



SENATE

S. No. 1725

PREPARED AND SUBMITTED JOINTLY BY THE COMMITTEES
ON ENVIRONMENT, NATURAL RESOURCES AND CLIMATE
CHANGE; AND FINANCE WITH SENATORS VILLAR (C.),
LEGARDA, VILLANUEVA, AND DELA ROSA AS AUTHORS
THEREOF

AN ACT DECLARING A PARCEL OF LAND LOCATED IN
THE MUNICIPALITY OF SAN ANDRES IN THE
PROVINCE OF QUEZON, A PROTECTED AREA
WITH THE CATEGORY OF PROTECTED
LANDSCAPE AND SEASCAPE UNDER THE
NATIONAL INTEGRATED PROTECTED AREAS
SYSTEM, TO BE REFERRED TO AS THE
ALIBIJABAN PROTECTED LANDSCAPE AND
SEASCAPE, PROVIDING FOR ITS MANAGEMENT,
AND APPROPRIATING FUNDS THEREFOR

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

1 ARTICLE I
2 GENERAL PROVISIONS

3 SECTION. 1. *Short Title.* – This Act shall be known as
4 the “Alibijaban Protected Landscape and Seascape Act”.

1 SEC. 2. *Declaration of Policy.* – Cognizant of the
2 profound impact of human activity on all components of
3 the natural environment, it is hereby declared the policy of
4 the State to secure for the Filipino people of present and
5 future generations, the perpetual existence of all native
6 plants and animals through the declaration of protected
7 areas under the National Integrated Protected Areas
8 System (NIPAS) within the classification of national park
9 as provided in the Constitution.

10 In recognition of the richness of biological resources,
11 both flora and fauna, that are native and distinct to the
12 Alibijaban Wilderness Area, as well as their aesthetic and
13 ecological importance, a parcel of land located in the
14 Municipality of San Andres, Province of Quezon, is hereby
15 declared a protected area under the category of protected
16 landscape and seascape, and shall hereinafter be referred
17 to as the Alibijaban Protected Landscape and Seascape
18 (APLS). As such, the State shall ensure the conservation,
19 protection, management, and rehabilitation of the area. It
20 is likewise recognized that effective administration of this

1 area is possible only through cooperation among the
2 national government, local government units (LGUs),
3 concerned non-governmental organizations (NGOs),
4 private entities, and local communities. The use and
5 enjoyment of this area must be consistent with the
6 principles of biological diversity and sustainable
7 development.

8 Towards this end, the State shall ensure the full
9 implementation of this Act, the mobilization of resources
10 for the institutional mechanisms herein established, and
11 the full scientific and technical support needed for the
12 conservation of biodiversity and the integrity of the
13 ecosystems, and cultural and indigenous practices.

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

15 (a) *Buffer zones* refer to identified areas outside the
16 boundaries of and immediately adjacent to designated
17 protected areas that need special development control in
18 order to avoid or minimize harm to the protected area;

(b) *Conservation* refers to any act or acts of preservation and sustainable utilization of wildlife or maintenance, restoration, and enhancement of habitats;

(c) *Indigenous cultural communities/indigenous peoples* refer to groups 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;

(d) *National park* refers to land of the public domain classified as such in the Constitution which includes all areas under the NIPAS, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;

(e) *Protected area* refers to an identified portion of land and water set aside by reason of its unique physical and biological significance, managed to enhance biological diversity, and protected against destructive human exploitation;

1 (f) *Protected landscape and/or seascape* refers to an
2 area of national significance which is characterized by the
3 harmonious interaction of human and land and water
4 while providing opportunities for public enjoyment through
5 recreation, tourism, and other economic activities; and

6 (g) *Tenured migrants* refer to protected area
7 occupants who are presently occupying, and have been
8 actually and continuously occupying, a portion of the
9 protected area for five (5) years before the same was
10 established by proclamation or law as a protected area, and
11 are solely dependent therein for subsistence.

12 SEC. 4. *Classification as a National Park.* – The
13 APLS is comprised of a parcel of land of the public domain
14 located in the Municipality of San Andres, in the Province
15 of Quezon. All lands of the public domain within the
16 coverage and scope of the APLS shall fall under the
17 classification of national park as provided in Article XII,
18 Section 3 of the Constitution.

SEC. 5. *Scope and Coverage*. – The boundaries of the Alibijaban Protected Landscape and Seascape are more particularly described follows:

Beginning at a point marked “1” on the map, being N 69° 09’ 54” E., 3,694.83 meters from “QZN-3479” with geographic coordinates of 13° 19’ 22.93063” Latitude and 122° 40’ 39.46402” Longitude located at Municipality of San Andres, Quezon,

thence N 00° 53’ 42” W 1538.10 meters to corner 2;

thence N 07° 49’ 49” E 843.63 meters to corner 3;

thence N 14° 44’ 52” E 1258.88 meters to corner 4;

thence N 46° 29’ 39” E 584.06 meters to corner 5;

thence N 58° 29’ 45” E 612.09 meters to corner 6;

thence S 64° 14’ 28” E 390.02 meters to corner 7;

thence S 11° 04’ 53” E 379.66 meters to corner 8;

thence S 01° 02’ 49” W 1289.75 meters to corner 9;

thence S 03° 15’ 18” E 711.57 meters to corner 10;

thence S 03° 26’ 44” E 1288.49 meters to corner 11;

1 thence S 01° 25' 29" E 1068.79 meters to corner 12;
2 thence S 04° 10' 29" W 924.65 meters to corner 13;
3 thence S 27° 24' 41" W 375.87 meters to corner 14;
4 thence S 64° 38' 46" W 1272.21 meters to corner 15;
5 thence N 40° 16' 25" W 310.24 meters to corner 16;
6 thence N 16° 58' 44" W 1069.61 meters to corner 17;
7 thence N 00° 02' 59" E 1124.57 meters to corner 1,
8 from the point of beginning containing an area of One
9 thousand fifty-six (1056) hectares, more or less. Bearings
10 and distances of line were derived using the PRS92
11 Philippine Zone IV coordinate system, subject to ground
12 delineation and demarcation.

13 The certification from the National Mapping and
14 Resource Information Authority (NAMRIA) containing the
15 boundaries and technical descriptions of the APLS is
16 hereby adopted and made an integral part of this Act. In
17 case of inconsistency, the boundaries and technical
18 descriptions in the attached certification shall prevail.

Any modification of the scope and coverage of the APLS in this Act shall be made through an act of Congress, after consultation with the government agencies and stakeholders concerned.

SEC. 6. *Establishment of Buffer Zones.* – The Secretary of the Department of Environment and Natural Resources (DENR), upon the recommendation of the Protected Area Management Board created under Section 7 of this Act, may designate areas surrounding the APLS as buffer zones for the purpose of providing an extra layer of protection where restrictions may be applied: *Provided,* That in cases where the designated buffer zone would cover private lands, the owners thereof shall be required to design their development with due consideration to the protected area management plan.

ARTICLE II

MANAGEMENT MECHANISMS

SEC. 7. *Protected Area Management Board.* – Within ninety (90) days from the effectivity of this Act, a Protected

1 Area Management Board (PAMB) shall be created to
2 oversee the management of the APLS. The PAMB shall be
3 composed of the following:

4 (a) DENR Regional Executive Director for Region
5 IV-A, as Chairperson;

6 (b) Governor of the Province of Quezon or a duly
7 designated representative;

8 (c) Senators of the Republic of the Philippines who
9 are duly registered residents of the Province of Quezon, or
10 their duly authorized representatives, unless the Senators
11 decline membership in the PAMB;

12 (d) District Representative of the Congressional
13 District where the APLS is located, or a duly designated
14 representative, unless the District Representative declines
15 membership in the PAMB;

16 (e) Mayor of the Municipality of San Andres, in the
17 Province of Quezon or a duly designated representative;

18 (f) Chairpersons of all the barangays with territorial
19 jurisdiction over the APLS;

(g) Regional Directors of the following government agencies, namely: the Department of Agriculture, National Economic and Development Authority, Department of Science and Technology, Philippine National Police, Department of National Defense, and Department of Tourism;

(h) Three (3) representatives from either NGOs, or people's organizations (POs) based in the Province of Quezon, duly accredited by both the DENR and the provincial government. The NGOs or POs 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 indigenous cultural communities/ indigenous peoples present in the area and recognized by the National Commission on Indigenous Peoples;

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

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

The terms of office of PAMB members, as well as the grounds for their removal, shall be in accordance with the provisions of Republic Act No. 7586, otherwise known as the “National Integrated Protected Areas System Act of 1992”, as amended by Republic Act No. 11038, otherwise known as the “Expanded National Integrated Protected Areas System Act of 2018”.

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

(a) Oversee the management of the APLS;

1 (b) Approve policies, plans and programs, proposals,
2 agreements, and other related documents for the
3 management of the APLS;

4 (c) Approve the management plan of the APLS and
5 ensure its harmonization with and integration into the
6 Ancestral Domain Sustainable Development and
7 Protection Plan, land use and other development plans,
8 public or private, and their implementation;

9 (d) Adopt a manual of operations to include rules of
10 procedure on the conduct of business, and the creation of
11 committees and their respective terms of reference;

12 (e) Recommend the deputization of appropriate
13 agencies and individuals for the enforcement of laws, rules
14 and regulations governing the management of the APLS;

15 (f) Allocate financial resources for the
16 implementation of the management plan and manage the
17 Protected Area Retention Income Account and other funds
18 in accordance with government accounting, budgeting, and
19 auditing 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 with respect to the management of the APLS;

(j) Monitor and assess the performance of the Protected Area Superintendent and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract, or agreement relative to any project or activity within the APLS;

(k) Recommend the designation or appointment of the Protected Area Superintendent (PASu) from a shortlist of qualified candidates; and

(l) Assess the effectiveness of the management of the APLS: *Provided*, That PAMB members representing the LGUs and 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 a 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 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.

SEC. 9. *The Protected Area Management Office.* –

There is hereby established a Protected Area Management Office (PAMO) to be headed by a PASu who shall supervise the day-to-day management, protection, and administration of the APLS. The PASu shall hold a permanent plantilla position and shall be appointed by the

DENR Secretary. A sufficient number of support staff with permanent plantilla positions shall likewise be appointed by the DENR Secretary 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 APLS. Pursuant thereto, the PASu shall have the following duties and responsibilities:

(a) Prepare the management plan, including the annual work and financial plan, and ensure its implementation, in consultation with stakeholders;

(b) Ensure the integration of relevant national and LGU plans and programs into APLS management plans, programs, projects, and policies;

(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 proposed policies, rules, regulations, and programs to the PAMB;

1 (e) Establish, operate, and maintain a database
2 management system which shall be an important basis for
3 decision-making;

4 (f) Enforce the laws, rules, and regulations relevant
5 to the APLS, commence and institute administrative and
6 legal action in collaboration with other government
7 agencies or organizations, and assist in the prosecution of
8 offenses committed in violation of the provisions of this
9 Act;

10 (g) Monitor, evaluate, and report the implementation
11 of management activities of the APLS;

12 (h) Request for and receive any technical assistance,
13 support, or advice from any agency or instrumentality of
14 the government as well as academic institutions, NGOs,
15 and the private sector, as may be necessary for the
16 effective management, protection, and administration of
17 the APLS;

18 (i) Issue permits and clearances for activities that
19 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 of natural resources for research purposes, including the collection of wildlife and its by-products or derivatives, shall specify the acts to be authorized, and shall continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASu;

(j) Collect and receive pertinent fees, charges, donations, and other income for the APLS: *Provided*, That such fees, charges, donations, and other income collected and received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;

(k) Prepare and recommend to the PAMB, the approval of the annual work and financial plans of the APLS based on the management plan; and

(l) Perform such other functions as the PAMB and the DENR may assign.

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

4 ARTICLE III
5 PROCEEDS AND FEES

6 SEC. 10. *The Alibijaban Protected Landscape and*
7 *Seascape Integrated Protected Area Fund.* – There is
8 hereby established a trust fund to be known as the
9 Alibijaban Protected Landscape and Seascape Integrated
10 Protected Area Fund (APLS-IPAF) for purposes of
11 financing projects and sustaining the operation of the
12 APLS and the NIPAS. All income generated from the
13 operation and management of wild flora and fauna in the
14 APLS shall accrue to the APLS-IPAF. The income shall be
15 derived from fees on the permitted sale and export of flora
16 and fauna and other resources from the APLS, proceeds
17 from the lease of multiple-use areas, contributions from
18 industries and facilities directly benefiting from the APLS,
19 and such other fees and income derived from the operation
20 of the APLS.

1 The PAMB shall retain seventy-five percent (75%) of
2 all revenues raised through the above means, which shall
3 be deposited in the Protected Area-Retained Income
4 Account (PA-RIA) in any authorized government
5 depository bank within the locality: *Provided, That*
6 disbursements out of such deposits shall be used solely for
7 the protection, maintenance, administration, and
8 management of the APLS and implementation of duly
9 approved projects of the PAMB. The remaining twenty-five
10 percent (25%) of revenues shall be deposited as a special
11 account in the General Fund of the National Treasury for
12 purposes of financing the projects of the NIPAS.

13 The fund may be augmented by grants, donations,
14 and endowments from various sources, domestic or foreign:
15 *Provided, That* the fund shall be deposited in full as a
16 special account in the National Treasury and
17 disbursements therefrom shall be made solely for the
18 protection, maintenance, administration, and management
19 of the NIPAS and for duly approved projects endorsed by
20 the PAMB in accordance with existing accounting,

1 budgeting and auditing rules and regulations: *Provided,*
2 *further,* That the fund shall not be used to cover personal
3 services expenditures. The LGUs shall continue to impose
4 and collect all other fees not enumerated herein which they
5 have traditionally collected, such as for business permits,
6 property tax, and rentals of LGUs' facilities.

7 ARTICLE IV

8 TRANSITORY AND MISCELLANEOUS PROVISIONS

9 SEC. 11. *Appropriations.* – The Secretary of the
10 DENR shall immediately include in the Department's
11 program the implementation of this Act, the funding of
12 which shall be included in the annual General
13 Appropriations Act.

14 SEC. 12. *Suppletory Application of the NIPAS Law.* –
15 The provisions of Republic Act No. 7586, as amended by
16 Republic Act No. 11038, shall have suppletory application.

17 SEC. 13. *Implementing Rules and Regulations.* –
18 Within ninety (90) days from the effectivity of this Act, the
19 Secretary of the DENR shall, in consultation with the local

1 governments of the Municipality of San Andres, the
2 provincial government of Quezon, and concerned national
3 government agencies, issue the corresponding rules and
4 regulations for the effective implementation of this Act.

5 SEC. 14. *Separability Clause.* – If any section or
6 provision of this Act is held unconstitutional or invalid, the
7 remaining sections or provisions not affected thereby shall
8 continue to be in full force and effect.

9 SEC. 15. *Repealing Clause.* – All laws, decrees,
10 executive orders, rules and regulations, and other
11 issuances or parts thereof inconsistent with the provisions
12 of this Act are hereby repealed or modified accordingly.

13 SEC. 16. *Effectivity.* – This Act shall take effect fifteen
14 (15) days after its publication in the *Official Gazette* or in a
15 newspaper of general circulation.

Approved,