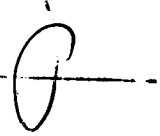


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

24 FEB 14 P5:56

RECEIVED B. 

SENATE

S. No. 2549

Introduced by **SENATOR MARK A. VILLAR**

AN ACT
ESTABLISHING MT. SAWTOOTH, LOCATED IN THE MUNICIPALITIES OF
MAYANTOC AND SAN JOSE, PROVINCE OF TARLAC AS A PROTECTED AREA
UNDER THE CATEGORY OF PROTECTED LANDSCAPE PURSUANT TO
REPUBLIC ACT NO. 7586 AS AMENDED BY REPUBLIC ACT NO. 11038,
OTHERWISE KNOWN AS THE EXPANDED NATIONAL INTEGRATED
PROTECTED AREAS SYSTEM (ENIPAS) ACT OF 2018, PROVIDING FOR ITS
MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The Philippine Constitution 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 Constitution mandates the Congress to determine national parks, which shall be conserved and may not be increased nor diminished, except by law.

In compliance therewith, the National Integrated Protected Areas System (NIPAS) was established by virtue of Republic Act (RA) No. 7586, as amended by RA No. 11038, otherwise known as the "Expanded NIPAS Act of 2018". The NIPAS shall encompass ecologically rich, unique and biologically important areas that are habitats of threatened species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine, all of which shall be designated as protected areas.

To date, as of January 2024, there are already 114 protected areas in the Philippines that have been declared through legislation. Based on the records and various suitability assessments by the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR), there are numerous sites/areas in the country that have yet to be given 'protected area' status, by legislative action, in order to ensure its conservation.

One of the said area is the proposed Mt. Sawtooth Protected Landscape (MSPL) with a contiguous area of Ten Thousand Nine Hundred Sixty-Seven and 96/100 (10,967.96) hectares, covering the Municipalities of Mayantoc and San Jose, all within the province of Tarlac. Based on the Board Resolution No. 001 S 2021 of the Interim Protected Area Management Board For Mount Sawtooth of Tarlac City, Tarlac Mount Sawtooth, is in danger of destruction and human exploitation. In order to mitigate any perceived adverse event in the area, government intervention in the proposed site is essential especially in the provision of funds for the programs and projects related to its protection, management, maintenance, and preservation.

Henceforth, this bill seeks to declare the Mt. Sawtooth Protected Landscape as protected area as the last frontier of Tarlac in terms of its biodiversity pursuant to Republic Act 11038 otherwise known as the "Expanded National Integrated Protected Areas System Act of 2018".

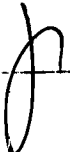
In view of the foregoing, the immediate approval of this bill is earnestly sought.


MARK A. VILLAR

24 FEB 14 P5:56

SENATE

S. No. 2549

RECEIVED BY: 

Introduced by **SENATOR MARK A. VILLAR**

AN ACT
ESTABLISHING MT. SAWTOOTH, LOCATED IN THE MUNICIPALITIES OF
MAYANTOC AND SAN JOSE, PROVINCE OF TARLAC AS A PROTECTED AREA
UNDER THE CATEGORY OF PROTECTED LANDSCAPE PURSUANT TO
REPUBLIC ACT NO. 7586 AS AMENDED BY REPUBLIC ACT NO. 11038,
OTHERWISE KNOWN AS THE EXPANDED NATIONAL INTEGRATED
PROTECTED AREAS SYSTEM (ENIPAS) ACT OF 2018, 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 "Mt. Sawtooth Protected
2 Landscape (MSPL) Act of 2024."

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

9 In recognition of the richness of the biological resources, both flora and fauna,
10 that are native and distinct to the Aurora Memorial National Park, as well as their
11 aesthetic and ecological importance, a parcel of land located in the Municipalities of

1 Mayantoc and San Jose, in the Province of Tarlac is hereby declared a protected area
2 under the category of protected landscape and shall hereinafter be referred to as the
3 Mt. Sawtooth Protected Landscape (MSPL). As such, the State shall ensure the
4 conservation, protection, management and rehabilitation of the MSPL. It is likewise
5 recognized that effective administration of this area is possible only through
6 cooperation among the national government, local government units (LGUs),
7 concerned non-governmental organizations (NGOs), private entities and local
8 communities. The use and enjoyment of this area must be consistent with the
9 principles of biological diversity and sustainable development.

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

14 *Sec. 3. Classification as a National Park.* — The MSPL is comprised of a parcel
15 of land of the public domain located in the Municipalities of Mayantoc and San Jose,
16 in the Province of Tarlac, the metes and bounds of which are described in Section 4
17 of this Act. All Lands of the public domain within the coverage and scope of the MSPL
18 shall fall under the classification of national park as provided for in Article XII, Section
19 3 of the Constitution.

20 *Sec. 4. Scope and Coverage.* — The Mt. Sawtooth Protected Landscape,
21 including its buffer zones, as well as its technical description shall be subject to actual
22 ground survey and demarcation, as fully determined by the Department of
23 Environment and Natural Resources (DENR) Region III.

24 Beginning at a point marked "1" on the map being S78°51'05"W, 13,763.24
25 meters from PRS Control Monument TRC-82 with geographic coordinates of
26 15°35'22.59763" Latitude and 120°20'22.53348" Longitude located in Barangay
27 Maniniog, Municipality of Mayantoc, Province of Tarlac:

28	thence	S 56°50'16" E	967.16	meters to corner	2	;
29	thence	S 32°13'45" E	315.13	meters to corner	3	;
30	thence	S 07°16'50" E	313.65	meters to corner	4	;

1	thence	S 56°09'05" E	468.39	meters to corner	5 ;
2	thence	S 13°18'50" E	170.35	meters to corner	6 ;
3	thence	N 84°53'31" E	307.97	meters to corner	7 ;
4	thence	S 81°55'59" E	323.68	meters to corner	8 ;
5	thence	S 27°49'57" W	582.01	meters to corner	9 ;
6	thence	S 45°47'41" W	252.52	meters to corner	10 ;
7	thence	S 54°11'56" W	155.19	meters to corner	11 ;
8	thence	S 12°29'11" E	178.73	meters to corner	12 ;
9	thence	S 17°23'31" W	198.88	meters to corner	13 ;
10	thence	S 50°14'24" E	284.01	meters to corner	14 ;
11	thence	S 61°44'20" W	255.87	meters to corner	15 ;
12	thence	S 23°08'14" W	279.28	meters to corner	16 ;
13	thence	S 35°55'16" E	376.55	meters to corner	17 ;
14	thence	S 81°45'40" E	276.75	meters to corner	18 ;
15	thence	S 41°46'38" E	477.66	meters to corner	19 ;
16	thence	S 11°24'46" E	189.7	meters to corner	20 ;
17	thence	S 27°48'11" W	532.92	meters to corner	21 ;
18	thence	S 68°20'42" W	165.7	meters to corner	22 ;
19	thence	S 28°41'32" W	182	meters to corner	23 ;
20	thence	N 83°51'21" W	506.96	meters to corner	24 ;
21	thence	S 84°52'11" W	201.24	meters to corner	25 ;
22	thence	S 18°40'05" W	120.82	meters to corner	26 ;
23	thence	S 47°15'24" E	393.34	meters to corner	27 ;
24	thence	S 35°52'49" E	136.47	meters to corner	28 ;
25	thence	S 17°46'15" E	311.65	meters to corner	29 ;
26	thence	S 26°06'22" W	139.18	meters to corner	30 ;
27	thence	S 56°59'36" W	388.55	meters to corner	31 ;
28	thence	N 83°24'24" W	137.3	meters to corner	32 ;
29	thence	N 24°03'54" W	350.52	meters to corner	33 ;
30	thence	S 58°09'07" W	329.34	meters to corner	34 ;
31	thence	S 32°11'06" E	363.07	meters to corner	35 ;

1	thence	S 64°11'43" E	285.92	meters to corner	36 ;
2	thence	N 75°15'07" E	245.01	meters to corner	37 ;
3	thence	S 30°32'27" E	51.51	meters to corner	38 ;
4	thence	S 49°09'46" W	309.74	meters to corner	39 ;
5	thence	S 70°46'21" W	481.39	meters to corner	40 ;
6	thence	S 20°22'45" E	220.08	meters to corner	41 ;
7	thence	N 73°47'24" E	513.41	meters to corner	42 ;
8	thence	N 84°11'05" E	232.6	meters to corner	43 ;
9	thence	S 02°17'10" W	864.92	meters to corner	44 ;
10	thence	S 45°52'25" W	1336.43	meters to corner	45 ;
11	thence	S 10°38'47" E	570.81	meters to corner	46 ;
12	thence	S 53°02'33" W	514.8	meters to corner	47 ;
13	thence	S 21°07'06" E	862.91	meters to corner	48 ;
14	thence	S 11°45'13" W	533.54	meters to corner	49 ;
15	thence	S 87°48'21" E	420.2	meters to corner	50 ;
16	thence	S 53°46'50" E	512.34	meters to corner	51 ;
17	thence	S 07°26'51" W	303.73	meters to corner	52 ;
18	thence	S 23°00'53" E	498.67	meters to corner	53 ;
19	thence	S 32°18'38" W	808.94	meters to corner	54 ;
20	thence	S 29°13'39" E	531.27	meters to corner	55 ;
21	thence	S 24°45'37" W	546.66	meters to corner	56 ;
22	thence	S 00°12'42" W	729.42	meters to corner	57 ;
23	thence	S 18°40'23" E	692.5	meters to corner	58 ;
24	thence	S 02°26'57" W	545.07	meters to corner	59 ;
25	thence	S 73°34'05" E	874.55	meters to corner	60 ;
26	thence	S 26°43'04" E	859.02	meters to corner	61 ;
27	thence	S 30°52'24" W	947.68	meters to corner	62 ;
28	thence	S 58°58'55" E	388.16	meters to corner	63 ;
29	thence	N 44°09'04" E	442.45	meters to corner	64 ;
30	thence	N 65°08'39" E	310.77	meters to corner	65 ;
31	thence	S 84°43'04" E	1674.16	meters to corner	66 ;

1	thence	S 16°53'03" E	3323.64	meters to corner	67 ;
2	thence	S 09°31'54" E	1404.72	meters to corner	68 ;
3	thence	S 87°12'07" W	5478.82	meters to corner	69 ;
4	thence	N 15°35'40" W	689.11	meters to corner	70 ;
5	thence	N 14°23'56" E	838.19	meters to corner	71 ;
6	thence	N 07°27'23" W	381.92	meters to corner	72 ;
7	thence	N 15°36'08" E	563.83	meters to corner	73 ;
8	thence	S 53°42'34" W	1650.05	meters to corner	74 ;
9	thence	N 71°47'43" W	5651.53	meters to corner	75 ;
10	thence	N 01°35'44" W	3759.5	meters to corner	76 ;
11	thence	N 07°48'33" E	2540.5	meters to corner	77 ;
12	thence	N 29°08'44" E	4579.25	meters to corner	78 ;
13	thence	N 27°30'23" E	4865.06	meters to corner	79 ;
14	thence	N 24°08'04" E	4398.23	meters to corner	1

15 the point of beginning, containing an area of TWELVE THOUSAND SIX HUNDRED
16 SEVENTY SIX (12,676) HECTARES, more or less. Bearings and distances of lines were
17 derived using the PRS 1992 Philippines Zone III coordinate system, subject to ground
18 delineation and demarcation.

19 The DENR shall likewise appropriately mark on the ground the technical
20 description of Mt. Sawtooth with clearly visible markers and shall prepare appropriate
21 maps therefore.

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

24 *Sec. 5. Buffer Zones.* — The DENR Secretary, upon the recommendation of the
25 Protected Area Management Board (PAMB) created under Sec. 6 of this Act, may
26 designate areas surrounding the MSPL as buffer zones for the purpose of providing
27 extra layer of protection where restrictions may be applied: *Provided,* That, in cases
28 where the designated buffer zone would cover private lands, the owners thereof shall
29 be required to design their development with due consideration to the Protected Area
30 Management Plan.

1 existence for at least five (5) years and with track record in or related to
2 protected area management;

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

7 j) One (1) representative from an academic institution, preferably from a
8 university or college in the Province of Tarlac where the MSPL is located,
9 with proven track record in or related to the protected area management;
10 and

11 k) One (1) representative from the private sector, preferably a resident of the
12 Province of Tarlac where the MSPL is located, who is distinguished in a
13 profession or field of interest relevant to the protected area management.

14 The terms of office of members of the PAMB, as well as the grounds for their
15 removal shall be in accordance with the provisions of RA No. 7586, otherwise known
16 as the "National Integrated Protected Areas System (NIPAS) Act Of 1992", as amended
17 by RA No. 11038, otherwise known as the "Expanded National Integrated Protected
18 Areas System (ENIPAS) Act of 2018".

19 *Sec. 7. Powers and Functions of the PAMB.* — The PAMB shall have the following
20 powers and functions:

21 a) Oversee the management of the MSPL;

22 b) Approve policies, plans and programs, proposals, agreements, and other
23 related documents for the management of the MSPL;

24 c) Approve the management plan of the MSPL and ensure its harmonization
25 with and integration with the Ancestral Domain Sustainable Development
26 and Protection Plan (ADSDPP), land use plan and other development plan,
27 public or private, and its implementation;

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

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

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

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

- 18 a) Prepare the management plan, in consultation with the stakeholders,
19 including the annual work and financial plans and ensure its
20 implementation;
- 21 b) Ensure the integration of the protected area management plans, programs,
22 projects, and policies with relevant national and LGUs' plans and programs;
- 23 c) Provide secretariat services to the PAMB and its committees and ensure the
24 availability of relevant and timely information for decision-making;
- 25 d) Formulate and recommend to the PAMB proposed policies, rules,
26 regulations, and programs;
- 27 e) Establish, operate, and maintain a database management system which
28 shall be an important basis for decision-making;

- 1 f) Enforce the laws, rules and regulations relevant to the protected area,
2 commence and institute administrative and legal actions in collaboration
3 with other government agencies or organizations, and assist in the
4 prosecution of offenses committed in violation of this Act;
- 5 g) Monitor, evaluate, and report the implementation of management activities
6 of the MSPL;
- 7 h) Request for and receive any technical assistance support or advice from any
8 agency or instrumentality of the government as well as academic
9 institutions, NGOs, and the private sector, as may be necessary for the
10 effective management, protection and administration of the MSPL;
- 11 i) Issue permits and clearances for activities that implement the management
12 plan and other permitted activities in accordance with terms, conditions,
13 and criteria established by the PAMB: *Provided*, That all permits for
14 extraction activities, including collection for research purposes, shall also
15 continue to be issued by relevant authorities, subject to prior clearance from
16 the PAMB, through the PASu, in accordance with the specific acts to be
17 covered;
- 18 j) Collect and/or receive pertinent fees, charges, donations, and other income
19 for the MSPL: *Provided*, That such fees, charges, donations, and other
20 income collected/received shall be reported regularly to the PAMB and the
21 DENR in accordance with existing guidelines;
- 22 k) Prepare and recommend to the PAMB, approval of the annual work and
23 financial plans of the MSPL based on the management plan; and
- 24 l) Perform such other functions as the PAMB and the DENR may assign.

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

27 ARTICLE III
28 PROCEEDS AND FEES

1 Sec. 10. *Appropriations.* — The Secretary of the DENR shall immediately include
2 in the DENR's program the implementation of Mt. Sawtooth Protected Landscape
3 (MSPL) Act, the funding at which shall be included in the annual General
4 Appropriations Act.

5 Sec. 11. *Suppletory Application of the NIPAS Law.* — The provisions of RA No.
6 7586, as amended by RA No. 11038, shall have suppletory application to this Act.

7 Sec. 12. *Implementing Rules and Regulations (IRR).* — Within ninety (90) days
8 from the effectivity of this Act, the Secretary of the DENR, in consultation with the
9 local governments of the Municipalities of Mayantoc, and San Jose, the Provincial
10 Government of Tarlac, and concerned national government agencies, issue the
11 corresponding rules and regulations for the effective implementation of this Act.

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

15 Sec. 14. *Repealing Clause.* - All laws, decrees, executive orders, rules and
16 regulations, and other issuances or parts thereof which are contrary to or inconsistent
17 with this Act are hereby repealed, amended or modified accordingly.

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

Approved,