



MEMORANDUM

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

The Bureau Directors
Forest Management Bureau
Biodiversity Management Bureau
Land Management Bureau
Environmental Management Bureau

The Officer-in-Charge
Mines and Geosciences Bureau

The Administrator
National Mapping and Resource Information Authority

The Regional Executive Directors
Regions IV-A, X, and XII

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

SUBJECT : **INVITATION TO COMMITTEE MEETING AND REQUEST FOR POSITION PAPER ON NATIONAL AND LOCAL BILLS FROM THE COMMITTEE ON NATURAL RESOURCES OF THE HOUSE OF REPRESENTATIVES**

DATE : 25 July 2023

In reference to the electronic letter received by our Office, the Committee on Natural Resources of the House of Representatives will hold a **face-to-face Committee Meeting on 09 August 2023 (Wednesday), 1:00 PM at Speaker Villar Hall, South Wing Annex, House of Representatives** to discuss the following legislative measures:

NATIONAL BILLS

- **House Bill No. 2623** - "An Act Banning The Production, Transportation, And Sale Of Raw Wood Charcoal Products And Prescribing Penalties Therefor", authored by Rep. Virgilio S. Lacson;
- **House Bill No. 5253** - "An Act Regulating The Aquarium Aquatic Life Trade And Industry", authored by Rep. Patrick Michael D. Vargas;
- **House Bill No. 5321** - "An Act Providing For The Modernization Of The National Mapping And Resource Information Authority (NAMRIA)", authored by Rep. Rufus B. Rodriguez;
- **House Bill No. 5331** - "An Act Mandating That All Illegal Wood Products Confiscated By The Department Of Environment And Natural Resources Be Donated To The Department Of Education To Be Used For The Construction Of

Classroom, Tables, Chairs And Other School Facilities”, by Rep. Rufus B. Rodriguez;

- **House Bill No. 5687** - “An Act Declaring A Portion Of The Philippine Rise Situated Within The Exclusive Economic Zone Of The Philippine Sea As A Protected Area With The Category Of Marine Resource Reserve Under The National Integrated Protected Areas System (NIPAS), To Be Referred To As The Philippine Rise Marine Resource Reserve, Providing For Its Management, And Appropriating Funds Therefor”, authored by Rep. Rufus B. Rodriguez;

LOCAL BILLS

- **House Bill No. 1452** - “An Act Declaring Certain Portions Of Cagayan De Oro City To Be Known As The Cagayan De Oro-Iponan Watershed As A Protected Area Under The Category Of Protected Landscape And Its Peripheral Areas As Buffer Zone, Providing For Its Management And For Other Purposes”, authored by Rep. Rufus B. Rodriguez;
- **House Bill No. 5055** - “An Act Declaring The Kaliwa River Forest And Wildlife Sanctuary In The Municipalities Of Tanay, Rizal And General Nakar, Quezon, For Its Sustained Management And Protection, As A Protected Area Under The National Integrated Protected Areas System (NIPAS) Of The Republic Of The Philippines Pursuant To National Integrated Protected Areas System (NIPAS) Act Of 1992, As Amended By Expanded National Integrated Protected Areas System (ENIPAS) Act Of 2018”, authored by Rep. Emigdio P. Tanjuatco III;
- **House Bill No. 5291** - “An Act Establishing Allah Valley Watershed Forest Reserve, Situated In The Municipalities Of Lake Sebu, Tboli, And Surallah, Province Of South Cotabato, And Municipality Of Bagumbayan, Province Of Sultan Kudarat, As A Protected Area Under The Category Of Protected Landscape Pursuant To Republic Act No. 7586 As Amended By Republic Act No. 11038 Or Known As The Expanded National Integrated Protected Areas System Act Of 2018, Providing For Its Management, Funds And For Other Purposes”, authored by Rep. Peter B. Miguel; and
- **House Bill No. 7183** - “An Act Reclassifying A Parcel Land Of Public Domain Located In Macanhan, Brgy. Carmen, Cagayan De Oro City, Province Of Misamis Oriental From Timberland To Alienable And Disposable Land”, authored by Rep. Lordan G. Suan

In this regard, may we respectfully request a **position paper on the abovementioned bills, in anticipation of the Committee meeting**, as requested by the Committee. Kindly send them on or before **31 July 2023, at 5 PM** via email at denrlo@denr.gov.ph. Further, kindly inform us of the name/s of the representative/s from your office who will participate in the meeting so we may include him/her/them as resource person/s.

Attached herewith are the Letter Invitation, and the House bills for your reference.


IGNATIUS LOYOLA A. RODRIGUEZ



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Committee on Natural Resources

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☎ +63 (2) 8931-5001 local 7161; Telefax: +63(2) 8951-3003
committee.naturalresources@house.gov.ph, naturalresources.hrep@gmail.com

20 July 2023

ATTY. JONAS R. LEONES, CESO I

Undersecretary for Policy, Planning, and International Affairs
Department of Environment and Natural Resources
DENR Bldg. Visayas Avenue, Diliman,
Quezon City

Dear Undersecretary Leones:

The Committee on Natural Resources of the House of Representatives will be holding a face-to-face Committee Meeting on **9 August 2023 (Wednesday), 1:00 in the afternoon at Speaker Villar Hall, South Wing Annex, House of Representatives.**

In light of this, we would like to invite you or your authorized representative to attend the said meeting and shed light on the following:

National Bills

1. House Bill No. 2623, entitled "An Act Banning The Production, Transportation, And Sale Of Raw Wood Charcoal Products And Prescribing Penalties Therefor", authored by Rep. Virgilio S. Lacson;
2. House Bill No. 5253, entitled "An Act Regulating The Aquarium Aquatic Life Trade And Industry", authored by Rep. Patrick Michael D. Vargas;
3. House Bill No. 5321, entitled "An Act Providing For The Modernization Of The National Mapping And Resource Information Authority (NAMRIA)", authored by Rep. Rufus B. Rodriguez;
4. House Bill No. 5331, entitled "An Act Mandating That All Illegal Wood Products Confiscated By The Department Of Environment And Natural Resources Be Donated To The Department Of Education To Be Used For The Construction Of Classroom, Tables, Chairs And Other School Facilities", by Rep. Rufus B. Rodriguez;
5. House Bill No. 5687, entitled "An Act Declaring A Portion Of The Philippine Rise Situated Within The Exclusive Economic Zone Of The Philippine Sea As A Protected Area With The Category Of Marine Resource Reserve Under The National Integrated Protected Areas System (NIPAS), To Be Referred To As The Philippine Rise Marine Resource Reserve, Providing For Its Management, And Appropriating Funds Therefor", authored by Rep. Rufus B. Rodriguez;

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1. House Bill No. 1452, entitled "An Act Declaring Certain Portions Of Cagayan De Oro City To Be Known As The Cagayan De Oro-Iponan Watershed As A Protected Area Under The Category Of Protected Landscape And Its Peripheral Areas As Buffer Zone, Providing For Its Management And For Other Purposes", authored by Rep. Rufus B. Rodriguez;
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We would like to request the submission of your **position paper** on the aforementioned measures, or a draft thereof, on or before **4 August 2023**, in order to give the Committee Members enough time to read through the materials. Attached herewith is a copy of the House Bills, for your kind reference.

For confirmation of attendance or further inquiries, the Committee may be reached at committee.naturalresources@house.gov.ph. We are looking forward to having a fruitful discussion with you on the said measures. Thank you very much!

Very truly yours,



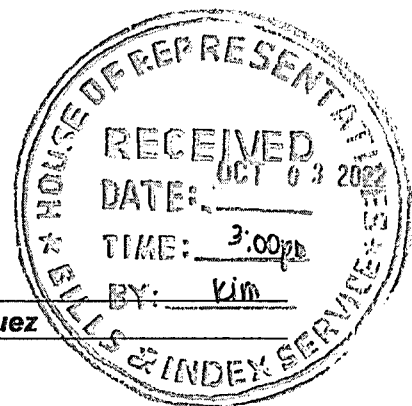
HON. ELPIDIO F. BARZAGA JR.

Chairperson

Committee on Natural Resources

NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES



Introduced by Representative Rufus B. Rodriguez

House Bill No. 5331

EXPLANATORY NOTE

The ideal international classroom-to-student ratio is 1:35. To achieve this, the Department of Education (DepEd) stated that more than 50,000 additional classrooms are still needed. And to construct these additional classrooms, a bigger budget is required. The proposed 2010 budget that DepEd asked for is P370 billion, but instead, their 2010 budget is only P172.84 billion. This is not enough to solve all the problems of education sector, let alone the construction of additional classrooms.

For 2019, the DepEd was allocated P527.714 billion or 72.1% of its P732.28 billion proposed budget. The 2019 allocation is 8.92% lower than its 2018 budget of P579.419 billion

In order to remedy the situation, the DepEd has to look for other ways to solve their problem on classroom shortage.

With this in mind, there has been a proposal from the Department of Environment and Natural Resources (DENR) to donate to the DepEd confiscated wood products for the construction of classrooms instead of auctioning it off where in some instances, the wood products are bought by the illegal loggers themselves.

The DENR said that they have on hand some 1.37 million board feet of confiscated wood products. These wood products would go a long way in helping solve the problem of classroom shortage in the country.

In view of the foregoing, immediate passage of this bill is earnestly requested.


RUFUS B. RODRIGUEZ

NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 5331

AN ACT

MANDATING THAT ALL ILLEGAL WOOD PRODUCTS CONFISCATED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BE DONATED TO THE DEPARTMENT OF EDUCATION TO BE USED FOR THE CONSTRUCTION OF CLASSROOM, TABLES, CHAIRS AND OTHER SCHOOL FACILITIES.

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

SECTION 1. Declaration of Policy. – It is the policy of the State to ensure that all its citizens received quality education in an atmosphere which is conducive to learning.

SEC. 2. The Department of Environment and Natural Resources (DENR) is hereby mandated to donate all illegal wood products confiscated to the Department of Education.

SEC. 3. The Department of Education (DepEd) is, in turn, mandated to use all the wood products donated by the DENR for the construction of classrooms, tables, chairs and other school facilities.

SEC. 4. The DENR and the DepEd shall promulgate the rules and regulations necessary for the implementation of this Act.

SEC. 5. Separability Clause – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected by such declaration shall remain in full force and effect.

SEC. 6. Repealing Clause – All laws, decrees, ordinances, rules and regulations, executive or administrative orders or parts thereof inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 7. Effectivity – This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 5253



INTRODUCED BY REP. PM VARGAS

AN ACT
REGULATING THE AQUARIUM AQUATIC LIFE TRADE AND INDUSTRY

EXPLANATORY NOTE

The Constitution, Article II, Section 16 provides 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.”

The aquarium trade is one of the prevalent industries in the country that is often overlooked. The Philippines is one of the largest exporters of wild reef fish for aquarium trade. Thus, it provides livelihoods across the country. However there exists concerns of overharvesting, dangerous fishing techniques, and unregulated trading which put our marine life and biodiversity at risk.¹

According to the World Wildlife Fund (WWF), fisherfolk have turned from supplying the fish-for-food trade to the fish-for-aquarium trade because it is lucrative. The marine aquarium trade has been reported to be worth about \$200 million a year.² However, there currently exists no regulations in the Philippines covering the collection of aquarium aquatic life and no restrictions on the number of collectors who can operate³.

¹ Turley, Rebecca. 2017. “Policy, Practice and Perceptions: Understanding governance of aquarium fishing in the Philippines”. Lancaster University.
https://eprints.lancs.ac.uk/id/eprint/125069/2/2018_RebeccaTurley_MSbyresearchEnvironmentalScience.pdf (Retrieved Online 25 September 2022)

² National Geographic. 2016. “The Horrific Way Fish are Caught for your Aquarium”
<https://www.nationalgeographic.com/animals/article/160310-aquarium-saltwater-tropical-fish-cyanide-coral-reefs> (Retrieved Online 25 September 2022)

³ Duco, Rico Jr.; Vallejo, Benjamin, Jr. n.d. “Improving the Current Policies of the Marine Aquarium Trade in the Philippines” <http://copag.msu.ac.th/journal/filesjournal/3-1/2010201642954no-3-1-7.pdf> (Retrieved Online 25 September 2022)

The aquarium aquatic life collecting industry must be regulated to ensure the health of the country's coral reefs and marine biodiversity. The industry of harvesting fish and other marine creatures for home, ornamental, and commercial aquariums remain largely unregulated, raising serious environmental concerns.

This bill seeks to regulate the aquarium aquatic life collecting industry by implementing prohibitions and a system of fines for violators. It is the hope of this measure to protect and enrich the abundant marine biodiversity of the country in the long term while maintaining a sustainable harmony between economic livelihood and environmental protection.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



REP. PM VARGAS

Fifth District, Quezon City

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 5253

INTRODUCED BY REP. PM VARGAS

AN ACT
REGULATING THE AQUARIUM AQUATIC LIFE TRADE AND INDUSTRY

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

SECTION 1. Short Title. – This Act shall be known as the “*Aquarium Trade Regulation Act.*”

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to give the highest priority to the protection of the environment, particularly marine life. Towards this end, this Act shall regulate the aquarium aquatic life collecting industry to ensure the health of the country’s coral reefs and aquatic life.

SECTION 3. Definition of Terms. – In this Act, the term –

- a) “Aquarium collecting gear” means any equipment used to collect aquarium fish or animals including, but not limited to, hand nets, fence or barrier nets, fiberglass or “tickle sticks”, catch buckets, keeps, or baskets;
- b) “Aquarium purpose” means to hold saltwater fish, freshwater non-game fish, or other aquatic life alive in a state of captivity as pets, for scientific study, or for public exhibition or display, or for sale for these purposes. Saltwater fish, freshwater non-game fish, or other aquatic life held alive in a state of captivity as food for human consumption shall not be considered an aquarium purpose;
- c) “Collect” means to take, catch, harvest, or confine, or to attempt to take, catch, harvest, or confine aquatic life. The use of any aquarium collecting gear to take, catch, capture, harvest, or confine, or to attempt to take, catch, capture, harvest, or confine aquatic life by any person who is on or about the shores of the Philippines or in a vessel in Philippine waters shall be construed as collecting under this section; and

- d) "Department" means the Department of Environment and Natural Resources.

SECTION 4. *Aquarium Aquatic Life Selling Permit.* – No natural person, corporation, partnership, association, or any other entity shall sell, trade, or distribute aquarium aquatic life for aquarium purposes without a permit from the Department of Environment and Natural Resources.

SECTION 5. *Approved Aquarium Collecting List of Aquatic Species.* –

- a) The Department shall develop and maintain an approved aquarium collecting list of aquatic species. No aquatic species shall be collected or sold for aquarium purposes unless the species appears on the approved aquarium collecting list.
- b) The approved aquarium collecting list shall only include species that are shown by a Department or other government agency study to meet the following criteria:
- 1) The species can survive capture, transport, and captivity for at least one hundred eighty (180) days;
 - 2) Based on historical evidence, the species is part of a stable or increasing population trend in the area where the species is being collected;
 - 3) The removal of the species does not negatively impact the reef ecosystem by contributing to algae overgrowth for herbivores, parasite overload on other reef fishes for cleaner wrasses and cleaner shrimps, or other harmful effects;
 - 4) The species is not endemic to the Philippines;
 - 5) The species is not endangered or vulnerable, as classified by the Department in accordance with laws, international conventions, or rules and regulations; and
 - 6) Such other criteria as may be prescribed by the Department.
- c) The Department may recognize indigenous Philippine traditional and customary rights with regard to marine resources for subsistence, cultural, or religious purposes.
- d) The Department shall inform all permit holders under section 4 of the species included in the aquarium collecting list and the penalties for failure to comply with the restrictions regarding the collection of aquatic life.

SECTION 6. *Penalties.* –

- a) Any natural person, corporation, partnership, association, or any other entity that collects aquatic life not on the approved aquarium collecting list shall be fined not less than Five Thousand Pesos (P5,000.00) for each specimen collected. If the specimen is an endangered or vulnerable species as classified by the Department, the fine shall not be less than Fifty Thousand Pesos (P50,000.00) for each endangered species collected.

- b) Any natural person, corporation, partnership, association, or any other entity that sells aquatic life not on the approved aquarium collecting list shall be fined not less than Twenty Thousand Pesos (P20,000.00) for each specimen sold. If the specimen is an endangered or vulnerable species as classified by the Department, the fine shall not be less than One Hundred Thousand Pesos (P100,000.00) for each endangered species sold.
- c) Any natural person, corporation, partnership, association, or any other entity that sells aquatic life without the permit referred in section 4 shall be fined Ten Thousand Pesos (P10,000.00) for each day of violation.
- d) The imposition of penalties under this Act shall not bar the prosecution of the offender under the Revised Penal Code or special laws.

SECTION 7. *Implementing Rules and Regulations.* – The Secretary of the Department of Environment and Natural Resources shall promulgate the necessary rules and regulations to implement this Act.

SECTION 8. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,

NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 5321

EXPLANATORY NOTE

The basic requisite in the pursuit of national development is a prudent use of land resource. Only through a comprehensive land use plan can we efficiently use our resources to propel the country towards economic and social development.

However, efforts are being hampered by the lack of available information related to land resources which are necessary for efficient land use. The data available are either inadequate or grossly outdated.

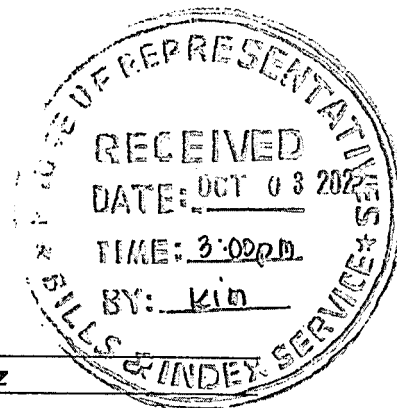
In order to respond to the challenges of development, there is an urgent need to modernize the National Mapping and Resource Information Authority (NAMRIA). The NAMRIA, in fulfilling its mandate of supplying all necessary information on land resource matters, must be at the forefront of national planning and development.

This bill seeks to establish a modernization program for the NAMRIA in order to effectively fulfill its mandate. This modernization program shall undertake the following programs:

- a. National Mapping Program which aims to accelerate the production of digital base maps and information for environmental planning and development within a geographic information system environment;
- b. Information Technology Strategic Plan, which seeks to develop and define an over-all medium-term information technology structure for NAMRIA to include proposed technology, data application and service models in order to address the agency's information needs at both management and operational levels;
- c. Data acquisition from satellite missions through the establishment of a multi-satellite, multi-purpose ground receiving station, the development of Hydrographic, Oceanographics Surveys and Nautical Charting of the Exclusive Economic Zone and the development of innovative techniques in generating geographic information.

The modernization program shall benefit not only our local government units and the various national planning agencies but also the private sector as well. The following benefits and assistance are foreseen to be derived upon the completion of the "NAMRIA Modernization Program":

1. **Local Government Sector.** Regional, provincial, municipal, and integrated area development planning; zoning and control of land use; establishment of boundaries of local government units (LGUs), barangay roads, and water systems; classification of LGUs according to levels of development, effective implementation of the Local Government Code; provision of a stable base of information for tax mapping operations and efficient real estate tax collection system; litigation of land cases and processing of applications for certificates of land titles; assessment of taxes and other revenue generating programs.



2. **Economic Sector.** Physical framework planning; monitoring and evaluation of geographic locations; planning of urban, regional, and economic growth centers and countryside development.

3. **Agriculture Sector.** Planning geographic locations of agricultural support services; identification of areas suitable for agriculture; formulation of food security measures and prediction of food yields; Comprehensive Agrarian Reform Program Monitoring; integrated forestry programs.

4. **Environment and Natural Resources Sector.** Regulation and disposition of public/forest lands; monitoring the exploitation and depletion of natural resources; resources development and conservation planning; environmental and forest protection; watershed management, and resource policy formulation; support to legislation such as "Irrigation Crisis Act, Forestry Code, Mining Law, National Land Use Code, Land Code, National Integrated Protected Areas System Law, among others.

5. **Public Works Sector.** Infrastructure planning, design and development; facilities planning and management; location of facilities including but not limited to water pipes, electrical, and telephone lines for proper repair, maintenance, building, and evacuation scheduling; formulation and utilization of long term programs of disaster prevention through preventive infrastructure.

6. **National Defense Sector.** Planning strategic and intelligence operations; mapping out territorial limits of the country for security purposes.

7. **Transportation, Communications, and Tourism.** Development of effective traffic management system; efficient road planning, alternative route management, and other areas of concern for public transport needs; road condition monitoring; railroad planning; navigable river and coastal shipping reference for the development of a feasible alternative passenger system.

8. **Health and Social Welfare Sector.** Physical planning of health support services and surveys; relief operations planning; disaster management guide; hazard and risk evaluation; formulation of disaster preventive programs.

9. **Education Sector.** Update reference materials.

10. **Private Sector.** Thematic mapping, selection and development of sites for real estate and other development; efficient delivery of services; and to furnish, at minimal cost, integrated and comprehensive land database.

In view of the foregoing considerations, immediate passage of this bill is earnestly sought.


RUFUS B. RODRIGUEZ

NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 5321

AN ACT
PROVIDING FOR THE MODERNIZATION OF THE NATIONAL MAPPING AND
RESOURCE INFORMATION AUTHORITY (NAMRIA)

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 "**NAMRIA Modernization Act**".

SEC 2. Declaration of Policy. It is hereby declared policy of the state to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality of life for all. However, national development and policies must be based on current information on land resources. The National Mapping and Resources Information Agency (NAMRIA), as sole custodian of all land-resource-related information, shall therefore be a prime mover of national development planning. Towards this end, the State shall promote and pursue the Modernization of National Mapping and Resource Information Authority (NAMRIA) to a level where it can effectively and fully perform its mandate to act as the central surveying and mapping agency of the Republic of the Philippines.

SEC 3. Objectives of the NAMRIA Modernization Program.

- (a) To promote the conservation and management of the country's natural resources by assisting the various agencies of government in their efforts toward the proper determination of the country's land boundaries and land use patterns, forest lands, ancestral domains, maritime boundaries and other related physical, geographic, demographic and socio-economic characteristics.
- (b) To develop its present capabilities as the central surveying and mapping agency of the government by implementing equipment acquisition program consonant with technological advances to hasten the conduct of needed nationwide geodetic, topographic, hydrographic and oceanographic survey.
- (c) To establish a one-stop shop of geographically referred database and related information.

SEC 4. General Mandate and Responsibilities. The NAMRIA shall have the following general mandate and responsibilities:

- (a) To act as the Government's central surveying and mapping agency providing map making and related services to government instrumentalities;
- (b) To be the official depository and distribution agency of land and natural resources database;

- (c) To conduct land and natural resources classification surveys, inclusive of all marine resources within the maritime zones;
- (d) To undertake continuing ocean and land research and natural resources database development activities; and
- (e) To upgrade, modernize and acquire appropriate surveying and map making technology and equipment.

SEC 5. Components of the NAMRIA Modernization Program. The NAMRIA Modernization Program shall consist of the following components:

- (a) **RESTRUCTURING AND ORGANIZATIONAL DEVELOPMENT.** Aims to effectively and efficiently carry out the nationwide coordination of geographic information development activities and to strengthen research and development program.
- (b) **TECHNOLOGY AND STRATEGIES SYSTEMS DEVELOPMENT.** Aims to provide a mechanism for the acquisition and installation of appropriate systems and technology to improve the delivery of its products and services;
- (c) **HUMAN RESOURCE DEVELOPMENT.** Aims to upgrade the skills of its personnel; develop, implement and institutionalize a program designed to optimize personnel capabilities through a sustainable training and development strategies in improving the quality of work as well as the standard of living of its personnel.

SEC 6. Development of NAMRIA Capabilities. The modernization of NAMRIA shall be geared towards the development of the following capabilities:

- (a) **ENHANCEMENT OF MAPPING CAPABILITIES** – The NAMRIA, being the central mapping agency of the government, shall develop and upgrade its map production capability to digital technology. To this end, it shall:
 - (1) Provide updated water and land-based information in the form of digital basemaps and charts within geographic information environment;
 - (2) Provide nationwide coverage of updated large scale maps in graphic and digital format of urban areas, centers of population and development areas;
 - (3) Conduct periodic integrated resource and environment survey for the generation of updated, standardized and reliable geographic and resource information, and;
 - (4) Serve the various mapping needs of government agencies and the private sector.
- (b) **DEVELOPMENT OF INFORMATION TECHNOLOGY CAPABILITY** – The NAMRIA, shall develop its technology structure by establishing one-stop source of geographically referenced ocean, land and resource database information. To this end, it shall:
 - (1) Eliminate data duplication and provide a mechanism for data sharing with other government agencies and instrumentalities;
 - (2) Provide a rapid response system to generate maps and charts to disaster management in coordination with concerned agencies and for high priority planning in development areas;
 - (3) Keep up with the demand for complete and updated land, water and natural resources data bases, land use classification maps, inclusive of microfilm and microfiche processes;
 - (4) Provide better access to its products and services; and

(5) Speed up its base mapping, revision and technological programs.

(c) **IMPROVEMENT OF DATA ACQUISITION CAPABILITY** – The following programs shall be implemented to enhance the data acquisition capability of NAMRIA:

(1) **Establishment of Ground Receiving Station** – The NAMRIA shall develop its data acquisition capability by operating a multi-satellite, multi-purpose ground station in order to:

1.a. establish and develop its capabilities for real or near data acquisition;

1.b. conduct disaster monitoring and damage assessment, detect potential environmental hazard and near real time inventory of resources in coordination with other government agencies;

1.c. serve as user service unit.

(2) **Upgrading of Surveys and Charting Capabilities** – The NAMRIA shall increase its capabilities for hydrographic, oceanographic and geographic surveys and nautical charting capabilities. To this end, it shall:

2.a. produce up-to-date nautical charts of the Exclusive Economic Zones to ensure safety of navigation and provide basic reference in planning and executing all marine activities in the country;

2.b. delineate the different maritime zones of the country in coordination with other government agencies;

2.c. provide technical data needed in the judicious delimitation of overlapping international boundaries;

2.d. generate marine scientific information for assessment and efficient management of living and non-living ocean resources for both government and non-government units;

2.e. intensify existing geographic network, integrate existing cadastral and control data into Philippine Resources System, establishment of a network maintenance system and modernization of survey practices;

2.f. initiate the delineation of administrative boundaries throughout the country in coordination with the Land Management Bureau and other government agencies.

(d) **IMPROVEMENT OF RESEARCH AND DEVELOPMENT CAPABILITY** – NAMRIA shall undertake researches in order to develop new techniques in generating geographic information. To this end, it shall:

1. engage in exploratory projects which can improve capabilities in information science;

2. acquire expertise in servicing the geographic information requirements of all sectors in the country;

3. establish standards and procedures in geographic information system (GIS), remote sensing, mapping and surveying;

SEC 7. Period of Implementation – The modernization program under this Act shall be implemented over a period of ten (10) years; Provided, however, that payments for amortization of outstanding multi-year contract obligations incurred under this Act, may extend beyond this period.

SEC 8. Appropriation for the NAMRIA Modernization Program – The annual appropriation for the NAMRIA Modernization Program shall include the amounts necessary to support the funding requirements for all modernization projects approved by Congress.

SEC 9. Multi-Year Contracts and Other Contractual Arrangements.

(a) The Secretary of Environment and Natural Resources, pursuant to the NAMRIA Modernization Program projects and appropriations approved by Congress, may, subject to the approval of the President, and consistent with the provisions of existing laws and regulations including those of the Commission on Audit and under such terms and conditions most favorable to the government, enter into multi-year contracts and other contractual arrangements.

(b) For multi-year contracts, Congress shall upon certification by the President, make the corresponding appropriation for the ensuing fiscal year: *Provided*, that Congress shall appropriate only such funds as may be necessary to pay an unpaid amount where the funds appropriated, for the current fiscal year is not sufficient or available to meet such payment in full or in part.

(c) The Secretary of Environment and Natural Resources shall submit to the Chairmen of the Senate Committee on Environment and Finance and the Chairmen of the House Committee on Environment and Appropriations copies of this multi-year contracts and other agreements to enable Congress to appropriate funds.

SEC 10. Procurement System. In addition to the provisions of existing laws, rules and regulations regarding procurement acquisition of equipment, the DENR and NAMRIA shall strengthen said system and procedures taking into account new requirement under the NAMRIA modernization program. The NAMRIA is hereby given the authority to strengthen its system and procedures for equipment acquisition, taking into account new requirements under the NAMRIA modernization program.

SEC 11. Tax Exemption. The importation by NAMRIA of mapping and surveying materials such as photogrammetric, eartographic, survey, data processing, remote sensing equipment and material supplies, and spare parts which will be used actually, directly and exclusively, in its operations shall be exempted from all forms of taxes, duties and other fees.

SEC 12. Annual Reports. The Administrator of the NAMRIA through the Secretary of the Department of Environment and Natural Resources (DENR), shall submit to the President and Congress, not later than the end of the first quarter of the succeeding year, an annual report containing the progress of the implementation of the modernization program under this Act.

SEC 13. Austerity and Use of Savings. Upon approval of this act, the Secretary of the Department of Environment and Natural Resources (DENR), and the NAMRIA Administrator, shall submit to Congress, within the first quarter of the succeeding year and every year thereafter a report on:

- (a) The amount of all unused and undisbursed funds remaining from previous DENR and NAMRIA appropriations; and
- (b) The amount of savings from austerity measures generated in the previous fiscal year.

The savings generated under this section are hereby authorized to be used to augment funds for the NAMRIA Modernization Program.

SEC 14. *Separability Clause.* If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC 15. *Repealing Clause.* All laws, executive orders, rules and regulations inconsistent with or contrary to this Act, are hereby deemed repealed or amended accordingly.

SEC 16. *Effectivity Clause.* This act shall take effect after fifteen days (15) from its publication in at least two (2) newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 7183



Introduced by REPRESENTATIVE LORDAN G. SUAN


EXPLANATORY NOTE

The subject parcel of land which this bill seeks reclassification and declaration as alienable and disposable is a portion of Lot 3817, Cad. 237 located in Macanhan, Brgy. Carmen, Cagayan de Oro City, Misamis Oriental. At present, it is classified as Timberland of public domain. Upon consultation with the Department of Environment and Natural Resources, Lot No. 3817, Cad. 237 had been subdivided under plan Csd-10-025117 comprising 395 lots. However, a portion of said parcel of land, specifically Lot 46451-394, Csd-10-025117 containing an area of One Hundred Seventeen Thousand Four Hundred Seventy-six (117,476) Square Meters can be reclassified as disposable and alienable. Upon further investigation, a portion of this land is hilly and might pose danger to present and future occupants. The DENR, after thorough analysis on the slope requirement, recommended that only a portion of Lot 46451-394, Csd-10-025117 containing an area of Eighty Thousand Five Hundred Fourteen (80,514) Square Meters can be reclassified as alienable and disposable.

Furthermore, the City Council of Cagayan de Oro passed on October 3, 2022, Resolution No. 14295-2022 requesting this representation to file a bill in Congress for the conversion of a portion of Lot 3817 containing an area of Eleven (11) Hectares, from timberland to alienable and disposable land. The same lot surveyed by the DENR. The City aims to use this land as a resettlement area for its residents. It must also be noted that Lot 3817, though classified as timberland, has already been occupied by settlers, for a long time. Its land classification deprives the government of potential development initiatives and revenues.

Upon satisfying the recommendation of the Mines and Geosciences Bureau of the DENR for appropriate mitigating measures of relevant authorities, this representation seeks that said subject parcel of land be reclassified as alienable and disposable.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


HON. LORDAN G. SUAN
1st District
Cagayan de Oro City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 7183

Introduced by REPRESENTATIVE LORDAN G. SUAN

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

**AN ACT RECLASSIFYING A PARCEL LAND OF PUBLIC DOMAIN
LOCATED IN MACANHAN, BRGY. CARMEN, CAGAYAN DE ORO CITY,
PROVINCE OF MISAMIS ORIENTAL FROM TIMBERLAND TO ALIENABLE
AND DISPOSABLE LAND**

SECTION 1. A parcel of land of public domain which is a Portion of Lot 46451-394, Csd-10125117, being a portion of Lot 3817, Cad 237, located in Macanhan, Brgy. Carmen, Cagayan de Oro City, Province of Misamis Oriental, containing an area of Eighty Thousand Five Hundred Fourteen Square Meters (80,514 sqm) is hereby reclassified and declared alienable and disposable land open to disposition for residential and other productive purposes and to private rights.

The said parcel of land is more particularly identified and described as follows:

A Parcel of land (Portion of Lot 46451-394, Csd-10025117, being a portion of Lot 3817, Cad. 237) situated in Macanhan, Carmen, City of Cagayan de Oro, Island of Mindanao. Bounded on the Northwest and Northeast, along the lines 13-14-15-16-17-19-20-21-22-23-24-25-26-27-28-29-30-31-32-1 by Remaining Portion of Lot 46451-394 (Hilly Portion); on the Southeast, along lines 1-2-3-4 by Lot 46451-1 to 393, Csd-10-025117; on the Southwest, along lines 4-5-6-7 by Lot 3823; along lines 6-7-8-9 by Lot 3824, all of Cad. 237, Cagayan cadastre; and along lines 9-10-11-12-13 by Lot 46451-395, Csd-10-025117. Beginning at a point marked "1" on the plan being S 64°15'W., 422.22m. from MSE 3328,

thence	S 05° 50' E	110.96 meters to corner	2;
thence	S 22° 13' W	219.59 meters to corner	3;
thence	S 14° 48' W	118.34 meters to corner	4;
thence	N 28° 57' W	123.54 meters to corner	5;
thence	N 62° 42' W	29.72 meters to corner	6;

thence	S 30° 15' W	115.10 meters to corner	7;
thence	N 59° 47' W	47.67 meters to corner	8;
thence	N 13° 33' E	9.09 meters to corner	9;
thence	N 67° 43' W	49.34 meters to corner	10;
thence	N 19° 27' E	7.00 meters to corner	11;
thence	N 59° 52' W	44.61 meters to corner	12;
thence	N 10° 16' W	51.30 meters to corner	13;
thence	N 31° 26' E	32.20 meters to corner	14;
thence	N 44° 19' E	23.51 meters to corner	15;
thence	N 52° 59' E	22.70 meters to corner	16;
thence	N 59° 56' E	23.25 meters to corner	17;
thence	N 64° 57' E	18.08 meters to corner	18;
thence	N 68° 45' E	23.42 meters to corner	19;
thence	N 71° 05' E	20.03 meters to corner	20;
thence	N 58° 43' E	45.42 meters to corner	21;
thence	N 57° 26' E	16.38 meters to corner	22;
thence	N 38° 57' E	18.35 meters to corner	23;
thence	N 36° 15' E	36.12 meters to corner	24;
thence	N 28° 47' E	42.06 meters to corner	25;
thence	N 34° 55' E	14.63 meters to corner	26;
thence	N 39° 56' E	13.03 meters to corner	27;
thence	N 48° 23' E	15.02 meters to corner	28;
thence	N 62° 47' E	15.51 meters to corner	29;
thence	N 69° 15' E	15.97 meters to corner	30;
thence	N 67° 62' E	19.53 meters to corner	31;
thence	N 74° 43' E	36.30 meters to corner	32;
thence	N 74° 57' E	36.62 meters to corner	1;

Containing an area of Eighty Thousand Five Hundred Fourteen (80,514) square meters.

SECTION 2. The necessary mitigating measures recommended by the Mines and Geosciences Bureau of the Department of Environment and Natural Resources and other relevant agencies must be considered and complied with before its disposition.

SECTION 3. Within three (3) months following the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources shall promulgate the rules and regulations for its effective implementation.

SECTION 4. All laws, decrees, orders, rules and regulations or parts thereof, inconsistent with or contrary to the provisions of this Act are repealed, amended or modified, accordingly.

SECTION 5. This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)

First Regular Session

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 2623




Introduced by **REPRESENTATIVE VIRGILIO S. LACSON**

Charcoal is made from the burning of wood by controlling oxygen which slows down the combustion process until a black substance is produced. It is a carbon residue which has been used to produce heat energy by humans perhaps since the beginning of civilization. Generally, it is used for industrial production and as a home fuel. Charcoal is used by an average of 35% of all households in the Philippines based on the Household Energy Consumption Survey (HCES). Charcoal consumption by households in the Philippines grows at an average annual rate of 4.43%.

Because of the high demand for this cheap energy source, production of this substance has been rampant throughout the country. While charcoal harvesting and production is banned in most areas, there are many people who manage to keep up production, transportation, and sale, without much interference from the authorities. This occurrence poses a lot of issues - not just in the health of those involved in the production, but also the environmental hazards it brings. Production of raw wood charcoal remains one of the top contributors of deforestation in the country.

While charcoal can be produced by using coconut shells, and other more sustainable options, the cost of producing charcoal from raw wood remains cheaper by 50%. For that reason, many producers opt to use raw wood instead to maximize profit. The desire to gain more profit leaves our forests at risk of destruction. This destruction eventually leads to tragedies that claim the innocent lives of Filipinos. Without the immediate intervention of the Government, these practices will continue until our forest lands become depleted.

This Bill seeks the total prohibition on the production, transportation, and sale of raw wood charcoal. This Bill likewise provides for penalties to those who will be found guilty of violating its provisions, to protect our forests from unregulated activities, and prevent further degradation of our resources. In view of the foregoing, the immediate passage of this Bill is sought.


VIRGILIO S. LACSON
Manila Teachers Partylist

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)

First Regular Session

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 2623

Introduced by REPRESENTATIVE VIRGILIO S. LACSON

AN ACT
BANNING THE PRODUCTION, TRANSPORTATION, AND SALE OF RAW WOOD
CHARCOAL PRODUCTS AND PRESCRIBING PENALTIES THEREFOR

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 “*Ban on Raw Wood Charcoal Act*”.

Section 2. Declaration of Policy. – It is hereby declared the policy of the State to promote the conservation of our forest lands for the protection of the right of the people to a balanced and healthful ecology. It shall be the duty of the State to regulate activities that substantially affect the environment and its other natural resources. To this end, it shall be unlawful to cause the production, transportation, and sale of raw wood charcoal in the Philippines.

Section 3. Definition. – As used in this Act, the following terms shall be defined as –

“**Charcoal**” means wood fuel product derived from carbonization of raw wood or other plant materials.

Section 4. Regulatory agency. – The Department of Environment and Natural Resources (DENR) shall be the competent authority responsible for the monitoring of production, transportation, and sale of raw wood charcoal.

Section 5. Prohibited Acts. – The following shall be prohibited under this Act:

- (a) It shall be unlawful for any person to cut, uproot, or destroy any tree standing on any forest, timber land, forest reserve or watershed for the purpose of producing raw wood charcoal.

V. Lacson

(b) It shall be unlawful to transport raw wood for the purpose of producing and/or selling charcoal products.

(c) It shall be unlawful to sell or offer to sell raw wood charcoal.

In case of trees in private lands, a license to cut, uproot, destroy any tree shall be necessary. The purpose for the removal of the tree shall be indicated in the application before the DENR. Provided that, the timber resulting from the cutting, uprooting, or destruction of the tree shall not be used to cause the production of raw wood charcoal.

Section 6. Duty of the Department of Environment and Natural Resources. – The DENR shall undertake the responsibility to educate the public and promote the use of sustainable charcoal options, such as, but not limited to banana skin, maize, sugarcane, and coconut. The DENR shall identify key areas where raw wood charcoal production is extensive, and prioritize information dissemination and training in said areas.

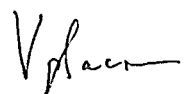
Section 7. Penalties. Any person who willfully or knowingly does or who shall aid, permit, or cause to be done any of the acts declared to be unlawful in Section 5 of this Act, or who violates the provisions thereof, or of any order issued thereunder, or aids, permits, or causes such violation shall, upon conviction thereof, be penalized with the imprisonment of not less six (6) months but not more than one (1) year, and a fine of not less than two hundred thousand pesos (P200,000.00). Provided that, if the production, transportation, and sale involve a tree belonging to an endangered species as identified by the DENR, the fine shall not be less than five hundred thousand pesos (P500,000.00).

Section 8. Separability Clause. – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 9. Repealing Clause. – All laws, decrees, orders, rules and regulations and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 10. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any newspaper of general circulation.

Approved,



HOUSE OF REPRESENTATIVES

Quezon City, Metro Manila

**19th Congress
First Regular Session**

House Bill No. 5055



Introduced by **REPRESENTATIVE EMIGDIO P. TANJUATCO III**

EXPLANATORY NOTE

This bill seeks to declare the Kaliwa River Forest Reserve situated in the Provinces of Rizal and Quezon, as the Kaliwa River Forest and Wildlife Sanctuary (KRFWS) and be classified as a Protected Area under the National Integrated Protected Areas System (NIPAS) pursuant to Republic Act 7586 of 1992, as amended by Republic Act 11038 or the Expanded National Integrated Protected Areas System (NIPAS) Act of 2018.

Also known as Kaliwa Watershed Forest Reserve (KWFR), the sanctuary is a 31,883-hectare forest reservation straddling Municipalities of Tanay, Rizal and General Nakar, Quezon that is currently reserved as a permanent forest under Presidential Proclamation No. 573, s. 1969.

It is home to various threatened wildlife such as the Endangered Northern Philippine Hawk-eagle (*Nisaetus philippensis*), the Philippine Brown Deer (*Rusa marianna*), the Philippine Warty Pig (*Sus philippensis*), the Vulnerable Northern Rufous Hornbill (*Buceros hydrocorax*), the Critically Endangered Philippine Eagle (*Pitheophaga jefferyi*), and restricted-range birds of the Luzon Endemic Bird Area, all of which are found nowhere else in the planet. The biggest portion of its vegetation has approximately 12,147 hectares of residual forests which has around 172 plant or flora species recorded: 39 of which are endemic or only found in the country, and 17 are threatened or vulnerable to endangerment or extinction in the near future. Notable species also spotted in the area are the endangered and rare Rafflesia manillana and Jade vine (*Strongylodon macrobotrys*), and other critically endangered tree species like Red Lauan (*Shorea negrosensis*), White Lauan (*Shorea contorta*), Mayapis (*Shorea palosapis*), Bagtikan (*Parashorea malaanonan*), Tiaong (*Shorea ovata*) and Dungon (*Heritiera sylvatica*).¹

Declaring the reserve as a protected area will ensure that these flora and fauna will continue to be preserved and that the area will receive the appropriate management so that its existing biodiversity is not disturbed

In view of the foregoing, passage of this bill is earnestly sought.


EMIGDIO P. TANJUATCO

¹ <https://haribon.org.ph/kaliwa-dam-will-destroy-sierra-madre-biodiversity-haribon-foundation/>

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

19th Congress
First Regular Session

House Bill No. 5055

Introduced by REPRESENTATIVE EMIGDIO P. TANJUATCO III

AN ACT

DECLARING THE KALIWA RIVER FOREST AND WILDLIFE SANCTUARY IN THE MUNICIPALITIES OF TANAY, RIZAL AND GENERAL NAKAR, QUEZON, FOR ITS SUSTAINED MANAGEMENT AND PROTECTION, AS A PROTECTED AREA UNDER THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) OF THE REPUBLIC OF THE PHILIPPINES PURSUANT TO NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) ACT OF 1992, AS AMENDED BY EXPANDED NATIONAL INTEGRATED PROTECTED AREAS SYTEM (ENIPAS) ACT OF 2018.

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

SECTION 1. Title. — This Act shall be known and cited as the “Kaliwa River Forest and Wildlife Sanctuary Act”.

SEC. 2. Declaration of Policy. — It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. For this purpose, the State shall secure for the present and future generations of Filipinos the perpetual existence of all flora and fauna in the Kaliwa River Forest and Wildlife Sanctuary Protected Area within the Municipalities of Tanay, Rizal, and General Nakar, Quezon, through its establishment as a component of the National Integrated Protected Areas System (NIPAS), without prejudice to the continued occupation thereof of any indigenous tribes whose cultural and historical affinity with the area have long been established by formal and anecdotal evidence. The State shall likewise promote the participation of local communities in the management of the Kaliwa River Forest and Wildlife Sanctuary and protect the way of life of the people living in and around the protected area.

SEC. 3. Scope and Coverage. — The Kaliwa River Forest and Wildlife Sanctuary shall cover the tract of land embraced and situated in the Provinces of Rizal and Quezon, Island of Luzon, containing a total area of 31,883.13 hectares, the metes and bounds of which are delineated as follows:

Beginning at a point marked "1" on Map of the proposed Kaliwa River Forest and Wildlife Sanctuary, being N 25°24'00" W of BLLM- 12, PLS-39 Tanay, Rizal with geographic coordinates 14°34'15.71" and 121°20'25.85" at a distance of 5,187.88 meters,

thence	N 47°23'00" W	372.58 m. to point 2
thence	N 10°28'00" W	3,645.88 m. to point 3
thence	N 44°53'00" E	2,447.62 m. to point 4
thence	N 2°00'00" W	862.44 m. to point 5
thence	N 7°17'00" W	2,929.29 m. to point 6
thence	N 28°45'00" W	898.46 m. to point 7
thence	N 11°17'00" W	3,123.32 m. to point 8
thence	N 24°22'00" W	4,092.00 m. to point 9
thence	N 11°0'00" W	1,501.20 m. to point 10
thence	N 69°28'00" E	3,483.03 m. to point 11
thence	N 27°34'00" E	3,840.08 m. to point 12
thence	S 66°53'00" E	6,744.21 m. to point 13
thence	S 28°36'00" E	6,253.15 m. to point 14
thence	S 9°0'00" E	7,333.79 m. to point 15
thence	S 11°3'00" W	4,421.09 m. to point 16
thence	S 30°48'00" E	6,804.13 m. to point 17
thence	S 21°25'00" E	1,657.49 m. to point 18
thence	S 44°5'00" W	788.83 m. to point 19
thence	S 82°52'00" W	6,270.29 m. to point 20
thence	N 79°42'00" W	3,994.26 m. to point 21
thence	N 40°52'00" W	2,902.78 m. to point 22
thence	N 9°38'00" W	980.02 m. to point 23
thence	N 37°20'00" W	1,523.34 m. to point 24
thence	N 81°32'00" W	2,334.09 m. to point 1

The technical descriptions provided in this Act shall be subject to actual ground survey and Verification by the Department of Environment and Natural Resources (DENR) immediately after the effectivity of this Act. Any modification on the coverage of this Act due to such factors as changing ecological situations, new scientific or archaeological findings not previously taken into account shall be made through an act of Congress, after consultation with the affected public and concerned government offices.

SEC. 4. Definition of Terms. - For the purpose of this Act, the following terms shall be defined as follows:

- (a) *Biological diversity or biodiversity* shall refer to the wealth of life forms found on earth, the millions of different plants, animals and microorganisms, the genes they contain and the intricate ecosystem they form
- (b) *General management plan* shall refer to the basic long-term framework plan for the management of the protected area that shall serve as guide in the preparation of the annual operations plan and budget.
- (c) *General Management Planning Strategy (GMPS)* shall refer to a guide in the formulation of site-specific management plans, including buffer zones.

- (d) *Indigenous people* shall refer to people sharing common bonds of language, customs, traditions and other distinctive cultural traits and who have since time immemorial occupied, possessed and utilized a territory.
- (e) *Indigenous Peoples Rights Act (IPRA)* shall refer to Republic Act No. 8371.
- (f) *Integrated Protected Area Fund (IPAF)* refer to a trust fund established for the purpose of financing projects within the protected area.
- (g) *Management manual* shall refer to the individual management plan containing basic background information, field inventory of the resources, assessment of assets and limitations, regional interrelationships, particular objectives for managing the area, appropriate division into management zones, review of boundaries and design of the management programs of the area.
- (h) *National Integrated Protected Areas System (NIPAS)* shall refer to the classification and administration of all designated protected areas established pursuant to Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992", to maintain essential ecological processes and life support systems, to preserve genetic diversity, to ensure sustainable use of resources and to maintain the natural conditions within the area to the greatest extent possible.
- (i) *Natural monument* shall refer to a relatively small area focused on small features to protect and preserve nationally significant natural features on account of their special interest or unique characteristics.
- (j) *Protected area* shall refer to identified portions of land and water set aside by reasons of their unique physical and biological significance, managed to enhance biological diversity, and protected against destructive human exploitation.
- (k) *Protected landscape* shall refer to an area of national significance that provides opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of the area.
- (l) *Protected Area Superintendent (PASu)* shall refer to the DENR officer assigned to act as chief operating officer of the Kaliwa River Forest and Wildlife Sanctuary.
- (m) *Secretary* shall refer to the Secretary of the DENR.
- (n) *Tenured migrants* shall refer to persons who have actually and continuously occupied an area for five (5) years prior to its designation as a protected area in accordance with the provisions of Republic Act No. 7586 or the NIPAS Act of 1992, and are solely dependent therein for subsistence.

SEC. 5. *Management of the Kaliwa River Forest and Wildlife Sanctuary.* — The management of the Kaliwa River Forest and Wildlife Sanctuary shall be vested in the Protected Area Management Board (PAMB), as provided in Section 6 hereof. It shall serve as the highest policy-making body for the protected area and shall promote partnership, participation, cooperation and coordination with local communities and civil society organizations.

SEC. 6. *The Protected Area Management Board (PAMB).* - A Protected Area Management Board for the Kaliwa River Forest and Wildlife Sanctuary is hereby created and shall exercise the powers and functions herein provided.

SEC. 7. *Composition of the PAMB.* — The PAMB for the Kaliwa River Forest and Wildlife Sanctuary shall be composed of the following.

- (a) The DENR Regional Executive Director (RED) for Region IV-A, as Chairman;
- (b) The Members of Congress from the Second District of Rizal and the First District of Quezon or their duly authorized representatives, as Co-Vice Chairpersons;
- (c) The Governors of the provinces of Rizal and Quezon or their duly authorized representatives;
- (d) The Mayors of Tanay, Rizal and General Nakar, Quezon, or their duly authorized representatives, as members;
- (e) The barangay captains of the barangays having jurisdiction over any portion of the protected area, as members;
- (f) The Regional Director of the Department of Agriculture (DA) for Region IV-A or a duly authorized representative, as member;
- (g) The Municipal Environment and Natural Resources Officers (MENRO) of Tanay, Rizal and General Nakar, Quezon, as members;
- (h) Three (3) representatives from nongovernment organizations (NGOs) operating in the protected area, selected from among themselves in a meeting duly called for the purpose, as members; and
- (i) Three (3) representatives from the Indigenous Cultural Communities (ICCs) within the protected area, as members.

The selection of NGO representatives shall be geared towards achieving geographical representation and preference shall be accorded to organizations that are involved in the conservation and protection of the protected area.

Each member of the PAMB shall serve for a term of three (3) years and shall be considered to represent and carry the vote of the sector represented.

The members who represent government officials or agencies shall serve according to the term of office of their principals, unless sooner terminated by such official/s.

SEC. 8. Powers and Functions of the PAMB. - The PAMB for the Kaliwa River Forest and Wildlife Sanctuary shall exercise the following powers and functions:

- (a) Issue rules and regulations to implement the provisions of this Act and promote the policy declaration herein set forth;
- (b) Establish criteria and set fees for the issuance of permits for the activities regulated by this Act or the approved management plan;
- (c) Identify the buffer zone for the protected area;
- (d) Adopt rules and procedures for the conduct of business, including the creation of committees to whom its powers may be delegated;
- (e) Approve, revise or modify the management plan;
- (f) Deputize and train interested, capable and responsible individuals for the enforcement of the laws, rules and regulations governing conduct in the protected area;
- (g) Accept donations, approve proposals for funding, budget allocations and exercise accountability over all funds that may accrue to the protected area,
- (h) Coordinate with appropriate agencies for the regulation of flight patterns of aircraft going over the area to set acceptable latitudinal limits and emissions; and
- (i) Retain legal counsel, either on a permanent or temporary basis, to provide legal assistance to the PAMB and the PASu Office staff whenever they are sued in connection with the performance of their duties under this Act.

The DENR, through the RED, shall exercise authority over the PAMB to ensure that it is acting within the scope of its powers and functions. If a conflict arises between

the administrative orders of national application issued by the DENR pursuant to the NIPAS Act or the IPRA and the rules and regulations issued by the PAMB, the DENR shall resolve such conflict.

SEC. 9. *The Protected Area Superintendent Office.* There is hereby established a Protected Area Superintendent's (PASu) Office in-charge of the management, protection and administration of the Kaliwa River Forest and Wildlife Sanctuary. The PASu Office shall be supported by the existing personnel of the DENR. The head of office shall be the chief operating officer of the protected area and shall be accountable to the RED of the DENR Region IV-A and the PAMB. The PASu shall have the following powers and functions:

- (a) Prepare the management and successor plans;
- (b) Provide a secretariat which will provide to the PAMB all information necessary to make appropriate decisions;
- (c) Establish a productive partnership with the local community, including groups interested in the achievement of the goals and objectives of the protected area and in the planning, protection and management of the protected area;
- (d) Develop and implement a park information, education and visitor program;
- (e) Enforce laws, rules and regulations relevant to the protected area and assist in the prosecution of the offenses committed in violation of this Act;
- (f) Monitor all activities within the protected area in conformity with the management plan; and
- (g) Perform such other functions as the PAMB may assign.

SEC. 10. *Management Plan.* — The PASu shall prepare a management plan in accordance with the GMPS and in coordination with the appropriate offices of the DENR, local communities, the municipal governments of Tanay, Rizal and General Nakar, Quezon, NGOs, other government agencies and experts with socio-environmental, economic and ecological experience in the area.

The management plan shall be reviewed, approved and adopted by the PAMB and certified to by the DENR Secretary so that it conforms to all laws, rules and regulations of national application. In no case shall the management plan be revised or modified without prior consultation with the PAMB.

Within one (1) year from the effectivity of this Act, the management plan shall be put into effect in accordance with the NIPAS Act. It shall contain, among others, the following:

- (a) Period of applicability of the plan;
- (b) Key management issues;
- (c) Goals and objectives of management;
- (d) Site management strategy;
- (e) Major management activities such as, but not limited to, enforcement of laws, habitat and wildlife management, sustainable use management, infrastructure development and maintenance, fire and pest control, etc;
- (f) Zoning; and
- (g) Visitor management programs.

The PASu shall prepare all successor plans two (2) years before the expiration of the existing plans and shall cause the publication of notices for comments and suggestions on the next successor plan in a newspaper of local circulation and the posting of such notices in the provincial, municipal and barangay halls and in three (3) other areas frequented by the public. Public consultations may be conducted on the successor plans upon the written request of any interested party. The proposed plan shall be made available to the public during the period for comment and the final version

shall be made available for public perusal at the office of the PASu.

The management plan shall be prepared in a language understandable in the area, plainly written and available for perusal anytime to the general public at the PASu Office.

SEC. 11. *Tenured Migrants and Private Rights.* — Tenured migrants shall be eligible to become stewards of portions of lands within the allowed and designated zones. The PAMB shall identify, verify and review all tenure instruments, land claims and permits for resource use and recommend the issuance of the appropriate tenure instrument consistent with the land classification, allowed resource use and zoning provided in the management plan.

Nothing in this Act shall be construed to mean any diminution of accrued rights earned by tenured migrants. However, tenured migrants occupying areas which may be designated as zones in which no occupation or other activities are allowed pursuant to the attainment of sustainable development shall be transferred to multiple-use zones or buffer zones, to be accomplished through just and humane means.

In the event of termination of a tenure instrument for cause or by voluntary surrender of rights, the PASu shall take immediate steps to rehabilitate the area in order to return it to its natural state prior to the cultivation or other act by the tenured migrant.

All private rights within the protected area shall be protected in accordance with existing laws.

SEC. 12. *Existing Facilities Within the Kaliwa River Forest and Wildlife Sanctuary.* — Existing facilities allowed to remain within the Kaliwa River Forest and Wildlife Sanctuary may be charged a reasonable fee by the PAMB, which shall be embodied in a Special Use Agreement in Protected Areas (SAPA) to be entered into with the owner of the facility. All income from such fees shall accrue to the Kaliwa River Forest and Wildlife Sanctuary Fund established pursuant to this Act.

In setting the user fees on man-made facilities managed by the private entities, the rates shall be determined by the private entity but shall be comparable to the fees charged for similar facilities in a protected area. For all other facilities, the user fees therein shall be determined in consultation with the PAMB.

SEC. 13. *Utilization of Nonrenewable Resources.* — Any exploration or utilization of nonrenewable resources within the protected area shall not be allowed. Energy projects, renewable or otherwise, shall be permitted only through an act of Congress.

SEC. 14. *Prohibited Acts.* — The following acts shall be prohibited and violations thereof shall be penalized accordingly:

(a) A fine of not less than five hundred thousand pesos (P500,000.00) nor more than one million pesos (P1,000,000.00) and imprisonment of not less than six (6) years but not more than twelve (12) years shall be imposed upon any person found guilty of:

- (1) Hunting, destroying, trapping, disturbing or possessing anywhere within the protected area of any wild plant or animal or products derived therefrom without a permit from the PAMB: *Provided*, That such permit shall only be given for scientific purposes necessary for protected area management;
- (2) Cutting, gathering, collecting or removing timber or forest products permit: *Provided, further*, that such permit shall only be given for scientific purposes necessary for protected area

management;

- (3) Possessing outside the protected area any wild plant or animal or products derived therefrom which came from the protected area;
- (4) Mineral exploration or extraction, drilling or prospecting for minerals within the protected area;
- (5) Constructing or maintaining any kind of road, structure, fence or enclosure without permit from the PAMB: *Provided*, finally, that structures within the ancestral domains used by the indigenous cultural communities shall not need a permit from the PAMB; and
- (6) Altering, mutilating, excavating, removing, destroying or defacing boundaries, marks or signs, natural formations, burial grounds, religious sites, artifacts, objects belonging to indigenous cultural communities and other objects of natural and scenic value or affixing marks or signs on trees.

(b) A fine of not less than one hundred thousand pesos (P100,000.00) nor more than five hundred thousand pesos (P500,000.00) and imprisonment of not less than one (1) year but not more than five (5) years shall be imposed upon:

- (1) Any person or persons found guilty of grazing and/or causing livestock to graze or raising poultry within the protected area without a permit from the PAMB;
- (2) Any public officer of the law, who, in dereliction of the duties of one's office, shall maliciously refrain from instituting acts necessary to prosecute the violators of this Act or shall tolerate the commission of offense shall also carry the penalty of perpetual disqualification from public office,
- (3) Use of motorized equipment without a permit except motorized vehicles within the national highway, provincial road or other public thoroughfare traversing the park: *Provided*, that such thoroughfares were legally constructed;
- (4) Occupying any portion of land inside the protected area without a permit from the PAMB: *Provided, further*, that such occupation shall not last for more than (10) days in the particular portion of the protected area; and
- (5) Entering the protected area without a permit from the PAMB.

Any person who shall induce or conspire with another person to commit any of the acts prohibited in this section or cause workers to commit any such acts shall be liable in the same manner as the one actually performing the act.

The valuation of the damage resulting from any of the acts prohibited herein shall take into account the biodiversity and conservation consideration as well as aesthetic and scenic values. Conviction for any of these acts shall likewise carry the penalty of eviction from the protected area and forfeiture in favor of the government of transportation facilities, structures, building materials, equipment, devices and weapons used in the commission of the offense.

If the above acts are committed by a corporation, the penalties shall be imposed on its executive officers and the board of directors.

The local government unit (LGU) responsible for the arrest of a violator and the confiscation of materials used in the commission of the offense shall have a fifty percent (50%) share from the proceeds in the disposition of confiscated materials. The other fifty percent (50%) shall accrue to the Kaliwa River Forest and Wildlife Sanctuary Fund.

The above prohibitions shall not include activities identified in the management plans and such other measures which are necessary for the preservation of the protected

area and which shall be undertaken by the PASu or other persons deputized by the PAMB. The customs and traditional practices of indigenous cultural communities certified by proper authorities shall likewise be allowed and the above prohibitions shall not apply.

SEC. 15. *Special Prosecutors.* — Within thirty (30) days from the effectivity of this Act, the Department of Justice (DOJ) shall designate a special prosecutor to whom all cases of violation of laws, rules and regulations in the protected area shall be assigned.

Such special prosecutor shall coordinate with the PAMB and the PASu in the performance of the person's duties and assist in the training of wardens and rangers in arresting and prosecuting violators of this Act. The PAMB may appoint special private prosecutors on a case-to-case basis to assist the public prosecutor.

SEC. 16. *The Kaliwa River Forest and Wildlife Sanctuary Fund.* - There is hereby established a trust fund to be known as the Kaliwa River Forest and Wildlife Sanctuary Fund to be used to finance the projects of the system. All income generated from the operation of the protected area or management of its wild flora and fauna in the protected area shall accrue to the Fund. Such income shall be derived from visitors/tourists fee, fees from the permitted sale and export of flora and fauna and other resources from the protected area, proceeds from the registration and lease of multiple-use areas including tourism concessions, contributions from industries and facilities directly benefiting from the protected area, and such other fees and income derived from the operation of the protected area: *Provided*, that seventy-five percent (75%) of the same shall be set aside and retained by the PAMB which shall appropriate it exclusively for the management and operation of the Kaliwa River Forest and Wildlife Sanctuary: *Provided, further*, that the remaining twenty-five percent (25%) of such income shall be remitted to the central Integrated Protected Areas Fund (IPAF).

The Fund may be augmented by grants, donations, endowment from various sources, domestic to foreign, for purposes related to their functions: *Provided, furthermore*, that the Fund shall be deposited as a special account in the National Treasury and disbursements therefrom shall be made solely for the protection, maintenance, administration and management of the system, and duly approved projects endorsed by the PAMB in accordance with existing accounting and budgeting rules and regulations: *Provided, finally*, That the fund shall not be used to cover personal services expenditures.

The LGUs shall continue to impose and collect all other fees not enumerated herein which they shall additionally collect, such as business permit fees and rentals of LGUs facilities. Furthermore, LGUs may charge add-ons to fees imposed by the PAMB: *Provided*, that such add-ons shall be determined based on the contribution of the LGUs in the maintenance and preservation of the protected area.

SEC. 17. *Appropriations.* — The Secretary of the DENR shall immediately include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 18. *Interpretation.* — The provisions of this Act shall be construed liberally in favor of the protection and rehabilitation of the Kaliwa River Forest and Wildlife Sanctuary and the conservation and restoration of biological diversity, taking into account the needs and interests of qualified tenured migrants, for present and future Filipino generations. The NIPAS Act shall have supplementary effect in the implementation of this Act.

SEC. 19. *Transitory Provision.* - In order to ensure the sustainability and integrity of the watershed and water resources, the recovery and restoration of biological diversity, and to develop sustainable livelihood opportunities for tenured migrants, the DENR shall henceforth cease to issue concessions, licenses, permits, clearances, compliance documents or any instrument that allows exploitation and utilization of resources within the protected area until the management plan shall have been put into effect.

SEC. 20. *Separability Clause.* — If any part or section of this Act is declared by the courts as unconstitutional, such declaration shall not affect the other parts or sections hereof.

SEC. 21. *Repealing Clause.* - All laws, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 22. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation readily available in and around the scope specified herein. It shall likewise be posted in a conspicuous place in the provincial, municipal, and barangay halls within the areas as well as in three (3) other places frequented by the public.

Approved,