



HOUSE OF REPRESENTATIVES

H. No. 7529

BY REPRESENTATIVES ARROGANCIA, BARZAGA, Co (E.) AND TAMBUNTING, PER COMMITTEE
REPORT No. 416

**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 AREA 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:*

ARTICLE I

GENERAL PROVISIONS

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

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

12 In recognition of the richness of the biological resources, both flora and
13 fauna, that are native and distinct to the Alibijaban Wilderness Area, as well as

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

12 Towards this end, the State shall ensure the full implementation of this Act,
13 the mobilization of resources for the institutional mechanisms herein established,
14 and the provision of the appropriate scientific and technical support for the
15 conservation of biodiversity and integrity of the ecosystems in the area, and the
16 preservation of cultural and indigenous practices thereat.

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

23 **SEC. 4. Scope and Coverage.** – The boundaries of the Alibijaban Protected
24 Landscape and Seascape are more particularly described as follows:

25 The seascape pertains to the area beginning at a point marked “1” on the
26 Map, being N 70° 29' 43” E., 3,662.89 meters from QZN – 3479 with geographic
27 coordinates of 13° 19' 22.93063” Latitude and 122° 40' 39.46402” Longitude located
28 at Municipality of San Andres, Quezon,

29	thence N 00°53' 42” W	1538.10	meters to corner	2;
30	thence N 07°49' 49” E	843.63	meters to corner	3;
31	thence N 14°44' 52” E	1258.88	meters to corner	4;
32	thence N 46°29' 39” E	584.06	meters to corner	5;

1	thence N 58°29' 45" E	612.09	meters to corner	6;
2	thence S 64°14' 28" E	390.02	meters to corner	7;
3	thence S 11°04' 53" E	379.66	meters to corner	8;
4	thence S 01°02' 49" W	1289.75	meters to corner	9;
5	thence S 03°15' 18" E	711.57	meters to corner	10;
6	thence S 03°26' 44" E	1288.49	meters to corner	11;
7	thence S 01°25' 29" E	1068.79	meters to corner	12;
8	thence S 04°10' 29" W	924.65	meters to corner	13;
9	thence S 27°24' 41" W	375.87	meters to corner	14;
10	thence S 64°38' 46" W	1272.21	meters to corner	15;
11	thence N 40°16' 25" W	310.24	meters to corner	16;
12	thence N 16°58' 44" W	1069.61	meters to corner	17;
13	thence N 00°02' 59" E	1124.57	meters to corner	1,

14 and comprises five hundred eighty-three and 33/100 (583.33) hectares.

15 The landscape pertains to the area beginning at a point marked "1" on the
16 Map, being N 74° 29' 22" E., 3,825.57 meters from QZN – 3479 with geographic
17 coordinates of 13° 19' 22.93063" Latitude and 122° 40' 39.46402" Longitude located
18 at Municipality of San Andres, Quezon,

19	thence N 08°33'12" E	272.54	meters to corner	2;
20	thence N 02°22'35" E	479.02	meters to corner	3;
21	thence N 25°18'58" W	190.83	meters to corner	4;
22	thence N 11°18'36" E	159.76	meters to corner	5;
23	thence N 09°00'06" W	122.41	meters to corner	6;
24	thence N 01°15'42" E	459.17	meters to corner	7;
25	thence N 07°35'08" E	433.46	meters to corner	8;
26	thence N 09°51'20 E	406.51	meters to corner	9;
27	thence N 22°36'57" W	82.52	meters to corner	10;
28	thence N 07°06'43" E	162.38	meters to corner	11;
29	thence N 16°40'53" E	318.25	meters to corner	12;
30	thence N 24°27'31" E	423.18	meters to corner	13;
31	thence N 33°51'37" E	225.53	meters to corner	14;
32	thence N 63°53'34" E	258.82	meters to corner	15;

1	thence	S 62°59'49" E	228.33	meters to corner	16;
2	thence	S 39°03'37" E	185.19	meters to corner	17;
3	thence	S 27°09'45" E	197.71	meters to corner	18;
4	thence	S 05°54'49" E	224.87	meters to corner	19;
5	thence	S 19°22'49" W	311.47	meters to corner	20;
6	thence	S 34°17'19" W	142.54	meters to corner	21;
7	thence	S 15°34' 15" E	113.00	meters to corner	22;
8	thence	S 00°16'33" E	524.51	meters to corner	23;
9	thence	S 14°05'00" E	642.22	meters to corner	24;
10	thence	S 08°39'43" W	384.27	meters to corner	25;
11	thence	S 00°12'54" W	395.63	meters to corner	26;
12	thence	S 41°08'47" W	126.31	meters to corner	27;
13	thence	S 32°19'23" E	264.07	meters to corner	28;
14	thence	S 22°30'46" E	372.80	meters to corner	29;
15	thence	S 00°51'47" W	258.64	meters to corner	30;
16	thence	S 07°25'58" W	312.65	meters to corner	31;
17	thence	S 18°35'12" W	220.72	meters to corner	32;
18	thence	S 71°58'12" W	180.35	meters to corner	33;
19	thence	S 85°31'41" W	393.19	meters to corner	34;
20	thence	N 73°09'03" W	464.16	meters to corner	35;
21	thence	N 49°22'32" W	239.31	meters to corner	36;
22	thence	N 23°00'04" W	161.70	meters to corner	37;
23	thence	N 06°17'07" E	465.04	meters to corner	1,

24 and comprises four hundred seventy-two and 51/100 (472.51) hectares.

25 **SEC. 5. *Establishment of Buffer Zones.*** – The Secretary of the
26 Department of Environment and Natural Resources (DENR), upon the
27 recommendation of the Protected Area Management Board created under Section
28 6 of this Act, may designate areas surrounding the APLS as buffer zones for the
29 purpose of providing an extra layer of protection where restrictions may be
30 applied: *Provided*, That in cases where the designated buffer zone would cover
31 private lands, the owners thereof shall be required to design their development
32 with due consideration to the protected area management plan.

1 university or college in the Province of Quezon, with proven track record
2 in or related to protected area management; and

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

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

11 **SEC. 7. *Functions of the PAMB.*** – The PAMB shall have the following
12 powers and functions:

- 13 a. Oversee the management of the APLS;
14 b. Approve policies, plans and programs, proposals, agreements, and other
15 related documents for the management of the APLS;
16 c. Approve the management plan of the APLS and ensure its harmonization
17 with and integration into the Ancestral Domain Sustainable Development
18 and Protection Plan, land use plan and other development plans, public or
19 private, and their implementation;
20 d. Adopt a manual of operations to include rules of procedures in the conduct
21 of business, and the creation of committees and their respective terms of
22 reference;
23 e. Recommend the deputation of appropriate agencies and individuals for the
24 enforcement of the laws, rules and regulations governing the management
25 of the APLS;
26 f. Allocate financial resources for the implementation of the management plan
27 and manage the Protected Area Retention Income Account and other funds
28 in accordance with government accounting, budgeting, and auditing rules
29 and regulations;
30 g. Set fees and charges in accordance with existing guidelines;
31 h. Issue rules and regulations for the resolution of conflicts through
32 appropriate and effective means;

- 1 i. Recommend appropriate policy changes to the DENR and other government
2 authorities with respect to the management of the APLS;
- 3 j. Monitor and assess the performance of the Protected Area Superintendent
4 and other protected area personnel and compliance of partners with the
5 terms and conditions of any undertaking, contract or agreement relative to
6 any project or activity within the APLS;
- 7 k. Recommend from among a shortlist of qualified candidates, the designation
8 or appointment of the Protected Area Superintendent; and
- 9 l. Assess the effectiveness of the management of the APLS: *Provided*, That
10 the members of the PAMB representing the LGUs and national agencies
11 shall inform their respective constituents, offices or sectors, of PAMB-
12 approved or other relevant policies, rules, regulations, programs, and
13 projects and shall ensure that the provisions of this Act and the rules and
14 regulations issued to implement it are complied with and used as reference
15 and framework in their respective plans, policies, programs, and projects.
16 Failure to comply with the foregoing shall be the basis for disciplinary
17 action against such member according to administrative rules and
18 regulations and such penalties as the PAMB may provide: *Provided*,
19 *further*, That the DENR, through the Regional Director, shall ensure that
20 the PAMB acts within the scope of its powers and functions. In case of
21 conflict between the resolutions issued by the PAMB and the existing
22 administrative orders of national application, the latter shall prevail.

23 **SEC. 8. *The Protected Area Management Office.*** – There is hereby
24 established a Protected Area Management Office (PAMO) to be headed by a
25 Protected Area Superintendent (PASu) who shall supervise the day to day
26 management, protection, and administration of the APLS. The PASu shall hold a
27 permanent plantilla position and shall be appointed by the DENR Secretary. A
28 sufficient number of support staff with permanent plantilla positions shall
29 likewise be appointed by the DENR Secretary to assist the PASu in the
30 management of the protected area.

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

- 4 a. Prepare the management plan, in consultation with the stakeholders,
5 including the annual work and financial plan and ensure its
6 implementation;
- 7 b. Ensure the integration of relevant national and LGU plans and programs
8 into APLS management plans, programs, projects, and policies;
- 9 c. Provide secretariat services to the PAMB and its committees and ensure the
10 availability of relevant and timely information for decision-making;
- 11 d. Formulate and recommend to the PAMB proposed policies, rules,
12 regulations, and programs;
- 13 e. Establish, operate, and maintain a database management system which
14 shall be an important basis for decision-making;
- 15 f. Enforce the laws, rules and regulations relevant to the APLS, commence and
16 institute administrative and legal actions in collaboration with other
17 government agencies or organizations, and assist in the prosecution of
18 offenses committed in violation of the provisions of this Act;
- 19 g. Monitor, evaluate, and report the implementation of management activities
20 of the APLS;
- 21 h. Request for and receive any technical assistance, support or advice from any
22 agency or instrumentality of the government as well as academic
23 institutions, NGOs, and the private sector, as may be necessary for the
24 effective management, protection and administration of the APLS;
- 25 i. Issue permits and clearances for activities that implement the management
26 plan and other permitted activities in accordance with terms, conditions,
27 and criteria established by the PAMB: *Provided*, That all permits for
28 extraction of natural resources for research purposes, including the
29 collection of wildlife and its by-products or derivatives, shall specify the acts
30 to be authorized, and shall continue to be issued by relevant authorities,
31 subject to prior clearance from the PAMB, through the PASu;

- 1 j. Collect and receive pertinent fees, charges, donations, and other income for
2 the APLS: *Provided*, That such fees, charges, donations, and other income
3 collected and received shall be reported regularly to the PAMB and the
4 DENR in accordance with existing guidelines;
- 5 k. Prepare and recommend to the PAMB, approval of the annual work and
6 financial plans of the APLS based on the management plan; and
- 7 l. Perform such other functions as the PAMB and the DENR may assign.

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

11 **ARTICLE III**

12 **PROCEEDS AND FEES**

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

23 The PAMB shall retain seventy-five percent (75%) of all revenues raised
24 through the above means, which shall be deposited in the Protected Area-Retained
25 Income Account (PA-RIA) in any authorized government depository bank within
26 the locality: *Provided*, That disbursements out of such deposits shall be used solely
27 for the protection, maintenance, administration, and management of the APLS
28 and implementation of duly approved projects of the PAMB. The remaining
29 twenty-five percent (25%) of revenues shall be deposited as a special account in
30 the General Fund of the National Treasury for purposes of financing the projects
31 of the NIPAS.

32 The fund may be augmented by grants, donations, and endowments from

1 various sources, domestic or foreign: *Provided*, That the fund shall be deposited in
2 full as a special account in the National Treasury and disbursements therefrom
3 shall be made solely for the protection, maintenance, administration and
4 management of the NIPAS and duly approved projects endorsed by the PAMB in
5 accordance with existing accounting, budgeting and auditing rules and
6 regulations: *Provided, further*, That the fund shall not be used to cover personal
7 services expenditures.

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

11 ARTICLE IV

12 PENAL PROVISIONS

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

16 ARTICLE V

17 TRANSITORY AND MISCELLANEOUS PROVISIONS

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

21 **SEC. 12. *Supplementary Application of the NIPAS Law.*** – The provisions
22 of Republic Act No. 7586, as amended by Republic Act No. 11038, shall have
23 supplementary application to this Act.

24 **SEC. 13. *Implementing Rules and Regulations.*** – Within ninety (90)
25 days from the effectivity of this Act, the Secretary of the DENR shall, in
26 consultation with the local governments of the Municipality of San Andres, the
27 provincial government of Quezon, and concerned national government agencies,
28 issue rules and regulations for the effective implementation of this Act.

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

32 **SEC. 15. *Repealing Clause.*** – All laws, decrees, executive orders, rules

1 and regulations, issuance or parts thereof inconsistent with the provisions of this
2 Act are hereby repealed or modified accordingly.

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

Approved,