



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

All Regional Executive Directors

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **INVITATION TO CONSULTATIVE MEETING ON NATIONAL AND LOCAL BILLS FROM THE COMMITTEE ON NATURAL RESOURCES OF THE HOUSE OF REPRESENTATIVES**

DATE : 04 August 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 for your participation in the upcoming **Face-to-Face Consultative Meeting on 07 August 2023 (Monday) 10:00 AM at the Office of the Assistant Secretary for Policy, Planning and Foreign Assisted and Special Projects Conference Room, 5th Floor DENR Main Building and via Zoom (Meeting ID: 994 2994 8855 Passcode: DENR2023)**, in preparation for the abovementioned Committee Meeting in the House of Representatives. Further, kindly inform us of the name/s of the representative/s from your office who will participate in the consultative meeting so we may include him/her/them as resource person/s.

Attached herewith are the House bills for your reference.


ROMIROSE B. PADIN

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)

First Regular Session

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 2623



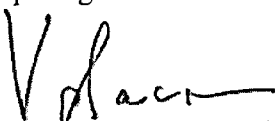
Introduced by **REPRESENTATIVE VIRGILIO S. LACSON**

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.

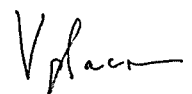
Section 7. Penalties. Any person who willfully or knowingly does or who shall aid, permit, or cause to be done any of the acts declared to be unlawful in Section 5 of this Act, or who violates the provisions thereof, or of any order issued thereunder, or aids, permits, or causes such violation shall, upon conviction thereof, be penalized with the imprisonment of not less six (6) months but not more than one (1) one 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,



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.

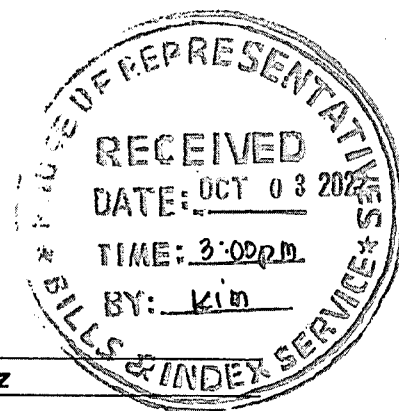
SECTION 8. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

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,

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

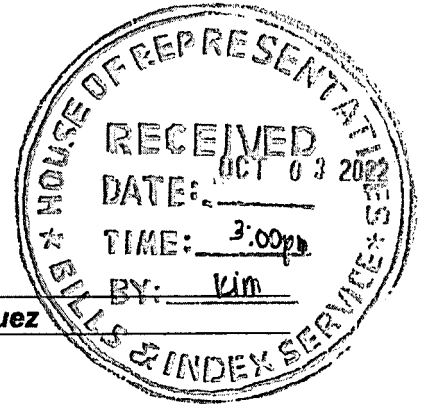
In order to remedy the situation, the DepEd has to look for other ways to solve their problem on classroom shortage.

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.

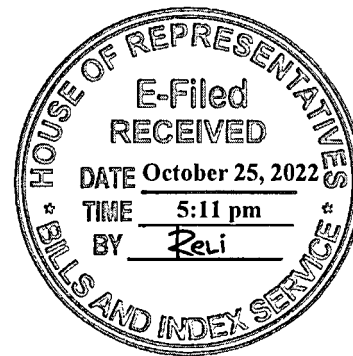
SEC. 5. Separability Clause – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected by such declaration shall remain in full force and effect.

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,

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



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 5687

EXPLANATORY NOTE

This proposed measure seeks to declare a portion of the Philippine Rise as a protected area under the National Integrated Protected Area System, and at the same time establish a mechanism that would ensure that measures towards this objective are enforced and implemented.

The Philippine Rise is a vast seamount found in the Eastern Seaboard of the Philippines. While it is, on average, 3,000-3,500 meters beneath the ocean's surface, it rises a good 2,000 meters above the rest of the ocean floor. On the Philippine Rise, there exists a number of other seamounts that further "rise up" to 1,000-2,000 meters. The tallest or *shallowest seamount* is the Benham Bank that lies just 48-70 meters beneath sea surface. In 2014, an all-Filipino Scientists Research Expedition discovered pristine coral reefs and associated habitats at depths up to 55 meters in several of their survey stations, at the summit of the Benham Bank Seamount. Alongside the discovery of these habitats are the discovery of diverse fish communities and apex predators, schools of sharks - indicative of a healthy ecosystem in the Benham Bank.¹

The majority of the Philippine Rise, including the Benham Bank Seamount, has always been within the Philippine Exclusive Economic Zone (EEZ). However, the United Nations Commission on the Limits of the Continental Shelf (UN CLCS) adopted the recommendation of the Philippines on the limits of our Continental Shelf, granting us an additional of 13.5M Hectares- Extended Continental Shelf (ECS) in the Philippine Rise extending beyond the EEZ.

Following the discoveries in the Benham Bank, four (4) more research expeditions were conducted in 2016, 2018, 2019, and 2022 to further assess the biodiversity and extent of habitats therein. The data and information obtained from past expeditions supported a number of pronouncements, from the recognition of the Philippine Rise as an Ecologically and Biologically Significant Marine Area (EBSA) under the United Nations Convention on Biological Diversity (UN-CBD), proposal for it to become a Marine Protected Area in 2016, the signing of Presidential Proclamation No. 489 declaring a portion of the *Philippine Rise*, namely the Benham Bank and its surrounding waters, as a *Marine Resource Reserve* under the National Integrated Protected Area System in 2018, and the development and finalization of its Management Plan.

The proclamation of the portion of the Philippine Rise as a marine protected area in 2018 however, was just an initial step towards fulfilling the requirements for a full-fledged protected area to be finally declared as part of the ENIPAS of 2018.

As the PRMRR is the first MPA in the Philippine EEZ, wherein fisheries operations are regular, the state of the habitats and biodiversity in the Benham Bank must be closely monitored to ensure the sustainability of the resources therein. Ecosystem degradation is a precursor of reduced ecosystem services. Regular expeditions to the area must be conducted in order to establish long-term trends in ecological integrity and biodiversity of the Benham Bank, vis-a-vis fisheries productivity data, courtesy of the DA BFAR, in order for us to appropriately craft, revise and implement sustainable utilization guidelines.

Monitoring and maintaining the high biodiversity and near pristine habitats in the PRMRR will contribute to sustainable fisheries productivity and ecosystem services for present and future generations. The law enforcement agencies (BFAR, Armed Forces of the Philippines, Philippine Coast Guard, and PNP Maritime Group) are involved in maritime

patrolling, maritime safety for Filipino fishers, and enforcement of fisheries and conservation laws.

Legislation of the PRMRR not only institutionalizes and provides funds for its management across the various agencies involved, from the DENR, to the DA BFAR, to security and enforcement agencies like the Philippine Coast Guard, the Armed Forces of the Philippines, and the Philippine National Police Maritime Group, among others, but is an exercise of Philippine sovereignty over our waters and the resources therein, for the benefit of present and future generations of Filipinos.

In view of the foregoing, 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. 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

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

CHAPTER I

DECLARATION OF POLICY AND SCOPE OF APPLICATION

SECTION 1. Title – This Act shall be known as the “Philippine Rise Marine Resource Reserve (PRMRR) Act”.

SEC. 2. Declaration of Policy. – It shall be the policy of the State to ensure the protection and conservation of the globally significant economic, biological, sociocultural, educational, and scientific values of the Philippine Rise and the *Benham Bank* into perpetuity for the enjoyment of present and future generations. In the pursuit of this policy, it shall protect portions of the Philippine Rise region, namely the *Benham Bank* and its surrounding waters, through sustainable and participatory management, taking into consideration all applicable laws and international conventions to which the Philippines is a signatory.

It shall likewise be the policy of the State to promote the Philippine Rise region, with the end in view of fostering widespread awareness and concern for the marine environment, and engaging Filipinos in conservation for the same. Towards this end, the State shall undertake comprehensive and holistic capacity building, and communication, education, and public awareness campaigns for the benefit of the general public, pursuant of the duty of the State to protect, conserve, and promote the biodiversity, ecosystems, and resources therein. The State shall encourage the participation of the fisheries sector in the protection, conservation, and promotion of the PRMRR.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms shall be defined as follow:

- (a) *Bioprospecting* refers to research, collection and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes.
- (b) *Buffer zone* refers to the identified area outside the boundaries of and immediately adjacent to the PRMRR that needs special development control in order to avoid or minimize harm to the protected area.
- (c) *By-products or derivatives* refer to parts taken or substances extracted from wildlife, in raw or in processed form.

- (d) *Collecting* refers to the act of gathering or harvesting wildlife and its by-products or derivatives.
- (e) *Conveyance* refers to every kind of vessel, including motorized or non-motorized vehicles, non-displacement crafts and seaplanes that are used or may be used as a means of transportation on land or water. It shall include everything found therein, except personal effects.
- (f) *Commercial fishers* refer to persons who catch fish and other fisheries products using fishing vessels of more than three (3) gross tons.
- (g) *Coral* refers to either of the following:
- the sessile marine invertebrates under Class Anthozoa of Phylum Cnidaria, whose individual units are called polyps. This includes stony or hard corals, and soft corals; or
 - the hard calcareous substance made up of the skeleton of marine anthozoan polyps which compose reefs, shelves and atolls, or any of the other stony masses formed by the skeletons of colonies of polyps. This includes: (a) skeletons of anthozoans characterized as having a rigid axis of compact calcareous or horny spicules, belonging to the genus *Corallium* as represented by the red, pink and white corals which are considered precious corals; (b) skeletons of anthozoans characterized by thorny, horny axis such as the antipatharians represented by the black corals which are considered semi-precious corals; and (c) ordinary corals which are any kind of corals that are not precious nor semi-precious.
- (h) *Coral reef* refers to a natural aggregation of coral skeleton, with or without living coral polyps, occurring in intertidal, subtidal marine waters, or mesophotic zones.
- (i) *Delineation* refers to the actual ground survey of the boundaries of the protected area, its buffer zones, and management zones using the global positioning system (GPS) or other applicable survey instruments and technologies, with the intention of producing a map of the area;
- (j) *Demarcation* refers to the establishment of the boundaries of protected areas and their buffer zones using visible markers, monuments, buoys, or GPS markers, as a result of actual ground delineation;
- (k) *Ecosystems goods and services* refer to the multitude of material and nonmaterial provisions and benefits from healthy ecosystems necessary for human sustenance, well-being, and survival including support processes, provisioning and environment regulating services, and cultural resource preservation services;
- (l) *Exotic species* refers to the species or subspecies of flora and fauna which do not naturally occur within the protected area at present or in historical time.
- (m) *Exploration* refers to the act of searching or prospecting for mineral or energy resources, as defined by law, by geological, geochemical or geophysical surveys, remote sensing, test pitting, trenching, drilling, shaft sinking, tunneling or any other means, for the purpose of determining the existence, extent, quantity, and quality of resources in an area, and the feasibility of utilizing these resources for profit.
- (n) *Fishery or Fisheries management area* refers to a bay, gulf, lake or any other fishery area which may be delineated for fishery resource management purposes, as defined in Republic Act No. 10654, amending Republic Act No. 8550 Otherwise known as the Philippine Fisheries Code of 1998.
- (o) *Gear* refers to any instrument or device and its accessories utilized in taking, catching, gathering, killing, hunting, destroying, disturbing, removing, or possessing resources within the protected area.
- (p) *Genetically modified organism (GMO)* refers to any living organism that possesses a novel combination of genetic material through the use of modern biotechnology.
- (q) *Hunting* refers to the killing or catching of wild fauna for food and recreational purposes, with the use of weapons such as guns, bow and arrow, spears, traps and snares, and the like.

- (r) *Integrated Protected Area Fund (IPAF)* refers to the special account established for the purpose of financing projects of the NIPAS and individual protected areas.
- (s) *Invasive alien species* refers to species introduced deliberately or unintentionally outside their natural habitats where they have the ability to establish themselves, invade, out-compete native species, and take over the new environment.
- (t) *Littering* refers to the disposal of small amounts of non-biodegradable solid waste materials such as, but not limited to, cigarette butts, candy wrappers, plastic materials, bottles and glasses.
- (u) *Multiple-use zone* refers to the area where settlement, traditional and sustainable land use including agriculture, agroforestry, extraction activities, and income generating or livelihood activities may be allowed to the extent prescribed in the protected area management plan.
- (v) *Municipal fishers or fisherfolk* refer to persons who catch fish and other fisheries products using fishing vessels of three (3) gross tons or less, or whose fishing does not require the use of fishing vessels.
- (w) *National Integrated Protected Areas System (NIPAS)* refers to the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible.
- (x) *Non-government organization (NGO)* refers to any civic, developmental, environmental or philanthropic non-stock, non-profit organization, duly registered, having by-laws, democratically-elected representatives, with qualifications, expertise and objectivity in activities concerning community organizing and development, or resource and environmental conservation, management and protection related to the protected area.
- (y) *Non-renewable resources* refer to those resources that cannot be remade, regrown or regenerated on a scale comparative to its consumption.
- (z) *Noxious or poisonous substances* refer to any substance, plant extracts or juice thereof, sodium cyanide and/or cyanide compounds or, other chemicals either in raw or processed form, harmful or harmless to human beings, which will kill, stupefy, disable or render unconscious any marine organism and capable of damaging or altering the natural habitat.
- (aa) *Occupying* refers to a continuous stay of individuals or groups within a protected area, whether residing or engaging in the cultivation of land or fishing for more than twenty-four (24) hours.
- (bb) *People's organization (PO)* refers to a group of people which may be an association, cooperative, federation, aggrupation of individuals or groups with an identifiable structure of decision-making and accountability, established to undertake collective action to address community concerns and needs in relation to the protected area.
- (cc) *Poaching* refers to gathering, collecting, or possessing products or natural resources from the protected area by any individual person, corporation or entity whether local or foreign; in the case of marine protected areas, operating any foreign fishing vessels by any person, corporation, or entity without a permit.
- (dd) *Protected area* refers to identified portions of land and/or water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation.
- (ee) *Protected Area Retained Income Account (PA-RIA)* refers to the trust fund maintained by any protected area and administered by the respective Protected Area Management Boards (PAMB) created pursuant to this Act representing the seventy-five percent (75%) of revenues generated from the protected area to support its operation and management.

- (ff) *Protected Species* refers to plants or animals declared protected under Philippine laws, rules, and regulations. These shall include all species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and all its Annexes, the Convention on the Conservation of Migratory Species (CMS), those specified under the red-list categories of the International Union for Conservation of Nature and Natural Resources (IUCN), or any plant or animal which the Department of Environment and Natural Resources (DENR), PAMB or any government agency may deem necessary for conservation and preservation in the protected area;
- (gg) *Quarrying* refers to the process of extracting, removing, and disposing sand, gravel, guano, limestone, and all other resources used as building and construction materials that are found within the protected area.
- (hh) *Resource reserve* refers to an extensive, relatively isolated, and uninhabited area which is difficult to access and is designated to protect the natural resources of the area for future use and prevent or contain development activities that could affect the resources, pending the establishment of sustainable resource utilization goals which are based upon appropriate information and planning.
- (ii) *Special Account in the General Fund (SAGF)* refers to the trust fund deposited in the national treasury representing the twenty-five percent (25%) of the revenues generated from the operation of individual protected area and earmarked to support the NIPAS.
- (jj) *Special Fisheries Management Area (SFMA)* refers to any Fishery/Fisheries Management Area, as defined in RA No. 10654 amending RA No. 8550, designated through a Presidential Proclamation or any other form policy issuance.
- (kk) *Special Use Agreement in Protected Areas (SAPA)* refers to a binding instrument between the DENR, as the first party, and the project proponent as the second party, relating to the use and/or development of land, resources or facilities within protected areas, pursuant to the ENIPAS Act;
- (ll) *Strict Protection Zone (SPZ)* refers to portions within protected areas that are closed to human activities by virtue of their significant biodiversity value, high susceptibility to geo-hazard, and identification as permanently dangerous. These areas may also include habitats of threatened species, or degraded areas that are designated for restoration and subsequent protection, regardless of their stages of regeneration;
- (mm) *Wildlife* refers to the wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred, fed, or propagated.

SEC. 4. Scope of Application– The Philippine Rise Marine Resource Reserve (PRMRR) shall cover the *Benham Bank* and its surrounding waters, more specifically described in Map No. PP-MPA-PR-01 within the following geographic coordinates:

BOUNDARY CORNER	LATITUDE	LONGITUDE
01	15° 32' 12" N	123° 58'56" E
02	15° 32' 12" N	124° 33' 03" E
03	16° 02' 47" N	124° 33' 03" E
04	16° 02' 47" N	123° 58'56" E,

under the World Geodetic System of 1984 (WGS84), containing an area of three hundred fifty-two thousand three hundred ninety (352,390.00) hectares.

SEC. 5. Management Zoning – When necessary, the DENR Secretary, upon the recommendation of the Philippine Rise Marine Resource Reserve Protected Area Management Board (PRMRR PAMB), may designate a Strict Protection Zone within the PRMRR in consideration of significant biodiversity value or habitats of threatened species, among other reasons as may be identified.

The areas outside of the strict protection zone but within the PRMRR shall automatically be designated as the Multiple-Use Zone and the Special Fisheries Management

Area, pursuant to Republic Act No. 11038, or the "ENIPAS Act of 2018", amending Republic Act No. 7586, and Republic Act No. 10654 amending Republic Act No. 8550, or the "Philippine Fisheries Code of 1998."

The DENR Secretary, upon recommendation of the PAMB, may designate areas surrounding the PRMRR as buffer zones for the purpose of providing extra layer of protection where restrictions may be applied.

Pursuant to the "ENIPAS Act of 2018", the DENR, with the assistance of other government agencies, shall delineate and demarcate the PRMRR and its management zones.

SEC. 6. *Management Plan.* – The management plan shall, at the minimum, promote the adoption and implementation of innovative management techniques including, when necessary, zoning, buffer zone management, habitat conservation and rehabilitation, diversity management, community organizing and development, socioeconomic and scientific researches, site-specific policy development, climate change adaptation and mitigation, disaster risk reduction and management, and gender and development, among others.

The Management Plan shall be updated pursuant to the ENIPAS Act.

CHAPTER II THE PHILIPPINE RISE MARINE RESOURCE RESERVE PROTECTED AREA MANAGEMENT BOARD (PRMRR PAMB)

SEC. 7. *Creation and Composition of the Philippine Rise Marine Resource Reserve Management Board.* – There shall be a Philippine Rise Marine Resource Reserve Protected Area Management Board (PRMRR PAMB), which shall be the sole policy-making body of the PRMRR. The management and administration of the PRMRR shall be vested with the PRMRR PAMB, as herein provided, and shall be consultative and participatory. It shall be composed of:

- (a) Secretary of the DENR, as Chairperson;
- (b) Chairperson of the House of Representatives Committee on Natural Resources Chairperson;
- (c) Chairperson of the Senate Committee on Environment, Natural Resources and Climate Change Chairperson;
- (d) Designated representatives of the Department of Agriculture Bureau of Fisheries and Aquatic Resources (DA BFAR), National Economic Development Authority (NEDA), Department of Science and Technology (DOST), Department of National Defense Office of Civil Defense (DND OCD), Philippine National Police – Maritime Group, the National Security Council (NSC), National Coast Watch Council Secretariat (NCWCS), Department of Foreign Affairs Maritime and Ocean Affairs Office (DFA MOAO), Armed Forces of the Philippines (AFP), and the Philippine Coast Guard (PCG);
- (e) Four (4) representatives from NGOs or POs duly accredited by the DENR. The NGOs or POs represented should have been in existence for at least five (5) years and must have a record of accomplishments in the field of protected area management;
- (f) Up to four (4) representatives from academic institutions, preferably from universities or colleges with proven track records in protected area management and research; and
- (g) One (1) representative from the private sector, preferably from the commercial fishing sector and a member of the National Fisheries and Aquatic Resources Management Council.

Ex-officio members or members of the PAMB by virtue of their elective or appointive government positions as specified in the immediately preceding sub-paragraphs (a), (b), (c), and (d) shall serve for the duration of their respective terms of office in their respective elective or appointive government positions.

On the other hand, the members of the PAMB specified under sub-paragraphs (e), (f), and (g) of this section shall be appointed by the DENR Secretary after the conduct of a

transparent and fair selection process. They shall each serve a term of three (3) years and may be reappointed for another term.

The members of the PAMB shall serve without compensation, except for the actual and necessary travel and subsistence expenses incurred in the performance of their duties, either in their attendance in PAMB meetings or in connection with other official business authorized through a resolution by the PAMB, subject to existing rules and regulations. Each member shall have the full capacity and accountability for decisions binding to the member's sector.

The Interim PAMB members duly appointed prior to the effectivity of this Act shall continue to exercise their function until such time that a new set of PAMB members shall have been constituted.

Thereafter, the members of the management board shall be appointed in accordance with the provisions of this Act: *Provided, That* at least forty percent (40%) of the PAMB members shall be women pursuant to Republic Act No. 9710 or 'The Magna Carta of Women'.

A member of the PAMB may be removed for any of the following grounds:

- (1) More than three (3) consecutive unexcused absences from regular meetings of the management board;
- (2) Commission of acts prejudicial to the management of protected areas as embodied in Section 18 hereof and other existing rules and regulations governing protected areas;
- (3) Disassociation from the office or organization being represented;
- (4) Termination of relationship with the office or organization being represented; or
- (5) Conviction by final judgment of any criminal act.

The processes for facilitating applications, appointments, and creation of committees of the PRMRR PAMB and its members, as well as the resolution of issues, shall be pursuant to the ENIPAS Act of 2018.

SEC. 8. Powers and Functions of the PRMRR PAMB. – The PRMRR PAMB shall have the following powers and functions:

- (a) Oversee the management of the protected area;
- (b) Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the protected areas;
- (c) Approve the management plan of the protected area and ensure its harmonization with and integration into national and other development plans, such as the FMA plan, public or private, and its implementation;
- (d) Adopt a manual of operations to include rules of procedures in the conduct of business, and the creation of committees and their respective terms of reference;
- (e) Recommend the deputation of appropriate agencies and individuals for the enforcement of the laws, rules and regulations governing the management of the protected area;
- (f) Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account and other funds in accordance with the accounting and budgeting rules and regulations;
- (g) Set fees and charges in accordance with existing guidelines;
- (h) Issue rules and regulations for the resolution of conflicts through appropriate and effective means;
- (i) Recommend appropriate policy changes to the DENR and other government authorities;
- (j) Monitor and assess the performance of the Protected Area Superintendent (PASU) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or agreement;
- (k) Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASU; and
- (l) Assess the effectiveness of the management of the protected area:

Provided, That the members of the management board representing national agencies shall inform their respective constituents, offices or sectors, of PAMB-approved or other relevant

policies, rules, regulations, programs, and projects and shall ensure that the provisions of this Act and its implementing rules and regulations are complied with, and used as reference and framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be the basis for disciplinary action against such member according to administrative rules and regulations and such penalties as the PAMB may provide: *Provided, further, That* the DENR, shall ensure that the PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and the existing administrative orders of national application, the latter shall prevail.

SEC. 9. *The Protected Area Management Office (PAMO).* – Pursuant to the ENIPAS Act of 2018, there is hereby established a PRMRR Protected Area Management Office (PAMO) to be headed by a Protected Area Superintendent (PASU) with a permanent plantilla position who shall supervise the day-to-day management, protection, and administration of the PRMRR. A sufficient number of support staff with permanent plantilla position shall be appointed by the DENR to assist the PASU in the management of the PRMRR.

The PASU shall be primarily accountable to the PAMB and the DENR for the management and operations of the protected area. Pursuant thereto, the PASU shall have the following duties and responsibilities:

- (a) Prepare the management plan, in consultation with the stakeholders, including the annual work and financial plans and ensure its implementation;
- (b) Ensure the integration of the protected area management plans, programs, projects, and policies with relevant national plans and programs;
- (c) Provide secretariat services to the PAMB and its committees and ensure the availability of relevant and timely information for decision-making;
- (d) Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;
- (e) Establish, operate, and maintain a database management system which shall be an important basis for decision-making;
- (f) Enforce the laws, rules and regulations relevant to the protected area, commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the prosecution of offenses committed in violation of this Act;
- (g) Monitor, evaluate, and report the implementation of management activities of the protected area;
- (h) Request for and receive any technical assistance, support or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, and the private sector, as may be necessary for the effective management, protection and administration of the protected area;
- (i) Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with terms, conditions, and criteria established by the PAMB: *Provided, That* all permits for extraction activities, including collection for research purposes, shall also continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASU, in accordance with the specific acts to be covered;
- (j) Collect and receive pertinent fees, charges, donations, and other income for the protected area: *Provided, That* such fees, charges, donations, and other income collected/received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;
- (k) Prepare and recommend to the PAMB approval of the annual work and financial plans of the protected area based on the management plan;
- (l) Directly report to the DENR Undersecretary for Field Operations through the Director of the Biodiversity Management Bureau; and
- (m) Perform such other functions as the PAMB and the DENR may assign.

SEC. 10. Role of the DENR. – The DENR shall perform all the functions as stipulated in the ENIPAS Act of 2018, as well as coordinate closely with other government agencies concerned to ensure the sound management and conservation of the PRMRR. It shall also provide technical and financial assistance to the PRMRR as may be needed.

SEC. 11. Reporting Responsibility – Pursuant to the ENIPAS Act of 2018, the PASU, through the PAMB, shall submit an annual accomplishment report of the protected area to the Secretary of the DENR through the Biodiversity Management Bureau (BMB). A report on the conditions and benefits of the biological resources and ecosystem services of the protected area shall also be submitted by the PASU, through channels, to the Secretary of the DENR every five (5) years. Further, the PASU shall coordinate with and provide the necessary documents needed by the BMB for the preparation of the National State of Protected Areas (NSPAs) report every five (5) years, to be submitted to the President, the Senate and the House of Representatives.

CHAPTER III DEVELOPMENT, FISHING, EXPLORATION, AND RESEARCH ACTIVITIES AT THE PRMRR

SEC. 12. Management of the Special Fisheries Management Area of the PRMRR. – There shall be a Special Fisheries Management Area (SFMA) within the PRMRR under the jurisdiction of the DA BFAR, that covers the Multiple-Use Zone of the PRMRR. The DA BFAR shall monitor all the fishing activities within the SFMA, advise the PASU on fisheries management, ensure coordination and harmonization of the PRMRR Management Plan with the FMA framework, and provide other technical and financial assistance as may be necessary.

SEC. 13. Environmental Impact Assessment (EIA)– Considering that protected areas are environmentally critical areas, the proponent of development projects and activities with potentially significant adverse impacts as determined by the Environmental Management Bureau (EMB), whether or not these projects or activities are included in the management plan, shall secure an Environmental Compliance Certificate (ECC) in accordance with the Philippine Environment Impact Statement (EIS) System: Provided, That for development projects and activities that are not environmentally critical, an initial environmental examination (IEE) shall be undertaken instead of a full-blown EIA. No project or activity may be undertaken by any project proponent without prior clearance from the PAMB. The DENR shall require the submission of the PAMB clearance, among others, before issuing an ECC to a project proponent.

No actual implementation of such activities shall be allowed without the required ECC under the Philippine EIA System. Violations of environmental laws, rules and regulations, including those under the EIA System, shall be penalized accordingly.

SEC. 14. Energy Resource Projects – Consistent with Section 14 of the ENIPAS Act of 2018, the exploration for energy resources may be allowed in protected areas only for the purpose of gathering data and information and only if such activity is carried out with the least damage to surrounding areas.

Surveys for non-renewable energy projects shall be conducted only in accordance with a program approved by the DENR, and the result of such surveys shall be made available to the public and submitted to the President who shall make the appropriate recommendations to Congress.

Renewable energy projects may be allowed within the protected area by the PAMB with the concurrence of the DENR Secretary: *Provided, That* renewable energy projects, which shall be located outside the strict protection zones, shall undergo the EIA as provided by law, and shall adopt reduced impact technologies so as not to be detrimental to ecosystem functions, biodiversity, cultural practices and traditions: *Provided, further, That* sufficient bond

shall be remitted by the proponent to the DENR, the amount of which will be based on damage estimation upon decommissioning and projected cost of rehabilitation. It shall be released to the depositor upon the satisfactory decommissioning of all equipment, structures and improvements and the rehabilitation of the site according to the zones and objectives of the management plan as attested to by the PAMB.

SEC. 15. *Special Uses Within Protected Areas.* – Consistent with Section 25 of the ENIPAS Act of 2018, special uses may be allowed within the PRMRR except in the strict protection zone.

A sufficient bond shall be remitted by the proponent to the DENR to be released to the depository bank in the event of damage by or closure of the establishment after satisfactory rehabilitation according to the zones and objectives of the management plan as attested to by the PAMB.

CHAPTER IV ENFORCEMENT, PROHIBITED ACTS AND PENALTIES

SEC. 16. *Persons and Deputies Authorized to Enforce this Act and Other Environmental Rules and Regulations.* –The law enforcement officers of the Department of Environment and Natural Resources (DENR) as well as the Department of Agriculture (DA), Armed Forces of the Philippines (AFP), Philippine Coast Guard (PCG), Philippine National Police – Maritime Group (PNP MG) are hereby authorized to enforce this Act and other marine environmental laws, rules and regulations. Further, the PAMO may also be augmented by the deputized environment and natural resources, law enforcement officers upon the recommendation of the PAMB and approval of the DENR.

Nothing herein mentioned shall be construed as preventing regular enforcers and police officers from arresting any person in the act of violating said laws and regulations.

SEC. 17. *Prohibited Acts.* – The following acts are prohibited within the PRMRR:

- (a) Poaching, killing, destroying, disturbing of any wildlife within the protected area;
- (b) Hunting, taking, collecting, gathering or possessing of any wildlife or by-products derived therefrom, or resources, whether living or nonliving within the protected area without the necessary permit, authorization or exemption: *Provided, That* the PASU as authorized by the PAMB shall issue a permit, authorization or exemption only for culling, scientific research, the exceptions provided under Section 27(a) of Republic Act No. 9147, or the “Wildlife Resources Conservation and Protection Act”, or harvests of non-protected species in multiple-use zones by fishers who are traditionally operating in the area as may be determined by BFAR;
- (c) Possessing or transporting outside the protected area any wildlife, or by-products derived therefrom, which are ascertained to have been taken from the protected area, except as may be allowed by this Act and authorized through obtaining of the appropriate permit;
- (d) Using any fishing or harvesting gear or employing any practices, or any of their variations, that is unsustainable, that are unsustainable, or detrimental to coral reefs, seagrass or seaweed beds or other marine life and their associated habitats: *Provided, That* mere possession of such gears within the protected area shall be *prima facie* evidence of their use;
- (e) Holding fast or securing a vessel in place either by using an anchor or tying onto any part of the reef: *Provided, That* all vessels permitted to enter shall utilize the mooring buoys provided by the PRMRR;
- (f) Dumping, throwing, using, or causing to be dumped into or placed in the protected area of any toxic chemical, noxious or poisonous substance or non-biodegradable material, untreated sewage or animal waste products or products whether in liquid, solid or gas state, including pesticides and other hazardous substances as defined under Republic Act No. 6969, otherwise known as the ‘Toxic Substances and

- Hazardous and Nuclear Wastes Control Act of 1999” detrimental to the protected area, or to the plants, animals, inhabitants or habitats therein;
- (g) Operating any motorized conveyance within the protected area without permit from the PAMB;
 - (h) Altering, removing, destroying or defacing boundary marks, buoys, or signs;
 - (i) Mutilating, defacing, destroying, excavating, vandalizing or, in any manner, damaging any natural formation, religious, spiritual, historical sites, artifacts and other objects of natural beauty, scenic value or objects of interest;
 - (j) Littering or depositing refuse or debris within the protected area;
 - (k) Possessing or using blasting caps or explosives anywhere within the protected area;
 - (l) Occupying or dwelling within the protected area without clearance from the PAMB;
 - (m) Entering, enjoying or utilizing any portion of the PRMRR and the resources therein, for whatever purpose without the prior permission from the PRMRR-PAMB; and
 - (n) Obstructing, evading, or hindering Law Enforcement Officers from performing their duties within the Protected Area.
 - (o) Constructing, erecting, or maintaining any kind of structure, fence or enclosures, conducting any business enterprise within the protected area without prior clearance from the PAMB and permit from the DENR, or conducting these activities in a manner that is inconsistent with the management plan duly approved by the PAMB;
 - (p) Undertaking mineral exploration or extraction within the protected area, pursuant to Republic Act No. 7942, or the “Philippine Mining Act of 1995”;
 - (q) Engaging in commercial or large-scale quarrying within the protected area;
 - (r) Establishing or introducing exotic species, including GMOs or invasive alien species within the protected area;
 - (s) Conducting bioprospecting activities within the protected area without prior PAMB clearance in accordance with existing guidelines: *Provided, That* in addition to the penalty provided herein, any commercial use of any substance derived from non-permitted bioprospecting activities shall not be allowed and all revenue earned from illegal commercialization thereof shall be forfeited and deposited as part of the IPAF;
 - (t) Prospecting, hunting or otherwise locating hidden treasures within the protected area;

SEC. 18. Penalties. – Violations under this Act shall be subject to the following penalties:

- (a) A fine of not less than Two hundred thousand pesos (P200,000) but not more than One million pesos (P1,000,000) or imprisonment from one (1) year but not more than six (6) years, or both, plus damages of triple the value of the said resources, or both, shall be imposed upon any person who violates paragraphs (a) to (e) of Section 17 herein;
- (b) A fine of not less than Two hundred thousand pesos (P200,000) but not more than One million pesos (P1,000,000) or imprisonment from one (1) year but not more than six (6) years, or both, shall be imposed upon any person who violates paragraphs (f) to (n) of Section 17 herein;
- (c) A fine of not less than One million pesos (P1,000,000) but not more than Five million pesos (P5,000,000) or imprisonment from six (6) years but not more than twelve (12) years, or both, shall be imposed upon any person who violates paragraphs (o) to (t) of Section 17 herein;
- (d) Administrative fines of not less than Fifty thousand pesos (P50,000), but not exceeding Five million pesos (P5,000,000), shall be imposed by the DENR Secretary for the violation of any rule, regulation, or provision of any agreement reached with the PAMB: *Provided, That* if an area which has sustained damage from any activity conducted therein requires rehabilitation or restoration as determined by the court, the offender

shall be required to restore or pay compensation for such damages, which payment shall accrue to the IPAF.

On the basis of a court order, the DENR shall cause the eviction of an offender from the protected area: Provided, that in cases of emergency, the DENR Secretary may order the immediate exit or departure of the offender from the protected area. The DENR Secretary may call on other enforcement agencies to assist in executing the order to vacate.

An emergency occurs when there is a demonstrated impending threat to human life and biodiversity or to species found within the ecosystem of the protected area.

All minerals, wildlife, or other resources, whether living or nonliving, illegally collected or removed from the protected area, including all equipment, devices, conveyances, and firearms used in connection therewith, shall be forfeited in favor of the government, and any construction or improvement made thereon by the offender shall be subject to confiscation by the PAMO, subject to the application of due process.

The conveyances, vessels, equipment, paraphernalia, implements, gears, tools, and similar devices used in the commission of the crime shall be dealt with in accordance with Part 4, Rule 12 (Custody and Disposition of Seized Items, Equipment, Paraphernalia, Conveyances and Instruments) of Administrative Matter No. 09-6-8-SC (Rules of Procedure for Environmental Cases) issued by the Supreme Court. However, in no case shall any confiscated or rescued protected animal species be sold or in any manner disposed of but shall be immediately turned over to the PAMO for rehabilitation and release to its natural habitat, subject to existing regulations.

Valuation of the damage shall take into account biodiversity and conservation considerations as well as aesthetic and scenic value. The valuation and assessment by the DENR, in coordination with other concerned government agencies, shall be presumed regular, unless otherwise proven by preponderance of evidence.

If the offender is an association or corporation, the president or manager, who is proven to have participated in or have actual knowledge of any violation against the provisions of this Act shall be directly liable for the act of the employees and laborers: Provided, finally, That the DENR may impose administrative fines and penalties consistent with this Act.

Any person who shall induce another or conspire to commit any of the acts prohibited in this Act, or force their workers to commit any of the same, shall be liable as principal.

The penalties specified in this section shall be in addition to the penalties provided in the ENIPAS Act, the Wildlife Resources Conservation and Protection Act, Republic Act No. 10654 amending the Philippine Fisheries Code of 1998, and other related laws.

The conviction of a public officer or officer of the law whether from any LGU or any national government agency for any violation of the provisions of this Act shall carry the accessory penalty of perpetual disqualification from public office.

SEC. 19. Enforcement of laws within PRMRR Areas in the Exclusive Economic Zone. –

The penalties under this Act shall be enforced according to the following norms:

- (a) Foreign nationals who are arrested and prosecuted for violations of this Act committed in the Exclusive Economic Zone of the Philippines shall be subject to imprisonment or other form of corporal punishment pursuant to an agreement between the Philippines and the relevant foreign states allowing the imposition of these penalties;
- (b) Foreign vessels and their crew arrested or detained for violation of this Act committed in the Exclusive Economic Zone of the Philippines shall be promptly released upon the posting of reasonable bond or other financial security set by the competent Philippine court. In case a dispute settlement proceeding has been initiated by the flag state of a detained foreign vessel before the relevant international court or tribunal under Article 292 of the 1982 Law of the Sea Convention, the competent Philippine court shall promptly order the release of the detained foreign vessel and its crew upon payment of the bond or other financial security set by the said relevant international court or tribunal;
- (c) In case a foreign vessel is arrested or detained for violation of this Act committed in the Exclusive Economic Zone of the Philippines, the competent Philippine court shall

promptly direct the Department of Foreign Affairs to notify the flag State of that vessel of the action taken and of any penalties subsequently imposed.

CHAPTER V INTEGRATED PROTECTED AREA FUND

SEC. 20. *The Integrated Protected Area Fund (IPAF).* – Pursuant to the ENIPAS Act of 2018, income generated from the operation and management of the PRMRR shall accrue to the Integrated Protected Area Fund (IPAF). The income shall be derived from fees and charges from the use of resources and facilities of the PRMRR; contributions from industries and facilities directly benefitting from the protected area; and such other fees and income derived from the operation of the PRMRR.

The PAMB shall retain seventy-five percent (75%) of all revenues raised through the above means, which shall be deposited in the Protected Area-Retained Income Account (PA-RIA) in any authorized government depository bank within the locality: *Provided*, That disbursements out of such deposits shall be used solely for the protection, maintenance, administration, and management of the protected area and implementation of duly approved projects of the PAMB.

Grants, donations and endowments from various sources, domestic or foreign, shall be deposited in full in a special account in the National Treasury to be used for the purpose specified in the deeds and instruments covering them.

Voluntary or legislated payments for ecosystem goods and services, including fines, penalties, and compensation for damages from protected area offenses shall accrue fully to the PA-RIA and shall be managed by the PAMB.

The remaining twenty-five percent (25%) of revenues shall be deposited as a special account in the General Fund in the National Treasury for purposes of financing the projects of the System.

The use of the IPAF shall be in accordance with existing accounting, budgeting, and auditing rules and regulations: *Provided, further*, That the IPAF shall not be used to cover personal services expenditures.

The DENR shall submit to the Department of Budget and Management (DBM) and the Department of Finance (DOF) quarterly reports on the financial and physical accomplishments on the utilization of the IPAF and other documents as may be required by the DBM, and shall furnish a copy of the same to the House Committee on Appropriations and the Senate Committee on Finance.

SEC. 21. *Tax Exemption.* – All grants, bequests, endowments, donations and contributions made to the protected area fund to be used actually, directly, and exclusively by the protected area, shall be exempted from donor's tax and shall be considered as allowable deduction from the gross income of the donor for the purpose of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.
(n)

SEC. 22. *Implementing Rules and Regulations (IRR).* – Within ninety (90) days from the effectivity of this Act, the Secretary of the DENR shall, in consultation with the concerned agencies and stakeholders most especially the fisheries sector, issue the corresponding rules and regulations for the effective implementation of this Act.

SEC. 23. *Appropriations.* – The Secretaries of the DENR and DA shall immediately include in their respective programs the implementation of this Act, the funding of which shall be included in the General Appropriations Act.

SEC. 24. *Transitory Provision.* – Pursuant to the ENIPAS Act of 2018, in order to enhance 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 other instruments that allow utilization of resources within the protected area until the management plan shall have been put into effect. All existing resource use permits issued for purposes which are authorized within the protected area shall be reviewed and shall not be renewed upon their expiration unless consistent with the management plan and approved by the PAMB.

SEC. 25. Construction and Suppletory Application of Existing Laws. – The provisions of this Act shall be construed liberally in favor of achieving biodiversity conservation, protection and sustainable development. Provisions of the ENIPAS Act of 2018, Republic Act No. 10654 amending the Philippine Fisheries Code of 1998, the Wildlife Resources Conservation and Protection Act, and existing environmental laws and their corresponding rules and regulations not inconsistent hereto shall have suppletory effect in the implementation of this Act.

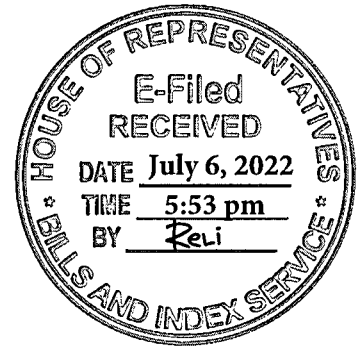
SEC. 26. Separability Clause. – If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected shall continue to be in full force and effect.

SEC.27. Repealing Clause. – All laws, ordinances, orders, rules, regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 28. Effectivity. - This Act shall take effect fifteen (15) days after publication in the *Official Gazette* or in a newspaper 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. 1452

EXPLANATORY NOTE

This bill was originally introduced as House Bill No. 1396 during the 15th Congress where it was approved by the Committee on Natural Resources and substituted by House Bill No. 6816, approved on 2nd reading, approved on 3rd reading and was transmitted to the Senate where it was not acted upon. It was re-filed during the 16th Congress and again re-filed during the 17th Congress.

Article II, Section 16 of the Constitution states that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

The quality of our life depends on water. Water is an important resource in all aspects of life. Yet, it is often taken for granted. Hence, there is a need to effectively manage and regulate land use as it applies to watershed management. Watershed is an area of land that drains into an underground water supply; local stream, lake, small holding pond, or wetlands. Everything we do can have an impact on land and water that make up the local watershed. As rain falls, snow melts, or irrigation runs down the hill into the soil, they carry sediment, nutrients, or other materials. The land drains into tributaries and these streams or creeks flow into bigger rivers. As this water flows downhill it moves over the soil. Along the way, the water picks up many different particles of debris (leaves or soil particles), sediments that can have negative impacts on the water quality. Water can pick up as it flows: motor oil, fertilizers, pesticides and eroded soil.

Watershed lands vary greatly in terms of water yield, natural sensibilities, and the activities that they support both on-site and downstream. The relationship between proper management and long-term results, including erosion, flooding, water quality and production, and wildlife habitat is crucial. The importance of watershed management that conserves fundamental resources while providing for the needs of people and ecosystems cannot be overemphasized.

Hence, this bill which seeks to effectively manage the watershed in Cagayan de Oro City.

In view thereof, immediate approval of this Bill is 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. 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

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

SECTION 1. Title. – This Act shall be known and cited as “Cagayan de Oro-Iponan Protected Landscape 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 within the Cagayan de Oro-Iponan Watershed in the City of Cagayan de Oro through its establishment as a component of the National Integrated Protected Areas System (NIPAS) under the category of protected landscape, without prejudice to the continued occupation thereof of the Higaonon Tribe 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 Cagayan de Oro-Iponan Protected Landscape and protect the way of life of the people living in and around the protected area.

SEC. 3. Scope and Coverage. – The Cagayan de Oro-Iponan Protected Landscape and its buffer zone shall cover parcels of land located within the areas of Malasag and Mahuganao in Barangay Cugman and Batinay in Barangay Tagpangi, the metes and bounds of which are delineated as follows:

Beginning at a point marked “1” on the Map, being N. 48° 45’ 43” E., 23,938.61 meters from BLLM 1 of Cagayan de Oro City, Misamis Occidental (BLLM 1 Latitude 8° 28’ 38.52” Longitude 124° 38’ 25.24”),

Thence	S. 19° 49’ 20” W.	1,306.12 m.	to corner	2;
Thence	S. 10° 39’ 42” W.	495.52 m.	to corner	3;
Thence	S. 43° 46’ 14” W.	784.83 m.	to corner	4;
Thence	S. 03° 28’ 40” W.	647.70 m.	to corner	5;
Thence	S. 19° 18’ 42” W.	295.22 m.	to corner	6;
Thence	S. 88° 23’ 11” E.	169.14 m.	to corner	7;
Thence	S. 27° 04’ 19” E.	120.34 m.	to corner	8;
Thence	N. 83° 49’ 47” E.	177.24 m.	to corner	9;
Thence	N. 42° 08’ 15” E.	134.87 m.	to corner	10;
Thence	S. 75° 24’ 39” E.	179.62 m.	to corner	11;
Thence	S. 10° 53’ 07” E.	126.09 m.	to corner	12;
Thence	S. 71° 41’ 39” E.	333.59 m.	to corner	13;

Thence	N. 89° 18' 35" E.	494.15 m.	to corner	14;
Thence	S. 73° 46' 03" E.	391.86 m.	to corner	15;
Thence	S. 55° 10' 31" E.	200.15 m.	to corner	16;
Thence	S. 64° 22' 39" E.	1,456.49 m.	to corner	17;
Thence	S. 63° 07' 18" E.	1,169.31 m.	to corner	18;
Thence	S. 53° 25' 43" E.	2,010.28 m.	to corner	19;
Thence	S. 53° 20' 05" E.	998.94 m.	to corner	20;
Thence	S. 62° 22' 10" E.	744.51 m.	to corner	21;
Thence	S. 31° 32' 05" W.	122.93 m.	to corner	22;
Thence	S. 30° 19' 16" E.	1,820.68 m.	to corner	23;
Thence	N. 87° 54' 47" E.	294.28 m.	to corner	24;
Thence	S. 49° 19' 30" E.	401.89 m.	to corner	25;
Thence	N. 82° 00' 38" E.	137.06 m.	to corner	26;
Thence	S. 80° 59' 53" E.	243.51 m.	to corner	27;
Thence	S. 64° 21' 32" E.	330.17 m.	to corner	28;
Thence	N. 58° 50' 26" E.	119.66 m.	to corner	29;
Thence	N. 81° 43' 09" E.	768.83 m.	to corner	30;
Thence	N. 71° 21' 29" E.	417.18 m.	to corner	31;
Thence	S. 43° 23' 48" E.	661.99 m.	to corner	32;
Thence	S. 64° 56' 56" E.	241.82 m.	to corner	33;
Thence	S. 10° 47' 03" E.	509.05 m.	to corner	34;
Thence	S. 43° 19' 24" W.	345.33 m.	to corner	35;
Thence	S. 02° 32' 41" W.	321.79 m.	to corner	36;
Thence	S. 50° 34' 07" E.	676.71 m.	to corner	37;
Thence	S. 28° 00' 33" E.	126.77 m.	to corner	38;
Thence	S. 73° 50' 19" E.	607.41 m.	to corner	39;
Thence	S. 89° 10' 23" E.	577.51 m.	to corner	40;
Thence	N. 71° 33' 54" E.	112.95 m.	to corner	41;
Thence	N. 88° 04' 36" E.	1,632.08 m.	to corner	42;
Thence	N. 70° 29' 17" E.	1,001.69 m.	to corner	43;
Thence	S. 79° 29' 31" E.	300.31 m.	to corner	44;
Thence	S. 74° 42' 17" E.	2,997.00 m.	to corner	45;
Thence	S. 38° 09' 26" E.	296.78 m.	to corner	46;
Thence	S. 71° 51' 49" E.	577.57 m.	to corner	47;
Thence	S. 82° 09' 12" E.	680.26 m.	to corner	48;
Thence	S. 57° 55' 33" E.	737.68 m.	to corner	49;
Thence	S. 88° 40' 59" E.	414.45 m.	to corner	50;
Thence	S. 34° 14' 38" E.	478.18 m.	to corner	51;
Thence	S. 20° 36' 30" W.	456.66 m.	to corner	52;
Thence	S. 00° 06' 46" W.	603.65 m.	to corner	53;
Thence	S. 28° 33' 05" W.	184.34 m.	to corner	54;
Thence	S. 21° 13' 19" E.	743.36 m.	to corner	55;
Thence	S. 45° 49' 49" E.	232.39 m.	to corner	56;
Thence	S. 69° 59' 25" E.	657.63 m.	to corner	57;
Thence	S. 64° 08' 16" E.	867.98 m.	to corner	58;
Thence	S. 17° 25' 11" W.	680.08 m.	to corner	59;
Thence	S. 14° 31' 20" E.	408.33 m.	to corner	60;
Thence	S. 27° 14' 06" W.	364.23 m.	to corner	61;
Thence	S. 00° 33' 56" W.	844.20 m.	to corner	62;
Thence	S. 20° 35' 12" E.	782.19 m.	to corner	63;
Thence	S. 17° 11' 26" W.	2,392.91 m.	to corner	64;
Thence	S. 03° 11' 06" W.	707.13 m.	to corner	65;
Thence	S. 29° 57' 21" W.	441.12 m.	to corner	66;
Thence	S. 00° 38' 03" W.	645.36 m.	to corner	67;
Thence	S. 12° 31' 43" W.	548.85 m.	to corner	68;

Thence	S. 10° 04' 20" E.	367.62 m.	to corner	69;
Thence	S. 26° 02' 01" W.	689.04 m.	to corner	70;
Thence	S. 24° 29' 14" E.	778.44 m.	to corner	71;
Thence	S. 01° 21' 16" W.	856.30 m.	to corner	72;
Thence	S. 38° 36' 18" E.	3,432.33 m.	to corner	73;
Thence	S. 28° 46' 56" E.	3,091.03 m.	to corner	74;
Thence	S. 01° 51' 45" E.	715.45 m.	to corner	75;
Thence	S. 53° 19' 57" E.	1,645.26 m.	to corner	76;
Thence	N. 69° 36' 39" E.	700.85 m.	to corner	77;
Thence	S. 69° 50' 32" E.	2,201.59 m.	to corner	78;
Thence	S. 54° 57' 34" E.	3,660.37 m.	to corner	79;
Thence	S. 42° 26' 57" E.	3,510.03 m.	to corner	80;
Thence	S. 35° 49' 19" E.	4,355.70 m.	to corner	81;
Thence	S. 32° 51' 09" E.	3,750.86 m.	to corner	82;
Thence	S. 04° 25' 29" E.	979.61 m.	to corner	83;
Thence	S. 19° 00' 13" W.	740.92 m.	to corner	84;
Thence	S. 10° 09' 56" E.	856.42 m.	to corner	85;
Thence	S. 39° 01' 09" E.	434.00 m.	to corner	86;
Thence	S. 06° 27' 57" E.	1,755.25 m.	to corner	87;
Thence	S. 00° 21' 53" W.	912.76 m.	to corner	88;
Thence	S. 13° 09' 27" E.	919.43 m.	to corner	89;
Thence	S. 70° 47' 14" E.	812.66 m.	to corner	90;
Thence	S. 49° 57' 19" E.	713.84 m.	to corner	91;
Thence	S. 71° 10' 31" E.	540.51 m.	to corner	92;
Thence	S. 19° 32' 43" E.	1,138.20 m.	to corner	93;
Thence	S. 37° 23' 00" W.	713.36 m.	to corner	94;
Thence	S. 02° 31' 34" E.	395.71 m.	to corner	95;
Thence	S. 24° 19' 32" W.	465.74 m.	to corner	96;
Thence	S. 69° 35' 24" W.	266.73 m.	to corner	97;
Thence	S. 36° 34' 22" W.	448.82 m.	to corner	98;
Thence	S. 25° 54' 23" W.	226.21 m.	to corner	99;
Thence	S. 66° 13' 04" W.	374.83 m.	to corner	100;
Thence	S. 18° 56' 47" W.	411.82 m.	to corner	101;
Thence	S. 05° 23' 21" E.	309.49 m.	to corner	102;
Thence	S. 36° 59' 42" W.	106.27 m.	to corner	103;
Thence	S. 77° 28' 16" W.	385.91 m.	to corner	104;
Thence	N. 90° 00' 00" W.	288.36 m.	to corner	105;
Thence	S. 71° 56' 22" W.	225.03 m.	to corner	106;
Thence	N. 22° 34' 01" W.	387.81 m.	to corner	107;
Thence	S. 74° 13' 58" W.	410.78 m.	to corner	108;
Thence	S. 30° 37' 06" W.	264.81 m.	to corner	109;
Thence	S. 79° 49' 28" W.	368.57 m.	to corner	110;
Thence	N. 24° 18' 16" W.	158.20 m.	to corner	111;
Thence	N. 03° 41' 28" W.	144.48 m.	to corner	112;
Thence	N. 22° 50' 01" W.	95.88 m.	to corner	113;
Thence	N. 66° 02' 15" W.	91.61 m.	to corner	114;
Thence	S. 81° 52' 11" W.	131.55 m.	to corner	115;
Thence	N. 50° 05' 31" W.	333.47 m.	to corner	116;
Thence	N. 64° 43' 20" W.	185.16 m.	to corner	117;
Thence	S. 87° 50' 20" W.	246.67 m.	to corner	118;
Thence	S. 60° 15' 18" W.	224.98 m.	to corner	119;
Thence	S. 24° 37' 24" W.	122.79 m.	to corner	120;
Thence	S. 06° 00' 32" E.	177.71 m.	to corner	121;
Thence	S. 17° 01' 48" E.	539.92 m.	to corner	122;
Thence	S. 32° 54' 18" E.	188.35 m.	to corner	123;

Thence	S. 11° 47' 05" E.	660.39 m.	to corner 124;
Thence	S. 36° 25' 51" E.	242.78 m.	to corner 125;
Thence	S. 10° 53' 55" E.	381.27 m.	to corner 126;
Thence	S. 00° 58' 55" W.	814.03 m.	to corner 127;
Thence	S. 10° 30' 45" W.	458.84 m.	to corner 128;
Thence	S. 11° 44' 18" E.	365.77 m.	to corner 129;
Thence	S. 14° 37' 15" W.	221.10 m.	to corner 130;
Thence	S. 01° 04' 02" W.	374.46 m.	to corner 131;
Thence	S. 39° 37' 44" W.	386.47 m.	to corner 132;
Thence	S. 15° 19' 59" W.	299.00 m.	to corner 133;
Thence	S. 02° 47' 33" W.	572.74 m.	to corner 134;
Thence	S. 15° 15' 18" E.	159.08 m.	to corner 135;
Thence	S. 22° 09' 58" W.	135.60 m.	to corner 136;
Thence	S. 05° 45' 16" E.	301.50 m.	to corner 137;
Thence	S. 25° 45' 01" E.	438.91 m.	to corner 138;
Thence	S. 06° 54' 40" W.	463.81 m.	to corner 139;
Thence	S. 17° 31' 32" E.	185.34 m.	to corner 140;
Thence	S. 52° 24' 13" E.	586.99 m.	to corner 141;
Thence	S. 29° 44' 41" E.	224.98 m.	to corner 142;
Thence	S. 01° 42' 53" E.	388.52 m.	to corner 143;
Thence	S. 13° 10' 21" W.	449.00 m.	to corner 144;
Thence	S. 23° 53' 11" E.	356.06 m.	to corner 145;
Thence	S. 03° 05' 38" E.	172.33 m.	to corner 146;
Thence	S. 14° 26' 14" E.	886.07 m.	to corner 147;
Thence	S. 00° 50' 33" E.	316.29 m.	to corner 148;
Thence	S. 31° 39' 38" E.	327.85 m.	to corner 149;
Thence	S. 09° 27' 44" W.	254.61 m.	to corner 150;
Thence	S. 27° 34' 55" E.	351.57 m.	to corner 151;
Thence	S. 47° 49' 37" E.	533.41 m.	to corner 152;
Thence	S. 04° 35' 09" E.	436.25 m.	to corner 153;
Thence	S. 17° 45' 53" E.	503.03 m.	to corner 154;
Thence	S. 10° 33' 39" W.	279.13 m.	to corner 155;
Thence	S. 23° 35' 13" W.	360.32 m.	to corner 156;
Thence	S. 72° 59' 59" W.	763.55 m.	to corner 157;
Thence	S. 37° 21' 11" W.	716.73 m.	to corner 158;
Thence	S. 47° 50' 31" W.	464.27 m.	to corner 159;
Thence	S. 32° 44' 06" W.	232.22 m.	to corner 160;
Thence	S. 15° 50' 35" W.	357.76 m.	to corner 161;
Thence	S. 33° 17' 36" W.	372.80 m.	to corner 162;
Thence	S. 20° 10' 00" W.	681.26 m.	to corner 163;
Thence	S. 31° 57' 40" W.	641.38 m.	to corner 164;
Thence	S. 17° 00' 00" W.	763.55 m.	to corner 165;
Thence	S. 01° 02' 57" E.	634.95 m.	to corner 166;
Thence	S. 06° 13' 32" W.	257.32 m.	to corner 167;
Thence	S. 22° 55' 55" W.	787.80 m.	to corner 168;
Thence	S. 88° 29' 33" W.	176.79 m.	to corner 169;
Thence	N. 29° 21' 27" W.	426.89 m.	to corner 170;
Thence	N. 58° 10' 21" W.	158.74 m.	to corner 171;
Thence	S. 64° 37' 42" W.	499.29 m.	to corner 172;
Thence	S. 47° 51' 44" W.	263.42 m.	to corner 173;
Thence	N. 24° 13' 39" W.	612.01 m.	to corner 174;
Thence	N. 03° 34' 34" W.	223.68 m.	to corner 175;
Thence	N. 04° 18' 57" E.	247.20 m.	to corner 176;
Thence	S. 78° 10' 42" W.	408.64 m.	to corner 177;
Thence	N. 83° 17' 24" W.	318.44 m.	to corner 178;

Thence	S. 75° 27' 55" W.	259.45 m.	to corner 179;
Thence	N. 87° 23' 50" W.	307.28 m.	to corner 180;
Thence	S. 61° 55' 39" W.	158.13 m.	to corner 181;
Thence	N. 80° 50' 15" W.	657.18 m.	to corner 182;
Thence	S. 63° 26' 05" W.	665.58 m.	to corner 183;
Thence	N. 87° 06' 31" W.	461.02 m.	to corner 184;
Thence	S. 78° 52' 14" W.	289.14 m.	to corner 185;
Thence	N. 75° 57' 49" W.	210.94 m.	to corner 186;
Thence	S. 85° 25' 33" W.	233.29 m.	to corner 187;
Thence	S. 73° 54' 08" W.	721.26 m.	to corner 188;
Thence	N. 64° 26' 24" W.	237.15 m.	to corner 189;
Thence	S. 84° 48' 20" W.	1,258.58 m.	to corner 190;
Thence	S. 42° 16' 25" W.	207.42 m.	to corner 191;
Thence	S. 75° 04' 06" W.	288.80 m.	to corner 192;
Thence	S. 50° 11' 39" W.	363.25 m.	to corner 193;
Thence	S. 77° 47' 58" W.	352.12 m.	to corner 194;
Thence	N. 78° 04' 14" W.	337.50 m.	to corner 195;
Thence	S. 65° 20' 10" W.	1,003.08 m.	to corner 196;
Thence	N. 80° 57' 02" W.	901.87 m.	to corner 197;
Thence	S. 58° 04' 44" W.	334.25 m.	to corner 198;
Thence	S. 76° 41' 10" W.	626.09 m.	to corner 199;
Thence	N. 60° 56' 43" W.	239.42 m.	to corner 200;
Thence	S. 80° 03' 33" W.	458.01 m.	to corner 201;
Thence	N. 59° 48' 58" W.	527.28 m.	to corner 202;
Thence	S. 50° 03' 49" W.	260.82 m.	to corner 203;
Thence	S. 78° 45' 51" W.	704.15 m.	to corner 204;
Thence	S. 20° 33' 21" W.	198.69 m.	to corner 205;
Thence	S. 72° 20' 59" W.	322.12 m.	to corner 206;
Thence	N. 65° 41' 43" W.	316.40 m.	to corner 207;
Thence	S. 64° 12' 45" W.	459.71 m.	to corner 208;
Thence	N. 88° 15' 51" W.	767.75 m.	to corner 209;
Thence	S. 83° 51' 32" W.	739.08 m.	to corner 210;
Thence	S. 66° 43' 27" W.	453.13 m.	to corner 211;
Thence	N. 25° 06' 53" W.	164.37 m.	to corner 212;
Thence	N. 67° 17' 49" W.	494.07 m.	to corner 213;
Thence	N. 34° 41' 42" W.	808.91 m.	to corner 214;
Thence	N. 75° 22' 03" W.	975.78 m.	to corner 215;
Thence	N. 57° 10' 17" W.	343.16 m.	to corner 216;
Thence	N. 39° 48' 20" W.	326.92 m.	to corner 217;
Thence	N. 32° 19' 10" W.	404.51 m.	to corner 218;
Thence	N. 80° 17' 58" W.	552.05 m.	to corner 219;
Thence	S. 79° 51' 16" W.	448.85 m.	to corner 220;
Thence	S. 62° 49' 08" W.	386.89 m.	to corner 221;
Thence	S. 75° 18' 09" W.	586.60 m.	to corner 222;
Thence	S. 88° 26' 15" W.	511.79 m.	to corner 223;
Thence	S. 75° 04' 06" W.	433.21 m.	to corner 224;
Thence	N. 86° 44' 08" W.	612.59 m.	to corner 225;
Thence	S. 51° 31' 55" W.	433.63 m.	to corner 226;
Thence	S. 36° 05' 06" W.	339.55 m.	to corner 227;
Thence	S. 58° 10' 21" W.	317.49 m.	to corner 228;
Thence	N. 73° 08' 29" W.	160.37 m.	to corner 229;
Thence	S. 65° 52' 44" W.	341.42 m.	to corner 230;
Thence	S. 83° 17' 24" W.	159.22 m.	to corner 231;
Thence	N. 42° 03' 51" W.	256.85 m.	to corner 232;
Thence	N. 12° 59' 40" E.	434.35 m.	to corner 233;

Thence	N. 01° 36' 48" E.	330.34 m.	to corner 234;
Thence	N. 12° 21' 44" W.	347.57 m.	to corner 235;
Thence	N. 87° 09' 57" W.	470.32 m.	to corner 236;
Thence	N. 48° 07' 19" W.	362.29 m.	to corner 237;
Thence	N. 70° 35' 38" W.	433.93 m.	to corner 238;
Thence	N. 87° 20' 13" W.	200.20 m.	to corner 239;
Thence	N. 72° 11' 32" W.	403.01 m.	to corner 240;
Thence	S. 79° 32' 24" W.	614.83 m.	to corner 241;
Thence	N. 81° 22' 09" W.	526.87 m.	to corner 242;
Thence	N. 68° 52' 31" W.	219.38 m.	to corner 243;
Thence	N. 04° 02' 40" E.	461.59 m.	to corner 244;
Thence	N. 23° 31' 56" E.	314.51 m.	to corner 245;
Thence	N. 17° 13' 24" W.	486.92 m.	to corner 246;
Thence	N. 58° 51' 39" W.	521.65 m.	to corner 247;
Thence	N. 89° 15' 55" W.	725.60 m.	to corner 248;
Thence	N. 63° 04' 40" W.	667.67 m.	to corner 249;
Thence	S. 84° 58' 38" W.	982.79 m.	to corner 250;
Thence	S. 20° 17' 51" W.	361.99 m.	to corner 251;
Thence	S. 86° 36' 01" W.	941.14 m.	to corner 252;
Thence	S. 58° 08' 02" W.	810.48 m.	to corner 253;
Thence	N. 90° 00' 00" W.	623.22 m.	to corner 254;
Thence	N. 29° 41' 44" W.	1,009.24 m.	to corner 255;
Thence	N. 16° 41' 57" W.	145.67 m.	to corner 256;
Thence	N. 75° 27' 55" W.	648.63 m.	to corner 257;
Thence	N. 26° 53' 12" W.	370.24 m.	to corner 258;
Thence	N. 00° 48' 24" W.	330.25 m.	to corner 259;
Thence	N. 47° 09' 39" W.	523.27 m.	to corner 260;
Thence	N. 24° 49' 45" W.	343.35 m.	to corner 261;
Thence	N. 37° 46' 32" W.	235.36 m.	to corner 262;
Thence	N. 68° 43' 13" W.	474.16 m.	to corner 263;
Thence	N. 03° 03' 10" E.	349.31 m.	to corner 264;
Thence	N. 38° 22' 02" W.	427.10 m.	to corner 265;
Thence	N. 67° 17' 08" W.	433.61 m.	to corner 266;
Thence	S. 56° 03' 23" W.	291.53 m.	to corner 267;
Thence	S. 83° 39' 35" W.	252.69 m.	to corner 268;
Thence	N. 84° 41' 07" W.	401.70 m.	to corner 269;
Thence	N. 77° 28' 16" W.	428.79 m.	to corner 270;
Thence	N. 66° 26' 51" W.	791.47 m.	to corner 271;
Thence	N. 51° 42' 35" W.	394.05 m.	to corner 272;
Thence	N. 68° 11' 54" W.	225.41 m.	to corner 273;
Thence	S. 84° 30' 27" W.	485.92 m.	to corner 274;
Thence	S. 70° 26' 10" W.	597.24 m.	to corner 275;
Thence	N. 69° 22' 54" W.	501.89 m.	to corner 276;
Thence	N. 23° 52' 31" W.	310.25 m.	to corner 277;
Thence	N. 71° 45' 14" W.	445.64 m.	to corner 278;
Thence	N. 47° 17' 26" W.	246.85 m.	to corner 279;
Thence	N. 75° 57' 49" W.	536.93 m.	to corner 280;
Thence	N. 49° 17' 54" W.	1,009.17 m.	to corner 281;
Thence	N. 39° 48' 20" W.	944.44 m.	to corner 282;
Thence	S. 62° 09' 42" W.	468.10 m.	to corner 283;
Thence	S. 76° 04' 30" W.	579.80 m.	to corner 284;
Thence	S. 86° 49' 12" W.	335.38 m.	to corner 285;
Thence	N. 53° 56' 51" W.	782.36 m.	to corner 286;
Thence	S. 52° 35' 40" W.	248.83 m.	to corner 287;
Thence	N. 87° 14' 51" W.	484.25 m.	to corner 288;

Thence	S. 48° 02' 30" W.	681.72 m.	to corner 289;
Thence	S. 20° 11' 39" W.	431.13 m.	to corner 290;
Thence	S. 42° 20' 44" W.	497.12 m.	to corner 291;
Thence	N. 88° 21' 48" W.	325.70 m.	to corner 292;
Thence	S. 39° 10' 51" W.	519.00 m.	to corner 293;
Thence	S. 57° 15' 53" W.	232.22 m.	to corner 294;
Thence	S. 24° 08' 43" W.	591.23 m.	to corner 295;
Thence	S. 47° 56' 47" W.	895.70 m.	to corner 296;
Thence	N. 63° 50' 18" W.	295.36 m.	to corner 297;
Thence	N. 25° 53' 13" W.	351.53 m.	to corner 298;
Thence	N. 03° 04' 38" W.	433.16 m.	to corner 299;
Thence	N. 51° 32' 46" W.	201.93 m.	to corner 300;
Thence	S. 61° 15' 36" W.	328.87 m.	to corner 301;
Thence	N. 86° 07' 17" W.	550.06 m.	to corner 302;
Thence	N. 61° 52' 34" W.	305.86 m.	to corner 303;
Thence	N. 46° 50' 51" W.	306.01 m.	to corner 304;
Thence	N. 69° 20' 57" W.	494.54 m.	to corner 305;
Thence	N. 61° 30' 50" W.	682.60 m.	to corner 306;
Thence	N. 47° 07' 15" W.	799.70 m.	to corner 307;
Thence	N. 35° 55' 42" W.	396.31 m.	to corner 308;
Thence	N. 06° 06' 55" E.	523.88 m.	to corner 309;
Thence	N. 60° 15' 18" W.	337.47 m.	to corner 310;
Thence	N. 09° 43' 16" W.	592.19 m.	to corner 311;
Thence	N. 25° 39' 54" W.	397.32 m.	to corner 312;
Thence	N. 47° 48' 56" W.	401.70 m.	to corner 313;
Thence	N. 13° 47' 58" W.	272.98 m.	to corner 314;
Thence	N. 04° 25' 57" W.	601.76 m.	to corner 315;
Thence	N. 28° 42' 54" E.	304.93 m.	to corner 316;
Thence	N. 11° 23' 31" E.	635.74 m.	to corner 317;
Thence	N. 45° 00' 00" E.	243.36 m.	to corner 318;
Thence	N. 41° 16' 06" W.	303.20 m.	to corner 319;
Thence	S. 86° 40' 21" W.	400.65 m.	to corner 320;
Thence	N. 56° 00' 12" W.	482.44 m.	to corner 321;
Thence	N. 35° 13' 03" W.	193.56 m.	to corner 322;
Thence	N. 47° 30' 40" E.	375.27 m.	to corner 323;
Thence	N. 32° 04' 02" E.	455.53 m.	to corner 324;
Thence	N. 55° 22' 33" E.	474.76 m.	to corner 325;
Thence	N. 14° 11' 27" E.	834.73 m.	to corner 326;
Thence	N. 51° 47' 48" W.	1,139.31 m.	to corner 327;
Thence	N. 07° 58' 10" W.	234.81 m.	to corner 328;
Thence	N. 31° 02' 43" E.	559.13 m.	to corner 329;
Thence	N. 63° 33' 37" E.	475.27 m.	to corner 330;
Thence	N. 41° 01' 39" E.	474.71 m.	to corner 331;
Thence	N. 17° 18' 41" E.	375.11 m.	to corner 332;
Thence	N. 00° 31' 15" W.	511.62 m.	to corner 333;
Thence	N. 20° 46' 20" E.	288.51 m.	to corner 334;
Thence	N. 71° 57' 56" E.	210.32 m.	to corner 335;
Thence	N. 01° 52' 56" E.	495.59 m.	to corner 336;
Thence	N. 14° 07' 40" E.	705.00 m.	to corner 337;
Thence	N. 07° 32' 57" W.	389.40 m.	to corner 338;
Thence	N. 04° 36' 00" E.	811.87 m.	to corner 339;
Thence	N. 47° 05' 59" W.	987.27 m.	to corner 340;
Thence	N. 10° 14' 38" E.	1,176.83 m.	to corner 341;
Thence	N. 18° 31' 37" E.	914.80 m.	to corner 342;
Thence	N. 42° 55' 02" W.	1,085.98 m.	to corner 343;

Thence	N. 13° 06' 33" W.	522.90 m.	to corner 344;
Thence	N. 01° 20' 52" W.	395.43 m.	to corner 345;
Thence	N. 44° 36' 27" W.	960.32 m.	to corner 346;
Thence	N. 35° 37' 06" W.	383.32 m.	to corner 347;
Thence	N. 09° 58' 06" W.	389.58 m.	to corner 348;
;Thence	N. 30° 08' 28" W.	333.44 m.	to corner 349;
Thence	N. 01° 41' 04" E.	316.40 m.	to corner 350;
Thence	N. 17° 44' 40" W.	122.08 m.	to corner 351;
Thence	N. 45° 45' 50" W.	246.67 m.	to corner 352;
Thence	N. 16° 30' 15" W.	261.94 m.	to corner 353;
Thence	N. 32° 47' 03" E.	652.78 m.	to corner 354;
Thence	N. 05° 17' 42" E.	478.76 m.	to corner 355;
Thence	N. 29° 44' 41" W.	562.45 m.	to corner 356;
Thence	N. 07° 55' 57" W.	572.89 m.	to corner 357;
Thence	N. 14° 28' 13" E.	297.80 m.	to corner 358;
Thence	N. 61° 35' 14" W.	322.56 m.	to corner 359;
Thence	N. 44° 08' 18" W.	437.44 m.	to corner 360;
Thence	N. 64° 21' 32" W.	257.95 m.	to corner 361;
Thence	N. 72° 07' 16" W.	151.49 m.	to corner 362;
Thence	S. 83° 39' 35" W.	294.81 m.	to corner 363;
Thence	N. 16° 00' 40" W.	556.44 m.	to corner 364;
Thence	N. 57° 31' 43" E.	303.20 m.	to corner 365;
Thence	N. 11° 18' 35" E.	166.00 m.	to corner 366;
Thence	N. 42° 46' 07" W.	253.42 m.	to corner 367;
Thence	N. 90° 00' 00" W.	293.01 m.	to corner 368;
Thence	S. 69° 58' 08" W.	475.23 m.	to corner 369;
Thence	N. 87° 02' 20" W.	540.22 m.	to corner 370;
Thence	N. 58° 52' 39" W.	287.94 m.	to corner 371;
Thence	N. 17° 29' 40" W.	1,075.26 m.	to corner 372;
Thence	N. 64° 10' 44" W.	160.17 m.	to corner 373;
Thence	S. 37° 40' 24" W.	464.20 m.	to corner 374;
Thence	S. 62° 43' 23" W.	334.90 m.	to corner 375;
Thence	S. 88° 15' 51" W.	153.55 m.	to corner 376;
Thence	S. 63° 13' 56" W.	588.63 m.	to corner 377;
Thence	S. 36° 05' 06" W.	339.55 m.	to corner 378;
Thence	S. 77° 58' 09" W.	290.08 m.	to corner 379;
Thence	S. 61° 05' 51" W.	510.01 m.	to corner 380;
Thence	S. 40° 43' 55" W.	220.95 m.	to corner 381;
Thence	S. 25° 55' 29" W.	372.33 m.	to corner 382;
Thence	S. 66° 34' 35" W.	778.03 m.	to corner 383;
Thence	N. 68° 23' 06" W.	530.28 m.	to corner 384;
Thence	N. 53° 39' 38" W.	502.32 m.	to corner 385;
Thence	N. 77° 26' 17" W.	876.75 m.	to corner 386;
Thence	N. 89° 14' 46" W.	707.00 m.	to corner 387;
Thence	N. 27° 17' 58" W.	162.25 m.	to corner 388;
Thence	N. 14° 02' 10" E.	249.29 m.	to corner 389;
Thence	N. 65° 13' 29" W.	66.59 m.	to corner 390;
Thence	N. 27° 58' 46" E.	168.53 m.	to corner 391;
Thence	S. 62° 06' 09" E.	89.46 m.	to corner 392;
Thence	N. 52° 25' 53" E.	381.40 m.	to corner 393;
Thence	N. 22° 04' 35" E.	1,528.24 m.	to corner 394;
Thence	N. 08° 02' 28" E.	847.82 m.	to corner 395;
Thence	N. 28° 56' 15" E.	1,105.40 m.	to corner 396;
Thence	N. 53° 31' 50" E.	133.02 m.	to corner 397;
Thence	N. 65° 15' 23" E.	883.38 m.	to corner 398;

Thence	N. 42° 09' 57" E	665.13 m.	to corner 399;
Thence	S. 41° 39' 41" E.	790.62 m.	to corner 400;
Thence	S. 69° 38' 48" E.	307.56 m.	to corner 401;
Thence	S. 90° 00' 00" E.	632.52 m.	to corner 402;
Thence	N. 49° 49' 14" E.	273.93 m.	to corner 403;
Thence	N. 84° 53' 52" E.	522.97 m.	to corner 404;
Thence	N. 66° 17' 50" E.	208.25 m.	to corner 405;
Thence	N. 34° 59' 31" E.	454.17 m.	to corner 406;
Thence	S. 66° 06' 00" E.	648.60 m.	to corner 407;
Thence	N. 76° 31' 36" E.	459.12 m.	to corner 408;
Thence	N. 23° 01' 31" E.	202.14 m.	to corner 409;
Thence	N. 55° 34' 53" E.	304.45 m.	to corner 410;
Thence	N. 32° 50' 25" E.	608.91 m.	to corner 411;
Thence	N. 78° 35' 02" E.	493.45 m.	to corner 412;
Thence	N. 40° 00' 22" E.	340.02 m.	to corner 413;
Thence	N. 10° 58' 20" W.	464.27 m.	to corner 414;
Thence	N. 44° 00' 44" E.	572.31 m.	to corner 415;
Thence	N. 05° 29' 32" E.	242.96 m.	to corner 416;
Thence	N. 55° 24' 27" E.	163.84 m.	to corner 417;
Thence	N. 09° 46' 56" E.	136.87 m.	to corner 418;
Thence	N. 61° 23' 22" E.	233.10 m.	to corner 419;
Thence	N. 12° 33' 42" E.	876.75 m.	to corner 420;
Thence	S. 78° 19' 52" E.	436.91 m.	to corner 421;
Thence	N. 68° 05' 06" E.	436.14 m.	to corner 422;
Thence	N. 34° 24' 18" E.	465.05 m.	to corner 423;
Thence	N. 00° 18' 40" W.	855.78 m.	to corner 424;
Thence	N. 42° 34' 49" W.	233.70 m.	to corner 425;
Thence	N. 13° 45' 38" E.	469.26 m.	to corner 426;
Thence	N. 43° 58' 37" E.	368.39 m.	to corner 427;
Thence	S. 81° 36' 25" E.	286.78 m.	to corner 428;
Thence	S. 46° 03' 15" E.	536.14 m.	to corner 429;
Thence	N. 46° 56' 53" E.	483.71 m.	to corner 430;
Thence	N. 57° 29' 39" E.	592.85 m.	to corner 431;
Thence	S. 71° 22' 19" E.	436.81 m.	to corner 432;
Thence	S. 12° 57' 27" E.	539.28 m.	to corner 433;
Thence	S. 18° 26' 05" W.	294.15 m.	to corner 434;
Thence	S. 02° 57' 39" E.	270.11 m.	to corner 435;
Thence	S. 37° 24' 19" W.	298.60 m.	to corner 436;
Thence	S. 04° 42' 28" W.	396.66 m.	to corner 437;
Thence	S. 31° 48' 12" E.	489.79 m.	to corner 438;
Thence	S. 61° 01' 33" E.	643.27 m.	to corner 439;
Thence	N. 71° 02' 55" E.	816.29 m.	to corner 440;
Thence	N. 19° 41' 31" E.	469.28 m.	to corner 441;
Thence	N. 31° 15' 49" E.	304.70 m.	to corner 442;
Thence	N. 21° 26' 51" W.	279.83 m.	to corner 443;
Thence	N. 04° 05' 08" E.	326.39 m.	to corner 444;
Thence	N. 22° 42' 51" E.	433.61 m.	to corner 445;
Thence	N. 47° 57' 50" E.	1,017.56 m.	to corner 446;
Thence	N. 31° 39' 38" E.	655.69 m.	to corner 447;
Thence	N. 42° 16' 25" E.	207.42 m.	to corner 448;
Thence	N. 86° 11' 09" E.	279.67 m.	to corner 449;
Thence	S. 62° 06' 09" E.	89.46 m.	to corner 450;
Thence	N. 11° 55' 45" E.	337.50 m.	to corner 451;
Thence	N. 23° 58' 42" E.	852.60 m.	to corner 452;
Thence	N. 57° 46' 16" E.	758.72 m.	to corner 453;

Thence	N. 19° 58' 59" E.	163.31 m.	to corner 454;
Thence	N. 09° 20' 24" W.	716.43 m.	to corner 455;
Thence	N. 33° 41' 24" E.	134.15 m.	to corner 456;
Thence	N. 62° 24' 09" E.	461.82 m.	to corner 457;
Thence	N. 20° 33' 21" E.	158.95 m.	to corner 458;
Thence	N. 42° 44' 02" E.	914.97 m.	to corner 459;
Thence	N. 12° 40' 49" E.	190.69 m.	to corner 460;
Thence	N. 39° 32' 45" E.	657.42 m.	to corner 461;
Thence	N. 12° 15' 53" E.	109.47 m.	to corner 462;
Thence	N. 80° 39' 54" E.	344.07 m.	to corner 463;
Thence	N. 46° 20' 18" E.	703.97 m.	to corner 464;
Thence	N. 23° 25' 43" W.	152.06 m.	to corner 465;
Thence	N. 06° 11' 19" E.	388.29 m.	to corner 466;
Thence	N. 36° 12' 34" W.	645.59 m.	to corner 467;
Thence	N. 79° 10' 37" W.	965.96 m.	to corner 468;
Thence	N. 54° 12' 39" W.	493.08 m.	to corner 469;
Thence	N. 20° 05' 42" W.	203.05 m.	to corner 470;
Thence	N. 30° 43' 23" E.	760.14 m.	to corner 471;
Thence	N. 22° 46' 13" W.	408.56 m.	to corner 472;
Thence	N. 09° 44' 22" W.	632.33 m.	to corner 473;
Thence	N. 13° 37' 00" W.	385.22 m.	to corner 474;
Thence	N. 21° 48' 05" E.	250.46 m.	to corner 475;
Thence	N. 03° 21' 59" W.	79.20 m.	to corner 476;
Thence	N. 70° 42' 35" W.	886.96 m.	to corner 477;
Thence	N. 19° 45' 34" W.	509.01 m.	to corner 478;
Thence	N. 24° 17' 08" E.	418.40 m.	to corner 479;
Thence	N. 40° 07' 42" W.	580.91 m.	to corner 480;
Thence	N. 55° 23' 02" W.	638.60 m.	to corner 481;
Thence	N. 06° 13' 32" E.	514.63 m.	to corner 482;
Thence	N. 51° 00' 32" E.	376.98 m.	to corner 483;
Thence	N. 41° 38' 00" E.	448.03 m.	to corner 484;
Thence	N. 15° 17' 40" W.	590.65 m.	to corner 485;
Thence	N. 45° 00' 00" E.	322.29 m.	to corner 486;
Thence	N. 76° 33' 04" E.	219.97 m.	to corner 487;
Thence	S. 45° 00' 00" E.	217.05 m.	to corner 488;
Thence	N. 29° 21' 27" E.	85.38 m.	to corner 489;
Thence	N. 02° 43' 34" W.	391.12 m.	to corner 490;
Thence	N. 23° 11' 54" W.	212.52 m.	to corner 491;
Thence	N. 38° 14' 01" E.	195.39 m.	to corner 492;
Thence	N. 46° 56' 53" W.	483.71 m.	to corner 493;
Thence	N. 15° 19' 17" W.	352.03 m.	to corner 494;
Thence	N. 40° 53' 06" W.	458.31 m.	to corner 495;
Thence	N. 25° 33' 35" E.	355.72 m.	to corner 496;
Thence	N. 12° 31' 43" W.	214.40 m.	to corner 497;
Thence	N. 50° 42' 38" W.	132.20 m.	to corner 498;
Thence	N. 00° 00' 00" W.	93.02 m.	to corner 499;
Thence	N. 24° 37' 24" E.	122.79 m.	to corner 500;
Thence	N. 52° 25' 53" E.	991.64 m.	to corner 501;
Thence	N. 24° 44' 36" E.	294.46 m.	to corner 502;
Thence	N. 50° 08' 43" E.	696.72 m.	to corner 503;
Thence	N. 76° 54' 29" E.	205.33 m.	to corner 504;
Thence	N. 40° 54' 51" E.	184.64 m.	to corner 505;
Thence	N. 05° 11' 39" E.	462.34 m.	to corner 506;
Thence	N. 24° 24' 14" W.	551.58 m.	to corner 507;
Thence	N. 13° 49' 27" E.	457.41 m.	to corner 508;

Thence	N. 03° 21' 59" W.	158.40 m.	to corner 509;
Thence	N. 35° 45' 13" E.	429.82 m.	to corner 510;
Thence	N. 00° 15' 24" W.	1,037.16 m.	to corner 511;
Thence	N. 20° 57' 06" W.	669.83 m.	to corner 512;
Thence	N. 50° 07' 41" E.	515.10 m.	to corner 513;
Thence	N. 67° 43' 26" E.	834.31 m.	to corner 514;
Thence	N. 26° 06' 50" E.	792.48 m.	to corner 515;
Thence	N. 41° 32' 48" E.	382.18 m.	to corner 516;
Thence	N. 68° 07' 44" E.	711.65 m.	to corner 517;
Thence	N. 68° 16' 32" E.	640.83 m.	to corner 518;
Thence	N. 46° 45' 44" E.	427.73 m.	to corner 519;
Thence	N. 17° 37' 20" E.	414.79 m.	to corner 520;
Thence	N. 02° 19' 17" E.	344.45 m.	to corner 521;
Thence	N. 27° 48' 05" E.	1,590.48 m.	to corner 522;
Thence	N. 37° 36' 50" E.	895.37 m.	to corner 523;
Thence	N. 21° 55' 25" E.	1,619.34 m.	to corner 524;
Thence	N. 15° 00' 04" W.	1,105.04 m.	to corner 525;
Thence	N. 42° 15' 30" E.	1,168.82 m.	to corner 526;
Thence	N. 50° 14' 27" E.	1,836.18 m.	to corner 527;
Thence	N. 39° 53' 18" E.	1,439.59 m.	to corner 528;
Thence	N. 67° 07' 50" E.	983.61 m.	to corner 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) *Buffer zones* shall refer to identified areas outside the boundaries of and immediately adjacent to designated protected area that need special development control in order to avoid or minimize harm to the protected area.

(c) *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.

(d) *General Management Planning Strategy (GMPS)* shall refer to a guide in the formulation of site specific management plans, including buffer zones.

(e) *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.

(f) *Indigenous Peoples Rights Act (IPRA)* shall refer to Republic Act No. 8371.

(g) *Integrated Protected Area Fund (IPAF)* refer to a trust fund established for the purpose of financing projects within the protected area.

(h) *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.

(i) *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.

(j) *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.

(k) *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.

(l) *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.

(m) *Protected Area Superintendent (PASu)* shall refer to the DENR officer assigned to act as chief operating officer of the Cagayan de Oro-Iponan Protected Landscape.

(n) *Secretary* shall refer to the Secretary of the DENR.

(o) *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 Cagayan de Oro-Iponan Protected Landscape. – The management of the Cagayan de Oro-Iponan Protected Landscape 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 Cagayan de Oro-Iponan Protected Landscape is hereby created and shall exercise the powers and functions herein provided.

SEC. 7. Composition of the PAMB. – The PAMB for the Cagayan de Oro-Iponan Protected Landscape shall be composed of the following:

- (a) The DENR Regional Executive Director (RED) for Region X, as Chairman;
- (b) The Members of Congress from the First and Second Districts of Cagayan de Oro City or their duly authorized representatives, as Co-Vice Chairpersons;
- (c) The Mayor of Cagayan de Oro City or the duly authorized representative, as member;
- (d) The barangay captains of the barangays having jurisdiction over any portion of the protected area, as member;
- (e) The Regional Director of the Department of Agriculture (DA) for Region X or a duly authorized representative, as member;
- (f) The City Environment and Natural Resources Officer (CENRO) of Cagayan de Oro City, as member;
- (g) 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
- (h) 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 Cagayan de Oro-Iponan Protected Landscape 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 Cagayan de Oro-Iponan Protected Landscape. 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 X 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 City Government of Cagayan de Oro, 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 Cagayan de Oro-Iponan Protected Landscape.* – Existing facilities allowed to remain within the Cagayan de Oro-Iponan Protected Landscape may be charged a reasonable fee by the PAMB, which shall be embodied in a Memorandum of Agreement to be entered into with the owner of the facility. All incomes from such fees shall accrue to the Cagayan de Oro-Iponan Protected Landscape 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) (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 Cagayan de Oro-Iponan Protected Landscape 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 Cagayan de Oro-Iponan Protected Landscape Fund.* – There is hereby established a trust fund to be known as the Cagayan de Oro-Iponan Protected Landscape 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. These incomes 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 Cagayan de Oro-Iponan Protected Landscape: *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 Cagayan de Oro-Iponan Protected Landscape 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,

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 (*Pithecophaga 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.

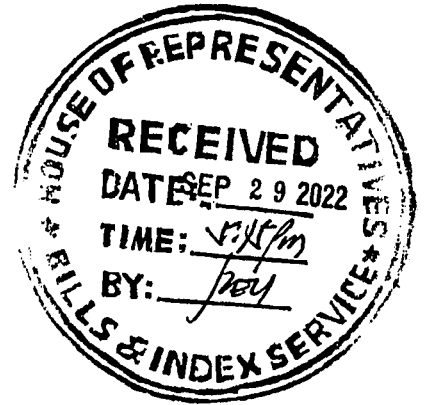
SEC. 22. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation readily available in and around the scope specified herein. It shall likewise be posted in a conspicuous place in the provincial, municipal,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

Approved,

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

NINETEENTH CONGRESS
Regular Session

HOUSE BILL NO. 5291



Introduced by **HON. PETER B. MIGUEL**

EXPLANATORY NOTE

The bill seeks to ensure the long-term protection and conservation of the Allah Valley Watershed Forest Reserve (AVWFR), declared as a public watershed forest reserve pursuant to Presidential Proclamation No. 2455 on 24 September 1985, through establishing it 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. The proposed Allah Valley Protected Landscape (AVPL) is situated in the Municipalities of Lake Sebu, Tboli, and Surallah in the Province of South Cotabato and Municipality of Bagumbayan in the Province of Sultan Kudarat.

The mountain ranges surrounding the Allah Valley provide a source of water used for domestic, agriculture, and industry in South Cotabato and neighboring provinces. It has supported agriculture and tourism, which has formed the backbone of Southern Mindanao's growing economy. Tourism in the AVPL draws on both its diverse natural assets and unique cultural heritage, being the home of Tboli and Obo indigenous peoples. The harmonious relationship between people and nature in the AVPL has shaped the customs and traditions widely known here and abroad.

The AVPL covers at least 27,417.6 hectares or 23.6% of the Mount Busa Key Biodiversity Area (KBA 196), an extremely high conservation priority site in the Philippines. The forests of Allah Valley are home to more than 850 species of wildlife, of which 603 species are flora and 262 species are vertebrate fauna. At least 250 species are only found in the Philippines and nowhere else. Notable species include the Guttman's stream frog (*Pulchrana guttmani*)—the rarest amphibian in the Philippines—which was rediscovered in the AVPL after being lost for almost three decades¹. Its forests are home to the world's only known living population of this species, which is needing urgent protection and conservation.

¹ Pitogo KME, Saavedra AJL. 2021. Rediscovery of Guttman's Stream Frog, *Pulchrana guttmani* (Brown, 2015) from the mountains of southern Mindanao, Philippines. Herpetology Notes 14: 163-167

There are 100 species or 11.7% of AVPL's wildlife species considered threatened in the landscape according to Philippine Red List, 9 of which are critically endangered. The most notable and in need of conservation attention is the Philippine Eagle (*Pithecophaga jefferyi*), which inhabits the vast forested areas in the landscape. The KBA 196 is among the strongholds of Philippine eagle populations in Mindanao, and thus an important area for their continued existence. Other threatened species worthy of conservation attention in the AVPL are the Tboli pitcher plant (*Nepenthes tболи*), Mindanao lorikeet (*Saudareos johnstoniae*), Pinsker's hawk-eagle (*Nisaetus pinskeri*), spider orchid (*Arachnis flos-aeris*), Mindanao tarictic hornbill (*Penelopides affinis*), among others. There are also at least 120 species in the landscape that are considered economically important. The rich biodiversity of the proposed protected area is unfortunately threatened by several issues, including but not limited to timber poaching, forest land conversion, unsustainable agricultural practices, wildlife poaching, and pollution—all these call for the urgency of this bill.

The establishment of AVPL supports the implementation of the Philippine Biodiversity Strategy and Action Plan 2015-2028 and the country's Nationally Determined Contributions. More importantly, this bill protects and advances the constitutional right of the Filipino people—present and future generations—to a balanced and healthful ecology in accord with the rhythm and harmony of nature (Sec. 16, Art. II of the 1987 Constitution).

In view of the importance and urgency of this matter, the approval of this bill is earnestly sought.



HON. PETER B. MIGUEL
Representative
2nd District, South Cotabato

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

NINETEENTH CONGRESS
_____ *Regular Session*

HOUSE BILL NO. 5291

Introduced by **HON. PETER B. MIGUEL**

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

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

Section 1. Title. - This Act shall be known as the Allah Valley Protected Landscape (AVPL) Act of 2021

Section 2. State Policy. – The significant ecological, cultural, and economic importance of the Allah Valley Watershed Forest Reserve (AVWFR), which exemplifies a life living in harmony with nature, behooves the State to undertake steps to secure for the Filipino people of present and future generations the protection and conservation of the AVWFR in accordance with Republic Act No. 7586, as amended by Republic Act No. 11038 or the Expanded National Integrated Protected Areas System Act of 2018 and international conventions to which the Philippines is signatory.

Section 3. Declaration of Policy – Pursuant to the declared policy of the State, the Allah Valley Watershed Forest Reserve (AVWFR) situated in the Municipalities of Lake Sebu, Tboli, and Surallah in the Province of South Cotabato and Municipality of Bagumbayan in the Province of Sultan Kudarat is hereby declared and established as Protected Area under the category of Protected Landscape.

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

- (a) "Biological diversity" or "biodiversity" refers to the variability among the living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;
- (b) "Bioprospecting" refers to the research, collection, and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes;
- (c) "Buffer zones" refers to identified areas outside the boundaries of and immediately adjacent to designated protected areas that need special development control in order to avoid or minimize harm to the protected area;
- (d) "By-products or Derivatives" refers to parts taken or substances extracted from wildlife, in raw or in processed form;
- (e) "Collecting" refers to the act of gathering or harvesting of wildlife and its by-products or derivatives;
- (f) "Conveyance" refers to every kind of vessel, including motorized or non-motorized vehicles, non-displacement crafts and seaplanes that are used or may be used as a means of transportation on land or water. It shall include everything found therein except personal effects;
- (g) "Demarcation" refers to the establishment of the boundaries of protected areas and their buffer zones using visible markers, monuments, buoys in case of marine areas, and known natural features and landmarks, among others, as a result of the actual ground delineation;
- (h) "Ecosystem goods and services" refers to the multitude of material and nonmaterial provisions and benefits from healthy ecosystems necessary for human sustenance, well-being, and survival including support processes, provisioning and environment regulating services, and cultural resource preservation services;
- (i) "Exotic species" refer to the species or subspecies of flora and fauna which do not naturally occur within the protected area at present or in historical time;
- (j) "Exploration" refers to the act of searching or prospecting for mineral resources, as defines by law, by geological, geochemical or geophysical surveys, remote sensing, test pitting, trenching, drilling, shaft sinking, tunneling, or any other means, for the purpose of determining the existence, extent, quantity, and quality of resources in an area, and the feasibility of utilizing these resources for profit;
- (k) "Genetically modified organism (GMO)" refers to any living organism that possesses a novel combination of genetic material through the use of modern biotechnology;
- (l) "Hunting" refers to the killing or catching of wild fauna for food and recreational purposes, with the use of weapons such as guns, bow and arrow, spears, traps and snares, and the like;

- (m) “Indigenous Cultural Community (ICC)/Indigenous People (IP)” refers to a group of 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;
- (n) “Integrated Protected Area Fund (IPAF)” refers to the special account established for the purpose of financing projects of the NIPAS and individual protected areas;
- (o) “Invasive alien species” refers to species introduced deliberately or unintentionally outside their natural habitats where they have the ability to establish themselves, invade, outcompete native species, and take over the new environment;
- (p) “Kaingin” refers to the slash-and-burn cultivation of vegetated land in a protected area, whether occupied or not, shifting and permanent with little or no provision to prevent soil erosion;
- (q) “Multiple-use zone” refers to the area where settlement, traditional and sustainable land use including agriculture, agroforestry, extraction activities, and income generating or livelihood activities, and may be allowed to the extent prescribed in the protected area management plan;
- (r) “National Integrated Protected Areas System (NIPAS)” refers to the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;
- (s) “National park” refers to the lands of the public domain classified as such in the Constitution which include all areas under the NIPAS pursuant to this Act, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;
- (t) “Occupying” refers to a continuous stay of individuals or groups within a protected area, whether residing or engaging in the cultivation of land or fishing for more that twenty-four (24) hours;
- (u) “Poaching” refers to gathering, collecting, or possessing products or natural resources from the protected area by any individual person, corporation or entity whether local or foreign; in the case of marine protected areas, operating any foreign fishing vessels by any person, corporation, or entity without a permit;
- (v) “Protected area” refers to identified portions of land and/or water set aside by reason of their unique physical and biological diversity and protected against destructive human exploitation;
- (w) “Protected Area Occupants” refers to persons who are residing, utilizing, and cultivating areas within the protected area. These include private owners, IPs, tenured migrants and informal settlers;
- (x) “Protected Area Retained Income Account” refers to the trust fund maintained by any protected area and administered by the respective Protected Area Management Boards

(PAMB) created pursuant to this Act representing the seventy-five percent (75%) of revenues generated from the protected area to support its operation and management;

(y) "Protected landscapes" refer to areas of national significance which are characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation, tourism, and other economic activities;

(z) "Protected species" refers to plants or animals declared protected under Philippine laws, rules, and regulations. These shall include all species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and all its Annexes, the Convention on the Conservation of Migratory Species (CMS), those specified under the red-list categories of the International Union for Conservation of Nature and Natural Resources (DENR), PAMB or any government agency may deem necessary for conservation and preservation in the protected area;

(aa) "Quarrying" refers to the process of extracting, removing, and disposing sand gravel, guano, limestone, and all other resources used as building and construction materials that are found within the protected area;

(bb) "Tenured migrants" refer to protected area occupants who have been actually, continuously and presently occupants who have been actually, continuously and presently occupying a portion of the protected area for five (5) years before the proclamation or law establishing the same as a protected area, and are solely dependent therein for subsistence;

(cc) "Wildlife" refers to the wild forms and varieties of flora and fauna, in all developmental stages, including those who which are in capacity or are being bred, fed, or propagated.

Section 5. *Scope and Coverage.* – The Allah Valley Protected Landscape (AVPL) shall cover parcels of land located in the Municipalities of Lake Sebu, Tboli, and Surallah in the Province of South Cotabato and Municipality of Bagumbayan in the Province of Sultan Kudarat containing an area of SEVENTY-SIX THOUSAND SIX HUNDRED NINETY-NINE and 36/100 (76,699.36) HECTARES, more or less, subject to actual ground survey and demarcation, to be fully and finally determined by the Department of Environment and Natural Resources (DENR), with the following technical descriptions:

Beginning at a point marked "1" on the Map, being S42° 34'24" W, 4305.611 meters from PRS92 Control Monument "CTS-3104" with geographic coordinates of 6° 27' 1.48972" latitude and 124° 38'25.31971" longitude located at Brgy. Manuel Roxas, Santo Niño, South Cotabato:

thence	S 43°17'25" W	233.13	meters	to corner 2
thence	S 21°54'53" W	230.62	meters	to corner 3
thence	S 64°43'20" E	293.73	meters	to corner 4
thence	S 84°38'39" E	237.13	meters	to corner 5
thence	N 79°17'13" E	185.22	meters	to corner 6
thence	N 54°51'57" E	243.58	meters	to corner 7
thence	S 32°25'1" E	199.56	meters	to corner 8
thence	S 28°18'3" W	145.24	meters	to corner 9
thence	S 22°13'47" W	305.53	meters	to corner 10

thence	S 35°9'59" E	264.74	meters	to corner 11
thence	S 83°47'32" E	352.52	meters	to corner 12
thence	S 66°48'5" W	224.75	meters	to corner 13
thence	S 5°57'5" W	320.21	meters	to corner 14
thence	S 25°29'21" W	234.31	meters	to corner 15
thence	S 23°43'42" W	244.46	meters	to corner 16
thence	S 10°31'58" W	248.89	meters	to corner 17
thence	S 23°50'19" W	231.23	meters	to corner 18
thence	S 19°17'24" W	260.56	meters	to corner 19
thence	S 47°11'19" E	273.22	meters	to corner 20
thence	S 28°39'26" W	241.02	meters	to corner 21
thence	S 22°0'3" W	262.59	meters	to corner 22
thence	S 9°0'17" W	227.83	meters	to corner 23
thence	S 6°57'11" E	203.16	meters	to corner 24
thence	S 4°21'25" E	121.96	meters	to corner 25
thence	S 4°21'25" E	60.24	meters	to corner 26
thence	N 58°39'15" E	1.58	meters	to corner 27
thence	S 5°42'38" E	81.50	meters	to corner 28
thence	N 77°28'16" W	215.61	meters	to corner 29
thence	S 56°42'23" W	234.32	meters	to corner 30
thence	S 31°45'34" W	161.75	meters	to corner 31
thence	S 69°4'32" W	212.43	meters	to corner 32
thence	S 24°2'39" E	208.07	meters	to corner 33
thence	S 36°10'5" W	525.06	meters	to corner 34
thence	S 27°56'14" W	218.39	meters	to corner 35
thence	N 83°17'25" W	50.04	meters	to corner 36
thence	S 30°48'12" W	127.45	meters	to corner 37
thence	S 81°18'49" E	298.28	meters	to corner 38
thence	N 49°42'28" E	246.97	meters	to corner 39
thence	N 1°44'9" E	270.41	meters	to corner 40
thence	N 76°48'34" E	269.20	meters	to corner 41
thence	S 29°14'56" E	234.68	meters	to corner 42
thence	S 66°58'28" E	355.98	meters	to corner 43
thence	N 54°39'36" E	276.12	meters	to corner 44
thence	N 53°29'55" E	254.73	meters	to corner 45
thence	N 35°35'4" E	292.07	meters	to corner 46
thence	N 28°57'4" E	219.97	meters	to corner 47
thence	N 4°53'57" E	287.72	meters	to corner 48
thence	N 18°42'42" W	268.07	meters	to corner 49
thence	N 0°26'3" E	270.29	meters	to corner 50
thence	N 9°54'15" E	261.90	meters	to corner 51
thence	N 29°17'29" E	192.52	meters	to corner 52
thence	N 67°18'22" E	244.14	meters	to corner 53
thence	S 20°46'20" E	254.04	meters	to corner 54
thence	S 5°16'26" E	267.32	meters	to corner 55
thence	S 6°52'54" E	239.25	meters	to corner 56
thence	S 7°16'30" E	194.04	meters	to corner 57
thence	S 13°17'55" E	231.45	meters	to corner 58
thence	S 33°58'35" W	227.17	meters	to corner 59
thence	S 23°19'4" W	258.65	meters	to corner 60
thence	S 38°0'29" E	247.40	meters	to corner 61
thence	N 45°30'25" E	261.79	meters	to corner 62

thence	S 9°12'40" E	245.61	meters	to corner 63
thence	S 40°16'48" E	253.37	meters	to corner 64
thence	S 62°45'53" E	250.56	meters	to corner 65
thence	S 53°7'48" E	147.43	meters	to corner 66
thence	S 19°10'44" E	239.34	meters	to corner 67
thence	S 44°12'29" W	251.38	meters	to corner 68
thence	S 4°17'21" E	262.83	meters	to corner 69
thence	S 19°26'24" E	236.25	meters	to corner 70
thence	S 9°54'34" E	276.04	meters	to corner 71
thence	S 5°57'52" E	220.70	meters	to corner 72
thence	S 7°44'1" E	267.81	meters	to corner 73
thence	S 66°30'5" W	287.58	meters	to corner 74
thence	S 68°11'55" W	247.00	meters	to corner 75
thence	S 39°3'11" W	223.60	meters	to corner 76
thence	S 0°45'14" W	249.01	meters	to corner 77
thence	S 41°52'3" W	233.17	meters	to corner 78
thence	S 28°15'29" W	297.56	meters	to corner 79
thence	S 35°8'3" E	108.16	meters	to corner 80
thence	S 18°26'6" E	207.21	meters	to corner 81
thence	S 47°17'26" E	231.85	meters	to corner 82
thence	S 74°55'1" E	239.21	meters	to corner 83
thence	S 86°25'25" E	262.61	meters	to corner 84
thence	S 8°55'50" E	232.15	meters	to corner 85
thence	S 30°6'5" E	261.30	meters	to corner 86
thence	S 28°1'9" E	242.82	meters	to corner 87
thence	S 42°25'15" E	237.35	meters	to corner 88
thence	N 39°52'58" E	287.39	meters	to corner 89
thence	N 18°11'57" E	232.14	meters	to corner 90
thence	N 10°32'21" E	264.26	meters	to corner 91
thence	N 17°6'10" E	246.54	meters	to corner 92
thence	N 55°28'19" E	229.18	meters	to corner 93
thence	N 60°31'27" E	239.44	meters	to corner 94
thence	N 18°26'6" W	95.53	meters	to corner 95
thence	N 24°46'30" W	129.76	meters	to corner 96
thence	S 70°58'28" W	185.34	meters	to corner 97
thence	S 76°13'6" W	164.86	meters	to corner 98
thence	N 37°45'47" W	271.32	meters	to corner 99
thence	N 26°4'31" E	158.08	meters	to corner 100
thence	N 24°56'3" E	189.90	meters	to corner 101
thence	N 43°46'52" W	200.84	meters	to corner 102
thence	N 44°22'13" W	194.40	meters	to corner 103
thence	N 22°42'52" E	281.65	meters	to corner 104
thence	N 45°59'16" W	247.83	meters	to corner 105
thence	N 13°6'10" E	179.90	meters	to corner 106
thence	N 8°40'23" E	180.30	meters	to corner 107
thence	N 42°2'57" E	207.48	meters	to corner 108
thence	N 7°55'37" E	240.96	meters	to corner 109
thence	N 8°11'6" W	222.80	meters	to corner 110
thence	N 7°21'8" W	188.85	meters	to corner 111
thence	N 14°25'15" W	218.35	meters	to corner 112
thence	N 24°22'35" W	212.27	meters	to corner 113
thence	N 6°46'20" W	243.38	meters	to corner 114

thence	N 8°14'8" W	231.99	meters	to corner 115
thence	N 34°18'54" W	230.43	meters	to corner 116
thence	N 40°59'9" W	244.12	meters	to corner 117
thence	N 10°43'28" W	202.93	meters	to corner 118
thence	N 0°54'34" E	190.35	meters	to corner 119
thence	N 2°25'10" E	214.68	meters	to corner 120
thence	N 83°3'56" W	225.20	meters	to corner 121
thence	N 14°2'10" W	161.93	meters	to corner 122
thence	N 33°1'26" W	180.15	meters	to corner 123
thence	N 46°25'56" E	170.95	meters	to corner 124
thence	N 27°48'5" E	187.84	meters	to corner 125
thence	N 24°5'15" W	281.28	meters	to corner 126
thence	N 15°49'9" W	188.39	meters	to corner 127
thence	N 14°15'25" W	190.14	meters	to corner 128
thence	N 17°56'58" E	225.46	meters	to corner 129
thence	N 52°2'45" W	191.56	meters	to corner 130
thence	S 85°9'22" W	178.88	meters	to corner 131
thence	N 18°26'6" W	95.53	meters	to corner 132
thence	N 43°1'30" W	247.94	meters	to corner 133
thence	N 28°0'6" W	215.56	meters	to corner 134
thence	N 47°12'9" E	222.32	meters	to corner 135
thence	N 55°18'17" E	191.06	meters	to corner 136
thence	S 83°25'5" E	158.13	meters	to corner 137
thence	N 1°22'49" W	250.81	meters	to corner 138
thence	N 6°16'38" W	151.96	meters	to corner 139
thence	N 22°31'14" E	134.09	meters	to corner 140
thence	S 65°28'49" E	189.26	meters	to corner 141
thence	N 38°55'39" E	97.49	meters	to corner 142
thence	N 38°55'39" E	104.44	meters	to corner 143
thence	N 71°3'13" E	482.32	meters	to corner 144
thence	N 71°3'13" E	373.68	meters	to corner 145
thence	N 63°5'38" E	340.46	meters	to corner 146
thence	N 71°50'26" E	397.42	meters	to corner 147
thence	N 58°48'54" E	268.38	meters	to corner 148
thence	S 80°44'14" E	356.59	meters	to corner 149
thence	N 72°38'45" E	151.92	meters	to corner 150
thence	S 65°56'34" E	185.27	meters	to corner 151
thence	S 16°5'27" W	163.50	meters	to corner 152
thence	S 11°18'36" W	323.49	meters	to corner 153
thence	S 4°7'29" E	315.00	meters	to corner 154
thence	S 54°34'59" E	333.62	meters	to corner 155
thence	N 89°24'11" E	290.03	meters	to corner 156
thence	N 71°13'55" E	328.64	meters	to corner 157
thence	N 66°26'5" E	309.81	meters	to corner 158
thence	S 83°39'35" E	136.78	meters	to corner 159
thence	S 35°39'19" E	427.57	meters	to corner 160
thence	S 56°18'36" E	511.94	meters	to corner 161
thence	S 87°55'30" E	417.17	meters	to corner 162
thence	S 2°36'9" E	166.33	meters	to corner 163
thence	S 1°21'11" W	383.77	meters	to corner 164
thence	S 1°6'37" W	389.78	meters	to corner 165
thence	S 89°5'26" E	190.35	meters	to corner 166

thence	S 0°25'51" E	401.80	meters	to corner 167
thence	S 85°23'22" E	187.91	meters	to corner 168
thence	N 84°38'39" E	194.19	meters	to corner 169
thence	S 1°13'39" W	211.52	meters	to corner 170
thence	S 0°47'5" W	220.55	meters	to corner 171
thence	S 0°0'0" W	196.36	meters	to corner 172
thence	S 1°18'7" W	199.44	meters	to corner 173
thence	S 0°55'27" W	187.33	meters	to corner 174
thence	S 0°0'0" W	250.74	meters	to corner 175
thence	S 1°56'29" E	178.34	meters	to corner 176
thence	S 3°13'52" W	187.60	meters	to corner 177
thence	N 88°32'59" E	477.47	meters	to corner 178
thence	S 1°56'29" W	178.34	meters	to corner 179
thence	S 0°52'5" W	199.41	meters	to corner 180
thence	S 1°41'5" E	205.52	meters	to corner 181
thence	S 2°6'20" E	205.57	meters	to corner 182
thence	S 0°52'53" W	196.39	meters	to corner 183
thence	S 2°21'41" E	293.28	meters	to corner 184
thence	S 41°59'14" E	223.54	meters	to corner 185
thence	S 39°14'15" E	234.02	meters	to corner 186
thence	S 36°31'44" E	203.01	meters	to corner 187
thence	S 43°51'15" E	213.66	meters	to corner 188
thence	S 43°17'6" W	178.45	meters	to corner 189
thence	S 17°47'46" W	257.00	meters	to corner 190
thence	S 14°2'10" E	224.21	meters	to corner 191
thence	S 16°41'57" W	220.78	meters	to corner 192
thence	S 29°36'16" E	229.32	meters	to corner 193
thence	S 26°52'41" E	247.24	meters	to corner 194
thence	S 41°18'31" W	265.43	meters	to corner 195
thence	S 48°8'42" E	194.68	meters	to corner 196
thence	S 24°24'56" E	252.14	meters	to corner 197
thence	S 26°33'54" E	263.45	meters	to corner 198
thence	S 9°40'24" W	269.68	meters	to corner 199
thence	S 10°51'0" W	184.56	meters	to corner 200
thence	S 46°0'18" E	243.56	meters	to corner 201
thence	S 32°35'33" E	218.72	meters	to corner 202
thence	N 73°12'37" E	366.04	meters	to corner 203
thence	S 73°13'44" E	230.33	meters	to corner 204
thence	N 46°40'6" E	220.12	meters	to corner 205
thence	S 60°6'48" E	303.14	meters	to corner 206
thence	S 57°49'59" E	283.72	meters	to corner 207
thence	S 33°11'24" E	480.12	meters	to corner 208
thence	S 61°41'57" E	312.23	meters	to corner 209
thence	S 67°30'13" E	323.71	meters	to corner 210
thence	S 25°29'21" W	431.73	meters	to corner 211
thence	S 31°17'35" W	360.60	meters	to corner 212
thence	S 72°38'46" W	455.77	meters	to corner 213
thence	S 1°9'26" E	299.14	meters	to corner 214
thence	S 56°31'25" W	224.55	meters	to corner 215
thence	S 22°20'53" E	293.97	meters	to corner 216
thence	S 38°28'49" E	301.01	meters	to corner 217
thence	S 9°24'11" W	480.75	meters	to corner 218

thence	S 33°6'41" E	331.81	meters	to corner 219
thence	S 32°3'27" W	352.89	meters	to corner 220
thence	S 49°37'21" W	503.64	meters	to corner 221
thence	S 53°40'23" W	382.47	meters	to corner 222
thence	S 30°39'2" E	284.44	meters	to corner 223
thence	N 79°41'43" E	270.21	meters	to corner 224
thence	S 14°40'35" E	393.48	meters	to corner 225
thence	S 21°12'33" E	217.11	meters	to corner 226
thence	S 6°33'9" E	225.02	meters	to corner 227
thence	S 86°56'1" E	169.42	meters	to corner 228
thence	N 78°13'54" E	222.18	meters	to corner 229
thence	N 66°8'23" E	343.54	meters	to corner 230
thence	S 51°35'48" E	316.11	meters	to corner 231
thence	S 53°40'23" E	382.47	meters	to corner 232
thence	S 43°13'5" E	240.43	meters	to corner 233
thence	S 56°35'32" E	170.09	meters	to corner 234
thence	S 20°9'27" E	254.23	meters	to corner 235
thence	S 67°39'34" W	238.43	meters	to corner 236
thence	S 42°14'40" W	199.96	meters	to corner 237
thence	S 75°57'50" W	435.95	meters	to corner 238
thence	S 2°1'17" E	256.94	meters	to corner 239
thence	S 5°32'28" E	203.36	meters	to corner 240
thence	S 34°7'43" W	328.45	meters	to corner 241
thence	S 55°18'17" E	191.06	meters	to corner 242
thence	S 62°29'17" E	326.99	meters	to corner 243
thence	S 50°33'2" E	342.32	meters	to corner 244
thence	S 51°11'19" E	356.68	meters	to corner 245
thence	N 82°43'30" E	286.28	meters	to corner 246
thence	N 67°45'4" E	359.04	meters	to corner 247
thence	N 78°56'37" E	267.80	meters	to corner 248
thence	N 4°23'55" W	236.33	meters	to corner 249
thence	N 51°1'7" E	336.16	meters	to corner 250
thence	N 7°20'19" E	402.06	meters	to corner 251
thence	N 14°12'57" E	233.73	meters	to corner 252
thence	N 18°41'14" E	542.15	meters	to corner 253
thence	N 27°41'18" E	344.58	meters	to corner 254
thence	S 48°40'4" E	333.92	meters	to corner 255
thence	N 52°47'32" E	204.83	meters	to corner 256
thence	S 85°18'5" E	221.28	meters	to corner 257
thence	S 67°30'2" E	552.61	meters	to corner 258
thence	S 62°47'2" E	178.35	meters	to corner 259
thence	S 73°34'15" E	245.67	meters	to corner 260
thence	S 65°51'16" E	192.02	meters	to corner 261
thence	S 88°29'33" E	229.67	meters	to corner 262
thence	S 12°18'2" E	411.23	meters	to corner 263
thence	S 48°2'31" E	664.21	meters	to corner 264
thence	N 0°28'39" E	725.06	meters	to corner 265
thence	N 21°56'19" W	234.49	meters	to corner 266
thence	N 35°4'26" E	173.49	meters	to corner 267
thence	N 26°58'59" W	1481.44	meters	to corner 268
thence	N 28°22'8" W	171.67	meters	to corner 269
thence	N 36°6'20" E	407.57	meters	to corner 270

thence	N 40°50'25" E	471.20	meters	to corner 271
thence	S 37°31'9" E	213.30	meters	to corner 272
thence	S 43°6'43" E	194.50	meters	to corner 273
thence	S 42°16'25" E	224.55	meters	to corner 274
thence	S 39°14'15" E	234.02	meters	to corner 275
thence	S 38°9'26" E	215.15	meters	to corner 276
thence	S 83°2'49" W	124.78	meters	to corner 277
thence	N 48°21'59" W	145.51	meters	to corner 278
thence	S 83°39'35" W	109.42	meters	to corner 279
thence	S 48°17'21" W	186.15	meters	to corner 280
thence	S 68°50'19" E	100.42	meters	to corner 281
thence	S 54°9'44" W	134.15	meters	to corner 282
thence	N 68°52'31" W	142.50	meters	to corner 283
thence	S 20°43'32" E	239.02	meters	to corner 284
thence	S 26°53'30" E	237.11	meters	to corner 285
thence	S 48°7'20" E	235.33	meters	to corner 286
thence	S 41°38'1" E	145.51	meters	to corner 287
thence	S 32°33'0" E	336.89	meters	to corner 288
thence	S 71°27'57" E	275.61	meters	to corner 289
thence	N 33°50'43" E	309.18	meters	to corner 290
thence	N 46°26'39" E	254.28	meters	to corner 291
thence	S 70°42'36" E	192.04	meters	to corner 292
thence	S 24°35'59" W	275.77	meters	to corner 293
thence	S 27°49'27" W	245.95	meters	to corner 294
thence	S 15°22'34" W	125.33	meters	to corner 295
thence	S 46°28'8" E	83.34	meters	to corner 296
thence	S 25°6'53" W	106.77	meters	to corner 297
thence	S 83°14'47" E	231.20	meters	to corner 298
thence	N 75°15'23" E	237.41	meters	to corner 299
thence	N 20°5'43" E	263.78	meters	to corner 300
thence	N 80°32'16" E	202.14	meters	to corner 301
thence	N 66°48'5" E	138.04	meters	to corner 302
thence	S 78°15'41" E	118.79	meters	to corner 303
thence	N 50°52'10" E	229.77	meters	to corner 304
thence	N 36°31'44" E	203.01	meters	to corner 305
thence	S 64°1'32" E	131.06	meters	to corner 306
thence	S 2°36'9" W	266.12	meters	to corner 307
thence	S 65°46'20" W	198.77	meters	to corner 308
thence	S 24°42'9" W	166.26	meters	to corner 309
thence	S 0°0'0" W	193.34	meters	to corner 310
thence	S 26°57'57" E	193.20	meters	to corner 311
thence	S 82°52'30" E	267.92	meters	to corner 312
thence	N 86°35'0" E	202.77	meters	to corner 313
thence	S 42°40'59" E	184.93	meters	to corner 314
thence	S 10°58'50" E	206.18	meters	to corner 315
thence	S 48°55'6" E	156.30	meters	to corner 316
thence	S 25°27'48" W	140.53	meters	to corner 317
thence	S 75°41'59" W	159.00	meters	to corner 318
thence	N 68°37'46" W	373.06	meters	to corner 319
thence	N 59°14'14" W	295.32	meters	to corner 320
thence	N 53°1'21" W	321.43	meters	to corner 321
thence	S 68°33'47" W	264.51	meters	to corner 322

thence	S 11°42'45" E	252.99	meters	to corner 323
thence	S 64°43'20" E	240.54	meters	to corner 324
thence	S 58°34'14" E	254.91	meters	to corner 325
thence	S 18°0'15" E	254.12	meters	to corner 326
thence	S 27°52'19" E	177.71	meters	to corner 327
thence	S 40°43'2" W	486.27	meters	to corner 328
thence	S 43°5'27" W	128.24	meters	to corner 329
thence	N 30°4'7" W	265.30	meters	to corner 330
thence	N 39°36'39" W	227.44	meters	to corner 331
thence	S 63°43'7" W	272.91	meters	to corner 332
thence	N 63°49'45" W	294.53	meters	to corner 333
thence	S 28°10'43" W	191.92	meters	to corner 334
thence	N 84°8'38" W	118.44	meters	to corner 335
thence	S 21°32'28" E	123.42	meters	to corner 336
thence	S 28°26'35" W	164.91	meters	to corner 337
thence	S 27°16'10" W	329.68	meters	to corner 338
thence	N 74°6'36" E	430.32	meters	to corner 339
thence	N 39°5'38" E	124.56	meters	to corner 340
thence	S 33°24'28" E	170.09	meters	to corner 341
thence	S 45°25'51" E	284.12	meters	to corner 342
thence	S 47°59'9" W	368.32	meters	to corner 343
thence	S 43°12'36" E	273.56	meters	to corner 344
thence	S 54°37'11" E	255.66	meters	to corner 345
thence	S 54°7'49" E	484.64	meters	to corner 346
thence	N 55°31'40" E	245.52	meters	to corner 347
thence	S 79°57'2" E	242.38	meters	to corner 348
thence	S 12°22'9" W	176.29	meters	to corner 349
thence	S 23°31'24" W	280.06	meters	to corner 350
thence	S 46°48'31" W	203.04	meters	to corner 351
thence	S 45°0'0" W	260.61	meters	to corner 352
thence	S 40°17'32" W	273.28	meters	to corner 353
thence	S 45°56'21" W	130.32	meters	to corner 354
thence	S 57°39'9" W	214.55	meters	to corner 355
thence	S 78°1'26" E	305.73	meters	to corner 356
thence	S 48°24'31" E	341.32	meters	to corner 357
thence	N 31°13'6" E	233.14	meters	to corner 358
thence	N 30°18'40" E	227.46	meters	to corner 359
thence	S 88°56'21" E	163.16	meters	to corner 360
thence	N 29°17'29" E	426.06	meters	to corner 361
thence	S 79°22'49" E	98.36	meters	to corner 362
thence	S 36°7'10" W	138.37	meters	to corner 363
thence	S 3°41'29" E	93.85	meters	to corner 364
thence	S 17°16'53" E	142.37	meters	to corner 365
thence	S 7°25'53" E	140.14	meters	to corner 366
thence	S 41°54'21" E	158.31	meters	to corner 367
thence	S 39°10'25" E	105.22	meters	to corner 368
thence	S 17°49'8" E	88.85	meters	to corner 369
thence	S 83°17'25" E	206.84	meters	to corner 370
thence	N 65°32'15" E	386.65	meters	to corner 371
thence	S 22°30'50" E	2639.07	meters	to corner 372
thence	S 28°56'5" W	3365.58	meters	to corner 373
thence	S 58°52'39" W	374.07	meters	to corner 374

thence	S 70°26'53" W	514.54	meters	to corner 375
thence	S 65°54'20" W	532.80	meters	to corner 376
thence	S 15°25'41" W	482.62	meters	to corner 377
thence	S 49°31'29" W	297.85	meters	to corner 378
thence	S 79°29'42" W	231.97	meters	to corner 379
thence	S 30°10'25" W	450.79	meters	to corner 380
thence	N 88°58'37" W	169.20	meters	to corner 381
thence	S 75°57'50" W	224.21	meters	to corner 382
thence	S 23°37'46" E	211.04	meters	to corner 383
thence	N 82°29'16" E	277.29	meters	to corner 384
thence	S 49°5'8" E	119.93	meters	to corner 385
thence	S 40°9'22" E	189.73	meters	to corner 386
thence	S 71°19'24" E	226.41	meters	to corner 387
thence	S 47°1'17" E	181.69	meters	to corner 388
thence	S 38°12'40" W	180.70	meters	to corner 389
thence	S 67°47'47" E	159.88	meters	to corner 390
thence	S 32°30'27" E	182.69	meters	to corner 391
thence	S 36°12'34" E	209.67	meters	to corner 392
thence	S 48°17'21" E	186.15	meters	to corner 393
thence	S 20°12'37" E	292.95	meters	to corner 394
thence	S 5°49'35" W	297.59	meters	to corner 395
thence	N 36°23'4" E	213.89	meters	to corner 396
thence	N 46°37'5" E	378.25	meters	to corner 397
thence	S 12°19'21" E	1274.00	meters	to corner 398
thence	N 86°18'31" E	281.54	meters	to corner 399
thence	N 52°31'26" E	342.60	meters	to corner 400
thence	S 62°50'30" E	456.67	meters	to corner 401
thence	S 66°59'7" E	370.89	meters	to corner 402
thence	S 71°33'54" E	248.38	meters	to corner 403
thence	S 45°49'49" E	368.53	meters	to corner 404
thence	S 59°55'53" E	265.30	meters	to corner 405
thence	S 67°14'6" E	366.93	meters	to corner 406
thence	S 88°43'37" E	135.98	meters	to corner 407
thence	S 30°0'36" E	202.34	meters	to corner 408
thence	S 59°35'20" E	161.13	meters	to corner 409
thence	S 59°22'53" E	172.01	meters	to corner 410
thence	S 51°55'38" E	230.25	meters	to corner 411
thence	S 42°39'30" E	287.55	meters	to corner 412
thence	S 52°37'27" E	273.71	meters	to corner 413
thence	N 70°1'1" E	388.96	meters	to corner 414
thence	N 34°12'57" E	274.00	meters	to corner 415
thence	N 1°28'8" E	235.71	meters	to corner 416
thence	N 43°15'51" W	141.05	meters	to corner 417
thence	N 11°6'47" W	172.41	meters	to corner 418
thence	N 43°4'10" W	190.23	meters	to corner 419
thence	N 37°57'15" E	191.56	meters	to corner 420
thence	N 42°47'7" E	193.47	meters	to corner 421
thence	N 54°42'48" E	240.56	meters	to corner 422
thence	N 51°47'20" E	180.70	meters	to corner 423
thence	S 16°31'4" E	456.90	meters	to corner 424
thence	S 86°49'13" E	326.77	meters	to corner 425
thence	S 35°28'48" E	348.72	meters	to corner 426

thence	S 49°5'8" E	239.86	meters	to corner 427
thence	S 34°19'30" E	340.20	meters	to corner 428
thence	S 71°33'54" E	248.38	meters	to corner 429
thence	S 76°11'6" E	189.77	meters	to corner 430
thence	N 88°11'29" E	287.14	meters	to corner 431
thence	N 6°4'21" W	142.79	meters	to corner 432
thence	N 19°9'37" W	377.38	meters	to corner 433
thence	N 85°41'44" E	281.75	meters	to corner 434
thence	N 86°55'21" E	281.36	meters	to corner 435
thence	N 35°19'53" W	585.07	meters	to corner 436
thence	N 21°40'14" W	490.86	meters	to corner 437
thence	N 41°49'13" W	462.12	meters	to corner 438
thence	N 24°17'38" W	477.29	meters	to corner 439
thence	N 28°33'35" W	271.72	meters	to corner 440
thence	N 2°14'13" W	193.49	meters	to corner 441
thence	S 88°54'44" E	477.40	meters	to corner 442
thence	S 64°23'23" E	405.36	meters	to corner 443
thence	S 65°53'9" E	695.06	meters	to corner 444
thence	S 60°19'54" E	561.50	meters	to corner 445
thence	N 66°13'25" E	472.07	meters	to corner 446
thence	S 63°26'6" E	243.18	meters	to corner 447
thence	N 80°2'23" E	314.39	meters	to corner 448
thence	S 84°37'24" E	257.92	meters	to corner 449
thence	S 83°33'2" E	349.63	meters	to corner 450
thence	S 82°10'48" E	355.25	meters	to corner 451
thence	S 62°9'43" E	304.06	meters	to corner 452
thence	S 53°17'9" E	222.35	meters	to corner 453
thence	S 82°15'59" E	246.95	meters	to corner 454
thence	N 15°56'43" W	109.97	meters	to corner 455
thence	N 70°10'4" W	195.90	meters	to corner 456
thence	N 45°37'47" E	194.40	meters	to corner 457
thence	N 51°45'58" E	253.83	meters	to corner 458
thence	N 31°45'34" W	223.84	meters	to corner 459
thence	N 42°2'57" W	207.48	meters	to corner 460
thence	N 42°6'32" W	69.97	meters	to corner 461
thence	S 71°29'50" E	1128.68	meters	to corner 462
thence	S 70°23'6" E	2534.83	meters	to corner 463
thence	S 9°26'13" W	3176.36	meters	to corner 464
thence	S 21°26'40" E	1539.11	meters	to corner 465
thence	S 21°26'40" E	72.24	meters	to corner 466
thence	S 14°34'15" W	1923.09	meters	to corner 467
thence	S 62°55'41" W	2013.55	meters	to corner 468
thence	S 77°50'13" W	2998.62	meters	to corner 469
thence	N 47°50'24" W	1543.38	meters	to corner 470
thence	S 68°36'21" W	4462.57	meters	to corner 471
thence	S 64°37'49" W	3294.57	meters	to corner 472
thence	S 77°4'56" W	2546.09	meters	to corner 473
thence	N 62°21'40" W	3938.55	meters	to corner 474
thence	S 48°19'51" W	761.97	meters	to corner 475
thence	N 41°56'45" W	2341.71	meters	to corner 476
thence	N 39°3'36" W	2800.17	meters	to corner 477
thence	N 26°54'34" W	1905.33	meters	to corner 478

thence	N 48°47'37" W	2980.83	meters	to corner 479
thence	N 13°34'26" W	3249.76	meters	to corner 480
thence	N 33°28'25" W	3343.58	meters	to corner 481
thence	N 36°39'2" W	1635.28	meters	to corner 482
thence	N 17°43'54" W	1906.27	meters	to corner 483
thence	N 23°46'55" W	2201.89	meters	to corner 484
thence	N 62°34'47" W	1705.66	meters	to corner 485
thence	N 9°54'15" W	1820.06	meters	to corner 486
thence	N 42°56'51" W	2360.02	meters	to corner 487
thence	S 53°2'57" W	2816.91	meters	to corner 488
thence	S 64°5'37" W	1661.04	meters	to corner 489
thence	S 62°11'44" W	3648.53	meters	to corner 490
thence	N 4°18'16" W	1592.52	meters	to corner 491
thence	N 4°54'15" W	3561.92	meters	to corner 492
thence	N 52°12'39" W	1667.36	meters	to corner 493
thence	N 39°19'33" W	1261.91	meters	to corner 494
thence	N 0°19'39" E	1494.14	meters	to corner 495
thence	N 31°0'21" E	2662.93	meters	to corner 496
thence	N 4°55'6" W	1925.25	meters	to corner 497
thence	N 41°7'57" E	2864.10	meters	to corner 498
thence	N 16°45'16" W	1411.75	meters	to corner 499
thence	N 32°21'32" E	2004.62	meters	to corner 500
thence	N 28°56'13" W	1076.39	meters	to corner 501
thence	N 53°14'24" E	2078.10	meters	to corner 502
thence	N 73°46'36" E	2658.67	meters	to corner 503
thence	S 84°46'9" E	2434.87	meters	to corner 504
thence	S 48°51'13" E	778.54	meters	to corner 505
thence	N 89°27'40" E	907.89	meters	to corner 506
thence	N 57°45'56" E	1056.45	meters	to corner 507
thence	N 52°29'20" E	347.84	meters	to corner 508
thence	S 41°25'25" E	98.89	meters	to corner 509
thence	S 30°2'0" E	181.81	meters	to corner 510
thence	S 2°46'0" W	331.16	meters	to corner 511
thence	S 23°11'55" W	206.02	meters	to corner 1

the point of beginning, containing an area of SEVENTY-SIX THOUSAND SIX HUNDRED NINETY-NINE AND 36/100 (76,699.36) hectares, more or less.

The DENR shall likewise appropriately mark on the ground the technical descriptions provided in this Act with clearly visible markers and shall prepare appropriate maps therefore. Any modification of the coverage of this Act due to such factors as changing ecological situations, new scientific or archaeological findings, or discover of traditional boundaries not previously taken into account shall be made through an act of Congress, after consultation with the affected stakeholders and concerned government agencies.

All lands comprising the AVPL shall fall under the classification of National Park as provided for in the Philippine Constitution subject to prior right.

Section 6. Management Plan. -Within one (1) year from the establishment of the Allah Valley Protected Landscape (AVPL) there shall be a management plan to be formulated to serve as

the basic long-term framework plan for the management of the AVPL and guide in the preparation of its annual operations plan and budget.

The management plan shall, at the minimum, promote the adoption and implementation of innovative management techniques including, when necessary, zoning, buffer zone management, habitat conservation and rehabilitation, diversity management, community organizing and development, socioeconomic and scientific researches, site-specific policy development, climate change adaptation and mitigation, disaster risk reduction and management, waste sewerage and septic management, and gender and development, among others.

The plan shall be harmonized with the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) required under Republic Act No. 8371, or "The Indigenous People's Right Act of 1997", the respective Comprehensive Land Use Plans (CLUPs) of local governments required under Republic Act No. 7160 or the 'Local Government Code of 1991' and other local plans."

Section 7. Protected Area Management Board of Allah Valley Protected Landscape (AVPL)

- Within three (3) months after the effectivity of this Act, a PAMB shall be created for AVPL. The Board shall be composed of the following:

- (a) DENR Regional Executive Director of DENR Region 12, as Chairperson;
- (b) Governors of the South Cotabato Province and Sultan Kudarat Province or duly designated representatives;
- (c) A Senator of the Republic of the Philippines who is a duly registered resident of Region XII, or a duly authorized representative, unless the Senator declines membership in the PAMB;
- (d) District Representatives of the 2nd District of South Cotabato and 2nd District of Sultan Kudarat, or duly designated representatives, unless the District Representatives decline membership in the PAMB;
- (e) Mayors of Lake Sebu, Tboli and Suralah, South Cotabato Province, and Mayor of Bagumbayan, Sultan Kudarat Province, or their duly designated representative/s;
- (f) Chairperson/s of the barangay/s covering the area of the AVPL;
- (g) Regional Directors of the following government agencies, namely: the Department of Agriculture (DA), the National Economic and Development Authority (NEDA), the Department of Science and Technology (DOST), the Philippine National Police (PNP), Office of Civil Defense (OCD); and the National Commission on Indigenous Peoples (NCIP);
- (h) Three (3) representatives from either an NGO or PO, duly accredited both by the DENR and the provincial government. The NGO or PO represented should have been in existence for at least five (5) years and with track record in or related to protected area management;

(i) At least one (1) but not more than three (3) representatives from all the IPs/ICCs present in the area and recognized by the National Commission on Indigenous Peoples (NCIP);

(j) One (1) representative from an academic institution, preferably from a university or college in South Cotabato or Sultan Kudarat, with proven track record in or related to the protected area management; and

(k) One (1) representative from the private sector, preferably a resident of South Cotabato or Sultan Kudarat, who is distinguished in a profession or field of interest relevant to the protected area management.

Ex officio members or members of the PAMB by virtue of their elective or appointive government positions as specified in the immediately preceding subparagraphs (a), (b), (c), (d), (e), (f), and (g), shall serve for the duration of their respective terms of office in their respective elective or appointive government positions.

On the other hand, the members of the PAMB specified under subparagraphs (h), (i), (j), and (k) of this section shall be appointed by the DENR Secretary after the conduct of a transparent and fair selection process. They shall each serve a term of three (3) years and may be reappointed for another term.

The members of the PAMB shall serve without compensation, except for the actual and necessary traveling and subsistence expenses incurred in the performance of their duties, either in their attendance in meetings of the PAMB or in connection with other official business authorized through a resolution of the PAMB, subject to existing rules and regulations. Each member shall have the full capacity and accountability for decisions binding to the member's sector.

The PAMB members duly appointed prior to the effectivity of this Act shall continue their term until the expiration of their appointment. Thereafter, members of the management board shall be appointed in accordance with the provisions of this Act: *Provided*, That the Regional Executive Director of the DENR Region XII shall ensure that the relevant members of the PAMB are duly appointed by the DENR Secretary: *Provided, further*, That at least forty percent (40%) of the PAMB members shall be women, pursuant to Republic Act No. 9710 or 'The Magna Carta of Women'.

A member of the PAMB may be removed for any of the following grounds:

(1) More than three (3) consecutive unexcused absences from regular meetings of the management board;

(2) Commission of acts prejudicial to the management of protected areas as embodied in Section 20 hereof and/or other existing rules and regulations governing protected areas;

(3) Disassociation from the office or organization being represented;

(4) Termination of relationship with the office or organization being represented; or

(5) Conviction by final judgment of any criminal act.

Section 8. Powers and Functions of the PAMB. - The PAMB shall have the following powers and functions:

- (a) Oversee the management of the protected area;
- (b) Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the protected areas;
- (c) Approve the management plan of the protected area and ensure its harmonization and integration with the ADSDPP, land use plan and other development plan public or private, and its implementation;
- (d) Adopt a manual of operations to include rules of procedures in the conduct of business, and the creation of committees and their respective terms of reference;
- (e) Recommend the deputation of appropriate agencies and individuals for the enforcement of the laws, rules and regulations governing the management of protected area;
- (f) Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account and other funds in accordance with the accounting and budgeting rules and regulations;
- (g) Set fees and charges in accordance with the existing guidelines;
- (h) Issue rules and regulations for the resolution of conflicts through appropriate and effective means;
- (i) Recommend appropriate policy changes to the DENR and other governing authorities;
- (j) Monitor and assess the performance of the Protected Area Superintendent (PASu) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or agreement;
- (k) Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASu; and
- (l) Assess the effectiveness of the management of the protected area: *Provided*, That the members of the management board representing the LGUs and national agencies in the PAMB shall inform their respective constituents, offices or sectors, of PAMB-approved or other relevant policies, rules, regulations, programs, and projects and shall ensure that the provisions of this Act and its implementing rules and regulations are complied with, and used as reference and framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be the basis for disciplinary action against such member according to administrative rules and regulations and such penalties as the PAMB may provide: *Provided, further*, that the DENR, through the Regional Executive Director, shall ensure that the PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and the existing administrative orders of national application, the latter shall prevail.

Section 9. The Protected Area Management Office (PAMO). - There is hereby established a Protected Area Management Office (PAMO) to be headed by a Protected Area Superintendent

(PASu) with a permanent plantilla position who shall supervise the day-to-day management, protection and administration of the protected area. A sufficient number of support staff with permanent plantilla position shall be appointed by the DENR to assist the PASu in the management of the protected area.

The PASu shall be primarily accountable to the PAMB and the DENR for the management and operations of the AVPL. Pursuant thereto, the PASu shall have the following duties and responsibilities:

- (a) Prepare the management plan, in consultation with the stakeholders, including the annual work and financial plans and ensure its implementation;
- (b) Ensure the integration of the protected area management plans, programs, projects, and policies with relevant national and LGUs' plans and programs;
- (c) Provide secretariat services to the PAMB and its committees and ensure the availability of relevant and timely information for decision-making;
- (d) Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;
- (e) Establish, operate, and maintain a database management system which shall be an important basis for decision-making;
- (f) Enforce the laws, rules and regulations relevant to the protected area. Commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the prosecution of offenses committed in violation of this Act;
- (g) Monitor, evaluate, and report the implementation of management activities of AVPL;
- (h) Request for and receive any technical assistance support or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, and the private sector, as may be necessary for the effective management, protection and administration of AVPL;
- (i) Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with terms, conditions, and criteria established by the PAMB: *Provided*, That all permits for extraction activities, including collection for research purposes, shall also continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASu, in accordance with the specific acts to be covered;
- (j) Collect and/or receive pertinent fees, charges, donations, and other income for the protected area: *Provided*, That such fees, charges, donations, and other income collected /received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;
- (k) Prepare and recommend to the PAMB, approval of annual work and financial plans of the protected area based on the management plan; and
- (l) Perform such other functions as the PAMB and the DENR may assign.

The PAMO may be augmented by the deputized local environment and natural resources officers upon the recommendation of the PAMB and approval of the DENR.

Section 10. *Environmental Impact Assessment (EIA).* – Considering that AVPL is an environmentally critical area, the proponent of development projects and activities with potentially significant adverse impacts as determined by the Environmental Management Bureau (EMB), whether or not these projects or activities are included in the management plan, shall secure an Environmental Compliance Certificate (ECC) in accordance with the Philippine Environmental Impact Statement (EIS) System: *Provided*, That for development projects and activities that are not environmentally critical, an initial environmental examination (IEE) shall be undertaken instead of a full-blown EIA. No project or activity may be undertaken by any project proponent without prior clearance from the PAMB. The DENR shall require the submission of the PAMB clearance, among others, before issuing an ECC to a project proponent.

No actual implementation of such activities shall be allowed without the required ECC under the Philippine EIA System. Violations of environmental laws, rules and regulations, including those under the EIA System, shall be penalized accordingly.

Section 11. *Ancestral Domain and Customary Rights.* – Ancestral domains and customary rights shall be accorded due recognition.

As part of heritage preservation and pursuant to the need to conserve biologically significant areas, the territories and areas occupied and conserved for and by IPs and communities shall be recognized, respected, developed, and promoted.

The ICCs and IPs concerned shall have the responsibility to govern, maintain, develop, protect, and conserve such areas, in accordance with their indigenous knowledge systems and practices and customary law, with full and effective assistance from the NCIP, DENR, and other concerned government agencies.

A mechanism for coordination and complementation between the indigenous traditional leadership and governance structures and the NCIP, DENR, government agencies, concerned LGUs and civil society organizations shall be created.

Section 12. *Energy Resources.* – Consistent with the policies declared in Section 2 hereof, the exploration for energy sources may be allowed in AVPL only for the purpose of gathering data and information and only if such activity is carried out with the least damage to surrounding areas.

Survey for non-renewable energy projects shall be conducted only in accordance with a program approved by the DENR, and the result of such surveys shall be made available to the public and submitted to the President who shall make the appropriate recommendations to Congress.

Renewable energy projects may be allowed within the AVPL by the PAMB with the concurrence of the DENR Secretary: *Provided*, That renewable energy projects, which shall be located outside the strict protection zone, shall undergo the EIA as provided by law, and shall

adopt reduced impact technologies so as not to be detrimental to ecosystem functions, biodiversity, cultural practices and traditions: *Provided*, That sufficient bond shall be remitted by the proponent to the DENR. The amount of which will be based on damage estimation upon decommissioning and projected cost of rehabilitation. It shall be released to the depositor upon the satisfactory decommissioning of all equipment, structures and improvements and the rehabilitation of the site according to the zones and objectives of the management plan as attested to by the PAMB.

Section 13. *Integrated Protected Area Fund (IPAF)*. - There is hereby established a trust fund to be known as Integrated Protected Area Fund (IPAF) for purpose of financing the projects and sustaining the operations of AVPL. Income generated from the operation and management of AVPL shall accrue to the AVPL-IPAF. The income shall be derived from fees and charges from the use of resources and facilities of AVPL; contributions from industries and facilities directly benefiting from the AVPL; and such other fees and income derived from the operation of the AVPL.

The PAMB shall retain seventy-five percent (75%) of all revenues raised through the above means, which shall be deposited in the Protected Area-Retained Income Account (PA-RIA) in any authorized government depository bank within the locality: *Provided*, That disbursement out of such deposits shall be used solely for the protection, maintenance, administration, and management of the AVPL and implementation of duly approved projects of the PAMB.

Grants, donations, and endowments from various sources, domestic or foreign, shall be deposited in full in a special account in the National Treasury to be used for the purpose specified in the deeds and instruments covering them.

Voluntary or legislated payments for ecosystem goods and services, including fines, penalties, and compensation for damages from AVPL offenses shall accrue fully to the PA-RIA and shall be managed by the PAMB.

The remaining twenty-five percent (25%) of revenues shall be deposited as a special account in the General Fund in the National Treasury for purposes of financing the projects of the System.

The use of the IPAF shall be in accordance with existing accounting, budgeting, and auditing rules and regulations: *Provided, further*, that the IPAF shall not be used to cover personal services expenditures.

The DENR shall submit to the Department of Budget and Management (DBM) and the Department of Finance (DOF) quarterly reports on the financial and physical accomplishments on the utilization of the IPAF and other documents as may be required by the DBM, and shall furnish a copy of the same to the House Committee on Appropriations and the Senate Committee on Finance."

Section 14. *Tax Exemption*. - All grants, bequests and endowments, donations and contributions made to the protected area fund to be used actually, directly, and exclusively by the AVPL, shall be exempted from donor's tax and shall be considered as allowable deduction

from the gross income of the donor for the purpose of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

Section 15. *Field Officers.* – All officials, technical personnel and forest guards employed in the integrated protected area service or all persons deputized by the DENR, upon recommendation of the PAMB shall be considered as field officers and shall have the authority to investigate and search premises and buildings and make arrests in accordance with the rules on criminal procedure for the violation of laws and regulations relating to protected areas. Persons arrested shall be brought to the nearest police precinct for investigation .

Nothing herein mentioned shall be construed as preventing regular enforcers and police officers from arresting any person in the act of violating said laws and regulations.

Section 16. *Special Prosecutors and Retained Counsel.* - Within thirty (30) days from the effectivity of this Act, the Department of Justice (DOJ) shall appoint special prosecutors to prosecute violations of laws, rules and regulations in AVPL. The special prosecutors shall coordinate with the PAMB and the PASu in the performance of duties and assist in the training of wardens and rangers in arrest and criminal procedures. The PAMB may retain the services of counsel to prosecution of cases under the direct control and supervision of the regular or special prosecutor. Said counsel shall also represent and defend the members of the PAMB, PASu and the staff, or any DENR-deputized individual and volunteer, against any legal action arising from the performance of their powers, functions and responsibilities as provided in this Act.

Section 17. *Prohibited Acts.* - Except as may be allowed by the nature of their categories and pursuant to rules and regulations governing the same, the following acts are prohibited within AVPL:

- (a) Poaching, killing, destroying, disturbing of any wildlife including in private lands within the AVPL;
- (b) Hunting, taking, collecting, or possessing of any wildlife, or by-products derived therefrom, including in private lands within AVPL without the necessary permit, authorization or exemption: *Provided*, That the PASu as authorized by the PAMB shall issue a permit, authorization or exemption only for culling, scientific research, the exemptions provided under Section 27(a) of Republic Act No. 9147 (Wildlife Resources, Conservation and Protection Act) or harvests of non-protected species in multiple-use zones by tenured migrants and IPs;
- (c) Cutting, gathering, removing or collecting timber within AVPL including private lands therein, without the necessary permit, authorization, certification of planted trees or exemption such acts are done in accordance with the duly recognized practices of the IPs/ICCs for subsistence purposes;

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- (d) Possessing or transporting outside AVPL any timber, forest products, wildlife, or by-products derived therefrom which are ascertained to have been taken from AVPL other than exotic species, the culling of which has been authorized under an appropriate permit;
- (e) Using any harvesting tool or any variations that destroys terrestrial habitat as may be determined by the DA or the DENR; *Provided*, That mere possession of such tools within AVPL shall be prima facie evidence of their use;
- (f) Dumping, throwing, using, or causing to be dumped into or places in AVPL of any toxic chemical, noxious or poisonous substance or non-biodegradable material, untreated sewage or animal waste or products whether in liquid, solid or gas state, including pesticides and other hazardous substances as defined under Republic Act No. 6969, otherwise known as the 'Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990' detrimental to AVPL, or to the plants and animals or inhabitants therein;
- (g) Operating any motorized conveyance within AVPL without permit from the PAMB, except when the use of such motorized conveyance is the only practical means of transportation of IPs/ICCs in accessing their ancestral domain/land;
- (h) Altering, removing, destroying or defacing boundary marks or signs within AVPL;
- (i) Engaging in 'kaingin' or, any manner, causing forest fires inside AVPL;
- (j) Mutilating, defacing, destroying, excavating, vandalizing or, in any manner damaging any natural formation, religious, spiritual, historical sites, artifacts and other objects of natural beauty, scenic value or objects of interest to IPs/ICCs;
- (k) Damaging and leaving roads and trails in damaged condition;
- (l) Littering or depositing refuse or debris on the ground or in bodies of water/river system;
- (m) Possessing or using blasting caps or explosives anywhere within AVPL;
- (n) Occupying or dwelling in any public land within AVPL without clearance from the PAMB;
- (o) Constructing, erecting, or maintaining any kind of structure, fence or enclosure, conducting any business enterprise within AVPL without prior clearance from the PAMB and permit from the DENR, or conducting these activities in a manner that is inconsistent with the management plan duly approved by the PAMB;
- (p) Undertaking mineral exploration or extraction within AVPL;
- (q) Engaging in commercial or large-scale quarrying within AVPL;
- (r) Establishing or introducing exotic species, including GMOs or invasive alien species within AVPL;
- (s) Conducting bioprospecting within AVPL without prior PAMB clearance in accordance with existing guidelines: *Provided*, That in addition to the penalty provided herein, any commercial use of any substance derived from non-permitted bioprospecting

within a protected area will not be allowed and all revenue earned from illegal commercialization thereof shall be forfeited and deposited as part of the IPAF;

- (t) Prospecting, hunting or otherwise locating hidden treasure within AVPL;
- (u) Purchasing or selling, mortgaging or leasing lands or other portions of AVPL which are covered by any tenurial instrument; and
- (v) Constructing any permanent structure within the forty (40)-meter easement from any natural body of water (river) or issuing a permit for such construction pursuant to Article 51 of Presidential Decree No. 1067.

Section 18. Penalties. - Violation under this Act shall be subject to the following penalties:

- (a) A fine of not less than Two hundred thousand pesos (P200,000) but not more than One million pesos (P1,000,000) or imprisonment from one (1) year but not more than six years, or both, plus damages of triple the value of the said resources, or both, shall be imposed upon any person who violates paragraphs (a) to (e) of Section 20 NIPAS Act as amended;
- (b) A fine of not less than Two hundred thousand pesos (200,000) but not more than One million pesos (P1,000,000) or imprisonment from one (1) year but not more than six years, or both, shall be imposed upon any person who violates paragraphs (f) to (p) of Section 20 NIPAS Act as amended;
- (d) A fine of Fifty thousand pesos (P50,000) daily shall be imposed on the owner of existing facilities within a protected area under Section 24 of this Act, if the existence of the same and its future plans and operations will be detrimental to AVPL. For every continuing violation, or if the violation continues to be committed for thirty (30) days and upon reaching a total fine of Five hundred thousand pesos (P500,000), the PAMB through the PASu and other deputized government entities, shall cause the cessation of operation and either forfeit in favor of the PAMO or demolish the facility at the cost of its owner. If the facility is government-owned, the agency in charge shall submit a plan for a substitute facility that complies with the protected area standards and, within one (1) year, execute the approved protected area management plan;
- (e) Administrative fines of not less Fifty thousand pesos (P50,000), but not exceeding Five million pesos (P5,000,000), shall be imposed by the DENR Secretary for the violation of any rule, regulation, or provision of any agreement reached with the PAMB: *Provided*, That if an area which has sustained damage from any activity conducted therein requires rehabilitation or restoration as determined by the court, the offender shall be required to restore or pay compensation for damage, which payment shall accrue to the IPAF.

On the basis of a court order, the DENR shall cause the eviction of an offender from the AVPL: *Provided*, that in cases of emergency, the DENR Secretary may order the immediate exit or departure of the offender from AVPL. The DENR Secretary may call on other enforcement agencies to assist in executing the order to vacate.

An *emergency* occurs when there is a demonstrated impending threat to human life and biodiversity or to species found within the ecosystem of the AVPL.

All minerals, timber or species collected or removed from the AVPL, including all equipment, devices, conveyances, and firearms used in connection therewith, shall be forfeited in favor of the government, and any construction or improvement made thereon by the offender shall be subject to confiscation by the PAMO, subject to the application of due process.

The conveyance, equipment, paraphernalia, implements, tools, and similar devices used in the commission of the crime shall be dealt with in accordance with Part 4, Rule 12 (Custody and Disposition of Seized Items, Equipment, Paraphernalia, Conveyance and Instruments) of Administrative Matter No. 09-6-8-SC (Rules of Procedures for Environmental Cases) issued by the Supreme Court. However, in no case shall any confiscated or rescued protected animal species be sold or in any manner disposed of but shall be immediately turned over to the PAMO for rehabilitation and release to its natural habitat, subject to existing regulations. Valuation of the damages shall take into account biodiversity and conservation considerations as well as aesthetic and scenic value. The valuation and assessment by the DENR, in coordination with other concerned government agencies, shall be presumed regular, unless otherwise proven by the preponderance of evidence.

If the offender is an association or corporation, the president or manager, who is proven to have participated in or have actual knowledge of any violation against the provisions of this Act shall be directly liable for the act of the employees and laborers: *Provided, finally*, That the DENR may impose administrative fines and penalties consistent with this Act.

Any person who shall induce another or conspire to commit any of the acts prohibited in this Act, or force their workers to commit any of the same, shall be liable as principal.

The penalties specified in this section shall be in addition to the penalties provided in Republic Act No. 9072 or the National Caves and Cave Resources Management and Protection Act', Republic Act No. 9147 or the 'Wildlife Resources Conservation and Protection Act', Republic Act No. 8550 or the Philippine Fisheries Code of 1998' and other related laws.

The conviction of a public officer of the law whether from the LGU or any national government agency for any violation of the provisions of this Act shall carry the accessory penalty of perpetual; disqualification from public office."

Section 19. Existing Rights. - All property and private rights within the AVPL and its buffer zones already existing and/or vested upon the effectivity of this Act shall be protected and respected in accordance with existing laws: *Provided*, that the exercise of such property and private rights shall be harmonized, as far as practicable, with the provisions of this Act. Notwithstanding this Act, all existing rights, contracts, or agreements entered into by government for utilization of natural resources within AVPL shall continue to be recognized and governed by Philippine laws.

The renewal of permits, contracts, and agreements shall be subject to the provisions of this Act. If the permits, contracts, agreements are not renewed, such areas shall be rehabilitated or restored by the permit holders within the period provided by the pertinent laws and shall revert to the national parks classification. As such, all holders of permits, contracts, and

agreements are required to prepare and submit a rehabilitation plan to the PAMB: *Provided*, That upon renewal, a sufficient bond shall be remitted by the proponent to the DENR to be released to the depository bank in the event of damage by a closure of the establishment after satisfactory rehabilitation according to the zones and objectives of the management plan as attested to by the PAMB.

The occupation of the LGUs and communities within the AVPL shall be respected. Within ninety (90) days after the creation of the PAMB, the Board shall assess the physical occupation of said LGUs and communities within AVPL and recommend to proper authorities measures to ensure the protection of their well-being. Municipalities with existing townships and town centers within the AVPL shall continue to occupy such townships and town centers: *Provided*, That in the development of their CLUPs and barangay development plans, due consideration shall be given to the intended for conservation and biodiversity as well as the objectives for AVPL to keep human habitation and environmental conservation in harmony.

Section 20. *Tenured Migrants and Other AVPL Occupants.* - Tenured migrants shall be eligible to become stewards portions of lands within multiple-use zones. The PAMB shall identify, verify and review all tenurial instruments, land claims, issuances of permits for resource use within the AVPL and recommend the issuance of the appropriate tenure instrument consistent with the zoning provided in the management plan and the provisions of this Act.

Should areas occupied by tenured migrants be designated as zones in which no occupation or other activities are allowed pursuant to the attainment of sustainable development, the provision for the transfer of the tenure migrants to multiple-use zones or buffer zones shall be accomplished through just and humane means: *Provided*, That AVPL occupants who are not qualified as tenured migrants shall be resettled outside the AVPL.

The rights of the tenured migrants may be transferred only to the spouse or one of their direct descendants listed at the time of the survey. In the event of termination of a tenurial instrument for cause or by voluntary surrender of rights, the PASu shall take immediate steps to rehabilitate the area.

Following the protected area occupants survey required under Section 5(c)(1) of NIPAS Act as amended, the DENR Regional Executive Director shall submit to the BMB within two (2) years from the passage of this Act, the final list of tenured migrants, which shall be the basis for tenured migrants recognition and issuance of tenurial instruments. Within the two (2)-year period, the DENR Regional Executive Director shall submit accomplishment report every six (6) months.

The DENR through the BMB shall issue guidelines for the determination of the reckoning period for the recognition of the tenured migrants.

Section 21. *Existing Facilities Within the AVPL.* Within sixty (60) days from the effectivity of this Act, an inventory of all existing facilities such as roads, buildings and structures, water systems, transmission lines, communication facilities, heavy equipment, and irrigation facilities, among others, within AVPL shall be conducted.

The DENR Regional Executive Director shall submit the inventory of the facilities with corresponding descriptions and an assessment report containing the appropriate recommendations to the DENR Secretary through the BMB.

The PAMB, with the assistance of the DENR, may impose conditions for the continuous operation of a facility found to be detrimental to the AVPL until its eventual relocation. If the conditions are violated, the owner of the facility shall be made liable pursuant to Section 21 (d) of NIPAS Act as amended.

Existing facilities allowed to remain within the AVPL shall be charged a reasonable fee by the PAMB based on existing guidelines. Structures found within the forty (40)-meter easement shall be demolished unless proven necessary to protect the river and mitigate habitat destruction. The PAMB shall levy a reasonable fee for the use of such easement for their continued operations.

Section 22. *Special Uses Within Protected Area.* - Consistent with Section 2 hereof, special uses may be allowed within AVPL except in strict protection zones. The PAMB may recommend the issuance of tenurial instrument subject to compliance to ECC and payment of corresponding user fee equivalent to five percent (5%) of the zonal value of commercial land within the nearest barangay or municipality where the project is located multiplied by the area of development plus one percent (1%) value of improvement as premium: *Provided*, That the activity shall not be detrimental to ecosystem functions and biodiversity, and cultural practices and traditions.

A sufficient bond shall be remitted by the proponent to the DENR to be released to the depository bank in the event of damage by or closure of the establishment after the satisfactory rehabilitation according to the zones and objectives of the management plan as attested by the PAMB."

Section 23. *Local Government Units. (LGUs).* - The LGUs within AVPL shall participate in its management through representation in the PAMB as provided for in NIPAS Act as amended. Said LGUs may appropriate portions of their share from the annual internal revenue allotment and other income for use of the AVPL: *Provided*, that all funds directly coming from the LGUs shall be exempted from twenty-five percent (25%) remittance requirement for the IPAF under Section 16 of NIPAS Act as amended.

The LGUs shall continue to impose and collect other fees not enumerated under Section 16 of NIPAS Act as amended which they have traditionally collected, such as business permits and rentals of LGU facilities: *Provided*, That the LGUs shall not impose property tax on properties owned by the government nor issue any tax declarations for areas covered by the protected area. Furthermore, LGUs may charge add-ons to fees imposed by the PAMB: *Provided*, that such add-ons shall be based on the contribution of the LGUs in the maintenance and protection of AVPL.

LGUs with territory in AVPL shall align their CLUPs, local development plans, disaster risk reduction management plans and other required plans according to the objectives specified herein and in the protected area management plans. Within six (6) months from the approval of the protected area management plan, the PAMB and the PASu shall collaborate with the

LGU concerned in the formulation of the CLUP and other local plans and in the enforcement thereof. The concerned LGU official shall be held administratively and criminally liable for failure to enforce and/or implement the provisions of this Act.

Section 24. Reporting Responsibility. - The PASu, through the PAMB, shall submit an annual accomplishment report of AVPL to the Secretary of DENR through the BMB. A report on the conditions and benefits of the biological resources and ecosystem services of AVPL shall also be submitted by the PASu, through channels, to the Secretary of the DENR every five (5) years. Consequently, the BMB shall likewise prepare a National State of Protected Areas (NSPAs) report every five (5) years and shall submit the same to the President, the senate and the House of Representatives.

Section 25. Appropriations. - The Secretary of the DENR shall immediately include in the DENR's program the implementation of Allah Valley Protected Landscape (AVPL) Act, the funding of which shall be included in the annual General Appropriations Act of the DENR.

Section 26. Construction and Interpretation. - The provisions of this Act shall be construed liberally in favor of the protection and rehabilitation of AVPL and the conservation and restoration biological diversity taking into account the needs and interests of qualified tenured migrants, vested rights, IPs and local communities, and the benefits from ecosystem services and functions of AVPL, for present and future generations: *Provided*, That nothing in this Act shall be construed as a diminution of local autonomy or in derogation of ancestral domain rights under the Indigenous Peoples' Rights Act of 1997.

Section 27. Joint Congressional Oversight Committee. - To monitor and oversee the implementation of this Act, a Joint Congressional Oversight Committee is hereby created. It shall be composed of the Chairpersons of the Senate Committee on Environment and Natural Resources and the House Committee on Natural Resources as Chairperson and Co-chairperson, respectively, five (5) members each from the Senate and the House of Representatives as members: *Provided*, That two (2) of the five (5) members are nominated by the respective minority leaders of the Senate and the House of Representatives.

Section 28. Implementing Rules and Regulations (IRR). Within six (6) months from the effectivity of this Act, the DENR shall prepare the IRR of this Act.

Section 29. Transitory Provision. - In order to enhance biological diversity and to develop sustainable livelihood opportunities for tenure migrants, the DENR shall henceforth cease to issue concessions, licenses, permits, clearances, compliance documents or other instruments that allow utilization of resources within the AVPL until the management plan shall have been put into effect.

All existing land use and resource use permits issued for purposes which are authorized within the AVPL shall be reviewed and shall not be renewed upon their expiration unless consistent with the management plan and approved by the PAMB.

Section 30. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

Section 31. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations or parts thereof which are contrary to or inconsistent with this Act are hereby repealed, amended or modified accordingly.

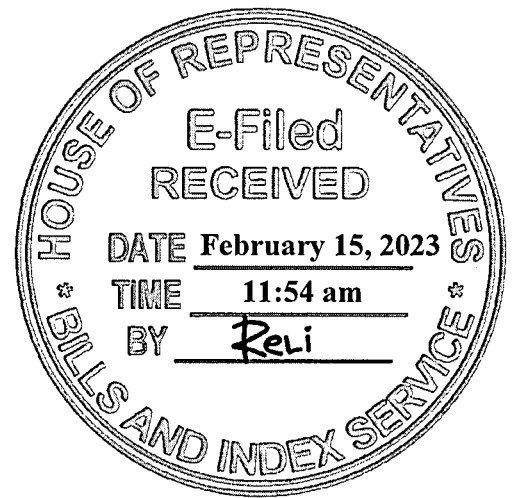
Section 32. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

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,