



HOUSE OF REPRESENTATIVES

H. No. 7506

BY REPRESENTATIVES ARROGANCIA, BARZAGA AND Co (E.), PER COMMITTEE REPORT NO. 409

AN ACT

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

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

ARTICLE I

GENERAL PROVISIONS

1 **SECTION 1. Title.** – This Act shall be known as the “San Francisco
2 Protected Landscape Act”.

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

10 In recognition of the richness of the biological resources, both *flora* and
11 *fauna*, that are native and distinct to the Mulanay Watershed Forest Reserve, as

1 well as their aesthetic and ecological importance, a parcel of land located in the
2 Municipality of San Francisco, Province of Quezon, is hereby declared a protected
3 area under the category of protected landscape, and shall hereinafter be referred
4 to as the San Francisco Protected Landscape (SFPL). As such, the State shall
5 ensure the conservation, protection, management, and rehabilitation of the area.
6 It is likewise recognized that effective administration of this area is possible only
7 through cooperation among the National Government, local government units
8 (LGUs), concerned nongovernmental organizations (NGOs), private entities, and
9 local communities. The use and enjoyment of this area must be consistent with the
10 principles of biological diversity and sustainable development.

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

16 **SEC. 3. Classification as a National Park.** – The SFPL is comprised of
17 a parcel of land of the public domain located in the Municipality of San Francisco,
18 in the Province of Quezon, the metes and bounds of which are described in Section
19 4 of this Act. All lands of the public domain within the coverage and scope of the
20 SFPL shall fall under the classification of national park as provided for in Article
21 XII, Section 3 of the Constitution.

22 **SEC. 4. Scope and Coverage.** – The boundaries of the San Francisco
23 Protected Landscape are more particularly described as the area beginning at a
24 point marked “1” on the Map, being N 43° 19’ 44” E., 2,157.25 meters from QZN –
25 3477 with geographic coordinates of 13° 20’ 53.63034” Latitude and 122° 30’
26 56.32977” Longitude located at Barangay Poblacion, Municipality of San
27 Francisco, Quezon,

28	thence	N 37° 59’ 28” E	307.06	meters to corner	2;
29	thence	S 63° 16’ 32” E	162.34	meters to corner	3;
30	thence	N 70° 39’ 18” E	238.47	meters to corner	4;
31	thence	S 50° 45’ 19” E	260.82	meters to corner	5;
32	thence	S 06° 37’ 51” E	346.32	meters to corner	6;

- 1 Representative declines the membership in the PAMB;
- 2 e. Mayor of the Municipality of San Francisco, in the Province of Quezon
- 3 or a duly authorized representative;
- 4 f. Chairpersons of all the *barangays* with territorial jurisdiction over the
- 5 SFPL;
- 6 g. Regional Directors of the following government agencies, namely:
- 7 Department of Agriculture, National Economic and Development
- 8 Authority, Department of Science and Technology, Philippine National
- 9 Police, Department of National Defense, and Department of Tourism;
- 10 h. Three (3) representatives from either NGOs, or people's organizations
- 11 (POs) based in the Province of Quezon, duly accredited both by the
- 12 DENR and the provincial government. The NGOs or POs represented
- 13 should have been in existence for at least five (5) years and with track
- 14 record in or related to protected area management;
- 15 i. At least one (1) but not more than three (3) representatives from all the
- 16 indigenous cultural communities/ indigenous peoples present in the area
- 17 and recognized by the National Commission on Indigenous Peoples;
- 18 j. One (1) representative from an academic institution, preferably from a
- 19 university or college in the Province of Quezon, with proven track record
- 20 in or related to protected area management; and
- 21 k. One (1) representative from the private sector, preferably a resident of
- 22 the Province of Quezon, who is distinguished in a profession or field of
- 23 interest relevant to the management of a protected area.

24 The terms of office of members of the PAMB, as well as the grounds for

25 their removal shall be in accordance with the provisions of Republic Act No. 7586,

26 otherwise known as the "National Integrated Protected Areas System Act of 1992"

27 as amended by Republic Act No. 11038, otherwise known as the "Expanded

28 National Integrated Protected Areas System Act of 2018".

29 **SEC. 7. *Functions of the PAMB.*** – The PAMB shall have the following

30 powers and functions:

- 31 a. Oversee the management of the SFPL;
- 32 b. Approve policies, plans and programs, proposals, agreements, and other

1 related documents for the management of the SFPL;

- 2 c. Approve the management plan of the SFPL and ensure its harmonization
3 with and integration into the Ancestral Domain Sustainable Development
4 and Protection Plan, land use plan and other development plans, public or
5 private, and their implementation;
- 6 d. Adopt a manual of operations to include rules of procedures in the conduct
7 of business, and the creation of committees and their respective terms of
8 reference;
- 9 e. Recommend the deputation of appropriate agencies and individuals for the
10 enforcement of the laws, rules and regulations governing the management
11 of the SFPL;
- 12 f. Allocate financial resources for the implementation of the management plan
13 and manage the Protected Area Retention Income Account and other funds
14 in accordance with government accounting, budgeting, and auditing rules
15 and regulations;
- 16 g. Set fees and charges in accordance with existing guidelines;
- 17 h. Issue rules and regulations for the resolution of conflicts through
18 appropriate and effective means;
- 19 i. Recommend appropriate policy changes to the DENR and other government
20 authorities with respect to the management of the SFPL;
- 21 j. Monitor and assess the performance of the Protected Area Superintendent
22 and other protected area personnel and compliance of partners with the
23 terms and conditions of any undertaking, contract or agreement relative to
24 any project or activity within the SFPL;
- 25 k. Recommend from among a shortlist of qualified candidates, the designation
26 or appointment of the Protected Area Superintendent; and
- 27 l. Assess the effectiveness of the management of the SFPL: *Provided*, That
28 the members of the PAMB representing the LGUs and national agencies
29 shall inform their respective constituents, offices or sectors, of PAMB-
30 approved or other relevant policies, rules, regulations, programs, and
31 projects and shall ensure that the provisions of this Act and the rules and
32 regulations issued to implement it are complied with and used as reference

1 and framework in their respective plans, policies, programs, and projects.
2 Failure to comply with the foregoing shall be the basis for disciplinary
3 action against such member according to administrative rules and
4 regulations and such penalties as the PAMB may provide: *Provided,*
5 *further,* That the DENR, through the Regional Director, shall ensure that
6 the PAMB acts within the scope of its powers and functions. In case of
7 conflict between the resolutions issued by the PAMB and the existing
8 administrative orders of national application, the latter shall prevail.

9 **SEC. 8. *The Protected Area Management Office.*** – There is hereby
10 established a Protected Area Management Office (PAMO) to be headed by a
11 Protected Area Superintendent (PASu) who shall supervise the day to day
12 management, protection, and administration of the SFPL. The PASu shall hold a
13 permanent plantilla position and shall be appointed by the DENR Secretary. A
14 sufficient number of support staff with permanent plantilla positions shall
15 likewise be appointed by the DENR Secretary to assist the PASu in the
16 management of the protected area.

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

- 20 a. Prepare the management plan, in consultation with the stakeholders,
21 including the annual work and financial plan and ensure its
22 implementation;
- 23 b. Ensure the integration of relevant national and LGU plans and programs
24 into SFPL management plans, programs, projects, and policies;
- 25 c. Provide secretariat services to the PAMB and its committees and ensure the
26 availability of relevant and timely information for decision-making;
- 27 d. Formulate and recommend to the PAMB proposed policies, rules,
28 regulations, and programs;
- 29 e. Establish, operate, and maintain a database management system which
30 shall be an important basis for decision-making;
- 31 f. Enforce the laws, rules and regulations relevant to the SFPL, commence and
32 institute administrative and legal actions in collaboration with other

1 government agencies or organizations, and assist in the prosecution of
2 offenses committed in violation of the provisions of this Act;

- 3 g. Monitor, evaluate, and report the implementation of management activities
4 of the SFPL;
- 5 h. Request for and receive any technical assistance, support or advice from any
6 agency or instrumentality of the government as well as academic
7 institutions, NGOs, and the private sector, as may be necessary for the
8 effective management, protection and administration of the SFPL;
- 9 i. Issue permits and clearances for activities that implement the management
10 plan and other permitted activities in accordance with terms, conditions,
11 and criteria established by the PAMB: *Provided*, That all permits for
12 extraction of natural resources for research purposes, including the
13 collection of wildlife and its by-products or derivatives, shall specify the acts
14 to be authorized, and shall continue to be issued by relevant authorities,
15 subject to prior clearance from the PAMB, through the PASu;
- 16 j. Collect and receive pertinent fees, charges, donations, and other income for
17 the SFPL: *Provided*, That such fees, charges, donations, and other income
18 collected and received shall be reported regularly to the PAMB and the
19 DENR in accordance with existing guidelines;
- 20 k. Prepare and recommend to the PAMB, approval of the annual work and
21 financial plans of the SFPL based on the management plan; and
- 22 l. Perform such other functions as the PAMB and the DENR may assign.

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

26 ARTICLE III

27 PROCEEDS AND FEES

28 SEC. 9. *The San Francisco Protected Landscape Integrated*
29 *Protected Area Fund.* – There is hereby established a trust fund to be known as
30 the San Francisco Protected Landscape Integrated Protected Area Fund (SFPL-
31 IPAF) for purposes of financing projects of the SFPL and the NIPAS. All income
32 generated from the operation and management of wild *flora* and *fauna* in the SFPL

1 shall accrue to the SFPL-IPAF. The income shall be derived from fees from
2 permitted sale and export of *flora* and *fauna* and other resources from the SFPL,
3 proceeds from the lease of multiple-use areas, contributions from industries and
4 facilities directly benefiting from the SFPL, and such other fees and income
5 derived from the operation of the SFPL.

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

15 The fund may be augmented by grants, donations, and endowments from
16 various sources, domestic or foreign: *Provided*, That the fund shall be deposited in
17 full as a special account in the National Treasury and disbursements therefrom
18 shall be made solely for the protection, maintenance, administration and
19 management of the NIPAS and duly approved projects endorsed by the PAMB in
20 accordance with existing accounting, budgeting and auditing rules and
21 regulations: *Provided, further*, That the fund shall not be used to cover personal
22 services expenditures.

23 The LGUs shall continue to impose and collect all other fees not enumerated
24 herein which they have traditionally collected, such as business permits, property
25 tax and rentals of LGUs' facilities.

26 ARTICLE IV

27 PENAL PROVISIONS

28 **SEC. 10. *Prohibited Acts and Penalties.*** – The prohibited acts and their
29 corresponding penalties under Sections 20 and 21 of Republic Act No. 7586, as
30 amended by Republic Act No. 11038, shall form part of this Act.

31 ARTICLE V

32 TRANSITORY AND MISCELLANEOUS PROVISIONS

1 **SEC. 11. Appropriations.** – The Secretary of the DENR shall immediately
2 include in the Department’s program the implementation of this Act, the funding
3 of which shall be included in the annual General Appropriations Act.

4 **SEC. 12. Suppletory Application of the NIPAS Law.** – The provisions
5 of Republic Act No. 7586, as amended by Republic Act No. 11038, shall have
6 suppletory application to this Act.

7 **SEC. 13. Implementing Rules and Regulations.** – Within ninety (90)
8 days from the effectivity of this Act, the Secretary of the DENR shall, in
9 consultation with the local governments of the Municipality of San Francisco, the
10 provincial government of Quezon, and concerned national government agencies,
11 issue rules and regulations for the effective implementation of this Act.

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

15 **SEC. 15. Repealing Clause.** – All laws, decrees, executive orders, rules
16 and regulations, issuance or parts thereof inconsistent with the provisions of this
17 Act are hereby repealed or modified accordingly.

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

Approved,