tourist and host city; protects the oppurtunities for the future; fulfills the economic, social and aesthetic needs; and preserves natural integrity, essential ecological

processes, biological diversity and a system that supports and perpetuates life;

- g) Mangrove-** a community of salt tolerant intertidal plants including all species of trees, shrubs, vines and herbs found on coast, swamps or border of swamps.

SECTION 5.Scope and Coverage. – This ordinance shall cover the mangrove area situated in the Barangay of Bula, Baluan and Buayan this city. The technical boundaries shall be undertaken by the Department of Environment and Natural Resources (DENR) and other agencies for the proper implementation of this ordinance.

SECTION 6. City Tourism Development Plan for the Mangrove Ecotourism Zone. – The Department of Tourism (DOT), in coordination with the Department of Environment and Natural Resources (DENR), shall assist the City of General Santos City in the formulation of the City Tourism Development Plan for Mangrove Eco Tourism Zone that shall be complemented by a set of guidelines for an ecotourism zone. The tourism development plan shall ensure the preservation of the ecotourism zone, the identified tourist attraction, shall include the following components:

- a)** Carrying capacity of the eco-park;
- b)** Specific site assessment;
- c)** Identification of strategic priorities;
- d)** Product development for local income generation;
- e)** Capacity-building for the local community so residents therein can be able to manage economically viable and responsible, community-based ecotourism business enterprises;
- f)** Support for the formulation of local production groups and networks, including the marketing and pricing of products; and
- g)** Marketing strategies that reflect the natural, social and environmental integrity of Mangrove Eco Tourism Zone and its local residents.

The process of developing the Tourism Master Plan for Mangrove Ecotourism Zone shall be participatory, from the bottom up, with the framework provided by the DOT, DENR, in consultation with the LGU of General Santos and Barangay's Bula, Baluan and Buayan.

Section 7. Formulation of Guidelines and Standards.- the concerned Protected Area Management Board (PAMB) of the Department of Environment and Natural Resources (DENR) and the local tourism council, in coordination with the LGU of General Santos and Barangays Bula, Baluan and Buayan, shall assist in the formulation of local tourism standards in the context of the environmental protection are integrated in the development of eco-tourism plans.

The standards shall:

- a)** Raise the capacity of all stakeholders and ensure that best practices are followed;
- b)** Ensure optional use of water and energy;
- c)** Reduce waste and pollution through the encouragement and recycling and environmentally-sound waste management disposal schemes, with a principle of taking as much waste away from the eco-tourism zone as possible;
- d)** Prevent vandalism in the facilities of the eco-tourism zone; and

- e) Encourage the use of local products and services and support the employment of local people.

Section 8. Creation of Technical working Group (TWG). - The Technical Working Group for this Ordinance shall be composed of the following concerned government agencies and stakeholders;

Chairman: City Mayor

Co-Chairman: Department Head of CENRO or his Designated Representative

Members:

- a) Regional Director of Bureau of Fisheries and Aquatic Resources Region 12
- b) Head of Department of Environment and Natural Resources (DENR)
- c) Head of Protected Area Management Bureau (PAMB)
- d) Head of Philippine Fisheries Development Authority (PFDA)
- e) Department Head of City Agriculturist Office
- f) Department Head of City Engineering Office
- g) Department Head of City Assessors Office
- h) Department Head of Office of the Building Official (OBO)
- i) Department Head of City Planning and Development Office (CPDO)
- j) Department Head of CEMCDO
- k) Barangay Captain of Bula or His Designated Representative
- l) Barangay Captain of Baluan or His Designated Representative
- m) Barangay Captain of Buayan or Her Designated Representative
- n) Sangguniang Panlungsod Chairperson, Committee on Fisheries, Marine Life and Aquatic Resources
- o) Sangguniang Panlungsod Chairperson, Committee on Tourism, Culture and Arts
- p) Sangguniang Panlungsod Chairperson, Committee on Climate Change, Adaptation and Environment
- q) Head of Department of Tourism, Region 12
- r) Head of Maritime Industry Authority (MARINA)
- s) President of Fisherfolk Association establish in respective Barangay.
- t) Mindanao State University, Dean College of Fisheries

Section 9. Function of the Technical Working Group (TWG)-

- a) Prepare a workplan for the preparation of the Ecotourism Management Plan
- b) Formulate the Ecotourism Management Plan
- c) Consult with local communities and stakeholders of ecotourism sites.
- d) Formulates policies, programs and projects towards the fulfillment of the provisions of this Ordinance.
- e) Approves and oversees the implementation of the Ordinance.
- f) Monitor and evaluate the effectiveness of the Ordinance.
- g) Attend regularly in all meetings of the committee and participate actively in all deliberations about this Ordinance.

Section 10. Maintenance of Cleanliness. – The Barangays of Bula, Baluan, and Buayan shall provide manpower responsible for maintaining the cleanliness of their respective mangrove areas.

Section 11. Fees and Charges.– The following fees shall be paid by the tourist of Datu Sharif Zainal Abedin Mangrove Eco-Tourism Zone.

a) Entrance Fee	-	P10.00
b) Environmental Fee	-	P15.00
c) Snorkling	-	P30.00
d) Scuba diving	-	P50.00

The fees and charges may be earmarked as wages for the maintenance service workers mentioned in this Ordinance.

Section 12. Scientific Research in Mangrove Areas. – Scientific research to be conducted in Mangrove areas should get an approval from the City Environment and Natural Resources Office (CENRO) and from the Department of Environment and Natural Resources (DENR). Researchers shall also coordinate with the specific Barangay where the study is to be specifically conducted. They are also required to pay the entrance and environmental fees mentioned in this Ordinance.

Section 13. Communication System. – All Barangays affected by this ordinance shall come up with an Inter-barangay communication system to ensure safety of entry and exit of users. Barangays shall invest on establishing a repeater-based common radio communication (exclusive frequency) in close coordination with the CDRRMC.

Section 14. Mangrove Areas Management.- the following are the governing rules in the campsite.

- a.) Barangay must install signage to include trail directions, maps and information of the destinations and its corresponding ecotourism products.
- b.) Barangays and owners or lessees of destination must strictly comply with requirements on sanitation, waste and pollution, and safety of its related ecotourism products.
- c.) Videoke and its related activities that generate disturbance to wildlife are prohibited inside the mangrove areas.
- d.) User, Barangay and owners/ lessee of destinations are obliged to plant mangrove species as part of their social environmental responsibility.

Section 15. Signages.– Signages should be stable and immovable and should be strategically located along the trail. Materials to be used for signage are Plain G.I sheet frame with the size 3x4 feet. It should reflect basic information like trail directions, maps and information of the destinations and its eco-tourism products.

Section 16. Prohibitions. – All mangroves areas located in the Barangays of Bula, Buayan and Baluan shall be protected from:

- a.) Dumping of any waste or products detrimental to the protected area, or to the plants and animals or inhabitants therein;
- b.) Collection, gathering or mere possession of natural resources from the entire mangrove areas;
- c.) Cutting of mangroves, grazing animals and gathering of shells are prohibited;
- d.) Converting mangrove areas into fishpond;
- e.) All fishing methods including but not limited to dynamite fishing, muroami type of fishing. Spear fishing using SCUBA, Cyanide or other strong poisons; and using of very small mesh gill net;
- f.) Destruction and disturbance of natural resources such as but not limited to live and dead corals, shells, aquarium/ornamental fishes and other organisms;

g.) Anchoring of boats.

Section 17. Penalty Clause. –In violations of this ordinance the offender/s shall be penalized as follows:

- a.) Pay with a minimum fine of two-thousand five hundred pesos (P2,500.00) or assessed value of damaged incurred the mangrove areas;
- b.) Confiscation of illegal fishing gears and vessels;
- c.) Required to replant mangroves depending on the extent of damaged they caused.

Where the violator of this Ordinance does not contest his/her apprehension and elect to pay the fine imposed under the preceding paragraph, the enforcement officer shall forthwith issue citation ticket to the person apprehended without resort to the Court. The citation ticket shall state or contain (a.) the name, signature, age and address of the person apprehended; (b.) the material facts obtaining in the commission or omission of the crime defined and penalized under this Ordinance; (c.) the amount of fine which is payable in favour of the City Government of General Santos; and (d.) notice requiring the person apprehended for extra-judicial settlement of his/her violation by paying the prescribed amount of fine at Office of the City Treasurer within seventy-two (72) hours from issuance thereof, otherwise, appropriate complaint shall be filed against him/her before the Court of law.

Section 18. Income Allocation. –All income generated from this project will be disbursed by the City Treasurer’s Office semi-annually through the following sharing scheme: 80% goes to Barangay’s Bula, Buayan, and Baluan and divided equally, and the remaining 20% will go to the City of General Santos through the City Trust Fund. The shared must be utilized for fishery related programs, projects and activities.

Section 19. Implementing Rules and Regulations. – The DOT, the DENR, in consultation with the City Government of General Santos, concerned government agencies, and stakeholders, within thirty (30) days from the provision of this ordinance.

Section 20. Funding. – The City government shall allocate funds for the implementation of this ordinance.

Section 21. Separability Clause. – If, for any reason, any provision of this Ordinance is declared unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 22. Repealing Clause. – All laws, decrees, executive orders, proclamation and administrative regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

Section 23. Effectively Clause. – This ordinance shall take effect 15 days after its publication in a newspaper or general circulation in General Santos City.

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