

SENATE

10 JUL 27 P4:14

Senate Bill No. 2158

RECEIVED BY: 

Introduced by SENATOR PIA S. CAYETANO

EXPLANATORY NOTE

This bill seeks to declare the Aliwagwag Falls in the Municipalities of Boston and Cateel, Davao Oriental and the Municipality of Compostela, Compostela Valley as a protected area.

Aliwagwag Falls or the 'Stairway to the Sky' is considered as one of the rarest waterfalls in Mindanao with its breathtaking cascading water. Encompassing a total area of 10, 491 hectares, this critical watershed supports an estimated 17,000 hectares of riceland, in the Municipality of Cateel. The falls has also been recognized as a terrestrial biodiversity corridor for Eastern Mindanao. Similarly, Aliwagwag Falls is a habitat of wildlife species among which is the endangered Philippine Eagle. About 40 species of birds, five species of mammals, three species of reptiles and two species of amphibians have been identified to exist in this area.

It is deemed crucial that we act on these now to ensure that our children and the succeeding generations will inherit a living earth with all of its bountiful natural resources and vibrant wildlife.

This bill, therefore, seeks to declare the Aliwagwag Falls as protected in order to protect it from indiscriminate exploitation and to be able to maintain its ecological balance and preserve its source of water supply.

In view of the foregoing, the passage of this measure is earnestly urged.


SENATOR PIA S. CAYETANO

FIFTEENTH CONGRESS OF THE
 REPUBLIC OF THE PHILIPPINES
First Regular Session

SENATE
 OFFICE OF THE SECRETARY

10 JUL 27 P4:15

SENATE

Senate Bill No. 2158 RECEIVED BY: 

Introduced by Senator Pia S. Cayetano

AN ACT

ESTABLISHING THE ALIWAGWAG FALLS LOCATED IN THE MUNICIPALITIES OF BOSTON AND CATEEL, PROVINCE OF DAVAO ORIENTAL AND THE MUNICIPALITY OF COMPOSTELA, PROVINCE OF COMPOSTELA VALLEY 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 Representatives of the Philippines in Congress assembled:

1 SECTION. 1. *Title.* – This Act shall be known as the “Aliwagwag Falls
 2 Protected Landscape (AFPL) Act of 2010”.

3 SEC. 2. *Land Classification.* – All lands of the public domain comprising
 4 Aliwagwag Falls Protected Landscape (AFPL) shall fall under the classification of
 5 National Park as provided for in the Philippine Constitution.

6 SEC. 3. *Scope and Coverage.* – The Aliwagwag Falls Protected Landscape
 7 (AFPL) situated in the Municipalities of Boston and Cateel, Province of Davao
 8 Oriental and the Municipality of Compostela, Province of Compostela Valley, which
 9 shall be withdrawn from sale, settlement, lease or other modes of disposition, subject
 10 to existing rights, is more particularly described as follows:

11 Beginning at a point marked “1” on the map and on the ground being identical
 12 to corner 8 of former TLA No. 201 of Eastcoast Development Enterprises;

13 Thence S 58°33” E 361.1 meters to corner 2

14 Thence S 58°33” E 546.9 meters to corner 3

15 Thence S 58°33” E 515.9 meters to corner 4

16 Thence S 58°33” E 361.1 meters to corner 5

17 Thence S 23°50” W 402.6 meters to corner 6

18 Thence S 23°50” W 432.8 meters to corner 7

19 Thence S 23°50” W 352.3 meters to corner 8

20 Thence S 23°50” W 352.3 meters to corner 9

21 Thence S 23°50” W 352.3 meters to corner 10

22 Thence S 23°50” W 422.7 meters to corner 11

1	Thence	S 23°50" W	523.4 meters to corner 12
2	Thence	S 23°50" W	533.4 meters to corner 13
3	Thence	S 23°50" W	402.6 meters to corner 14
4	Thence	S 23°50" W	402.6 meters to corner 15
5	Thence	S 45°37" E	256.7 meters to corner 16
6	Thence	S 45°37" E	380.0 meters to corner 17
7	Thence	S 45°37" E	308.1 meters to corner 18
8	Thence	S 45°37" E	359.4 meters to corner 19
9	Thence	S 45°37" E	359.4 meters to corner 20
10	Thence	S 45°37" E	359.4 meters to corner 21
11	Thence	S 45°37" E	410.8 meters to corner 22
12	Thence	S 45°37" E	359.4 meters to corner 23
13	Thence	S 18°22" E	529.4 meters to corner 24
14	Thence	S 45°26" W	444.3 meters to corner 25
15	Thence	S 37°29" W	348.2 meters to corner 26
16	Thence	S 19°59" W	403.7 meters to corner 27
17	Thence	S 32°34" W	399.7 meters to corner 28
18	Thence	S 25°45" W	301.5 meters to corner 29
19	Thence	S 72°06" W	290.0 meters to corner 30
20	Thence	S 57°36" W	244.2 meters to corner 31
21	Thence	N 71°37" W	433.9 meters to corner 32
22	Thence	S 32°34" W	349.8 meters to corner 33
23	Thence	S 32°34" W	349.8 meters to corner 34
24	Thence	S 32°34" W	299.8 meters to corner 35
25	Thence	S 22°52" W	402.9 meters to corner 36
26	Thence	S 34°32" W	448.0 meters to corner 37
27	Thence	S 26°44" W	421.8 meters to corner 38
28	Thence	S 39°28" W	258.2 meters to corner 39
29	Thence	N 35°23" W	244.1 meters to corner 40
30	Thence	Due West	327.1 meters to corner 41
31	Thence	S 37°29" W	298.5 meters to corner 42
32	Thence	S 59°39" W	243.7 meters to corner 43
33	Thence	S 79°47" W	336.9 meters to corner 44
34	Thence	N 57°25" W	348.6 meters to corner 45
35	Thence	N 60°27" W	290.2 meters to corner 46
36	Thence	N 61°43" W	350.4 meters to corner 47

1	Thence	S 61°43" W	340.7 meters to corner 48
2	Thence	N 66°32" W	241.4 meters to corner 49
3	Thence	N 80°48" W	433.2 meters to corner 50
4	Thence	N 70°01" W	367.8 meters to corner 51
5	Thence	N 73°29" W	221.7 meters to corner 52
6	Thence	N 15°47" E	276.6 meters to corner 53
7	Thence	N 52°29" E	355.9 meters to corner 54
8	Thence	N 52°29" E	244.1 meters to corner 55
9	Thence	N 29°17" E	159.1 meters to corner 56
10	Thence	N 51°22" W	242.6 meters to corner 57
11	Thence	N 84°53" W	365.6 meters to corner 58
12	Thence	N 40°21" W	438.6 meters to corner 59
13	Thence	N 19°35" W	441.7 meters to corner 60
14	Thence	N 57°25" W	242.1 meters to corner 61
15	Thence	S 65°51" W	223.2 meters to corner 62
16	Thence	N 18°36" W	274.9 meters to corner 63
17	Thence	N 63°29" W	579.8 meters to corner 64
18	Thence	N 61°27" W	425.6 meters to corner 65
19	Thence	N 56°24" W	339.0 meters to corner 66
20	Thence	N 61°27" W	386.8 meters to corner 67
21	Thence	N 82°50" W	240.6 meters to corner 68
22	Thence	N 59°26" W	338.7 meters to corner 69
23	Thence	N 58°25" W	484.0 meters to corner 70
24	Thence	N 06°51" W	373.8 meters to corner 71
25	Thence	N 06°51" W	491.9 meters to corner 72
26	Thence	N 06°51" W	541.1 meters to corner 73
27	Thence	N 31°25" W	342.3 meters to corner 74
28	Thence	N 31°25" W	322.7 meters to corner 75
29	Thence	N 31°25" W	391.2 meters to corner 76
30	Thence	N 15°40" W	393.0 meters to corner 77
31	Thence	N 15°40" W	393.0 meters to corner 78
32	Thence	N 15°40" W	393.0 meters to corner 79
33	Thence	N 66°32" W	366.9 meters to corner 80
34	Thence	N 17°37" W	422.3 meters to corner 81
35	Thence	N 17°37" W	294.6 meters to corner 82
36	Thence	N 17°37" W	422.3 meters to corner 83

1	Thence	N 40°30" E	321.9 meters to corner 84
2	Thence	N 16°38" W	392.9 meters to corner 85
3	Thence	N 16°38" W	491.1 meters to corner 86
4	Thence	N 16°38" W	491.1 meters to corner 87
5	Thence	N 44°31" E	484.6 meters to corner 88
6	Thence	N 44°31" E	504.8 meters to corner 89
7	Thence	N 44°31" E	504.8 meters to corner 90
8	Thence	N 24°30" W	441.1 meters to corner 91
9	Thence	N 07°49" W	491.8 meters to corner 92
10	Thence	N 33°23" E	479.8 meters to corner 93
11	Thence	N 33°23" E	499.8 meters to corner 94
12	Thence	N 33°23" E	569.7 meters to corner 95
13	Thence	N 66°09" E	668.6 meters to corner 96
14	Thence	S 88°03" E	519.0 meters to corner 97
15	Thence	N 78°36" E	414.3 meters to corner 98
16	Thence	N 78°36" E	435.0 meters to corner 99
17	Thence	S 45°37" E	287.6 meters to corner 100
18	Thence	S 61°31" E	258.2 meters to corner 101
19	Thence	S 33°33" W	319.5 meters to corner 102
20	Thence	S 70°24" E	331.3 meters to corner 103
21	Thence	S 70°24" E	362.4 meters to corner 104
22	Thence	S 70°24" E	362.4 meters to corner 105
23	Thence	S 70°24" E	392.4 meters to corner 106
24	Thence	S 70°24" E	517.7 meters to corner 107
25	Thence	S 70°24" E	362.4 meters to corner 108
26	Thence	S 48°37" E	359.8 meters to corner 109
27	Thence	S 81°11" E	394.2 meters to corner 110
28	Thence	S 81°11" E	363.1 meters to corner 111
29	Thence	S 81°11" E	373.5 meters to corner 112
30	Thence	S 81°11" E	415.0 meters to corner 113
31	Thence	S 81°11" E	290.5 meters to corner 114
32	Thence	S 81°11" E	435.7 meters to corner 115
33	Thence	S 81°11" E	363.1 meters to corner 116
34	Thence	S 81°11" E	332.0 meters to corner 117
35	Thence	S 81°11" E	352.7 meters to corner 118

1 Thence S 81°11" E 363.1 meters to the point of beginning, containing an
 2 approximate area of ten thousand four hundred ninety-one and 33/100 (10,491.33)
 3 hectares.

4 The technical descriptions provided in this Act will be subject to ground survey
 5 and verification to be conducted by the Department of Environment and Natural
 6 Resources. Any modification of this technical description due to factors such as
 7 changing ecological situations, new scientific or archeological findings, or discovery
 8 of traditional boundaries not previously taken into account shall be made through an
 9 act of Congress after full consultation with the affected public and concerned
 10 government agencies.

11 SEC. 4. *Buffer Zone.* – The Aliwagwag Falls Protected Landscape shall be
 12 surrounded by a buffer zone, which shall be withdrawn from sale, settlement, lease,
 13 or other modes of disposition, subject to existing rights and given special
 14 development control. Such buffer zone is hereunder described as:

15 Bounded on the west and north directions by the remaining portion of TLA No.
 16 43 of PICOP Resources Inc., on the east by the remaining portion of TLA No. 201 of
 17 Eastcoast Development Enterprises, on the east southeast by the remaining portion
 18 of TLA No. 096 of Valderrama Lumber Manufacturers, Inc. and on the south by the
 19 road which connects the Municipality of Compostela, Compostela Valley Province to
 20 the Municipality of Cateel, Province of Davao Oriental.

21 Beginning at a point marked "1" on the map and on the ground being identical
 22 to corner 1 of the protected landscape and identical to corner 8 of former TLA No.
 23 201 of Eastcoast Development Enterprises;

24	Thence	N 81°00"W	350.0 meters to corner 2
25	Thence	N 81°00"W	340.0 meters to corner 3
26	Thence	N 81°00"W	320.0 meters to corner 4
27	Thence	N 81°00"W	350.0 meters to corner 5
28	Thence	N 81°00"W	420.0 meters to corner 6
29	Thence	N 81°00"W	280.0 meters to corner 7
30	Thence	N 81°00"W	400.0 meters to corner 8
31	Thence	N 81°00"W	360.0 meters to corner 9
32	Thence	N 81°00"W	350.0 meters to corner 10
33	Thence	N 81°00"W	380.0 meters to corner 11
34	Thence	N 48°00"W	350.0 meters to corner 12
35	Thence	N 70°00"W	350.0 meters to corner 13
36	Thence	N 70°00"W	500.0 meters to corner 14
37	Thence	N 70°00"W	380.0 meters to corner 15

1	Thence	N 70°00"W	350.0 meters to corner 16
2	Thence	N 70°00"W	350.0 meters to corner 17
3	Thence	N 70°00"W	320.0 meters to corner 18
4	Thence	N 35°00"E	320.0 meters to corner 19
5	Thence	N 61°00"W	250.0 meters to corner 20
6	Thence	N 45°00"W	280.0 meters to corner 21
7	Thence	S 78°00"W	420.0 meters to corner 22
8	Thence	S 78°00"W	400.0 meters to corner 23
9	Thence	N 88°00"W	500.0 meters to corner 24
10	Thence	S 65°00"W	650.0 meters to corner 25
11	Thence	S 32°00"W	570.0 meters to corner 26
12	Thence	S 32°00"W	500.0 meters to corner 27
13	Thence	S 32°00"W	480.0 meters to corner 28
14	Thence	S 08°00"E	500.0 meters to corner 29
15	Thence	S 25°00"E	450.0 meters to corner 30
16	Thence	S 43°00"W	500.0 meters to corner 31
17	Thence	S 43°00"W	500.0 meters to corner 32
18	Thence	S 43°00"W	480.0 meters to corner 33
19	Thence	S 17°00"E	500.0 meters to corner 34
20	Thence	S 17°00"E	500.0 meters to corner 35
21	Thence	S 17°00"E	400.0 meters to corner 36
22	Thence	S 39°00"W	320.0 meters to corner 37
23	Thence	S 18°00"E	430.0 meters to corner 38
24	Thence	S 18°00"E	300.0 meters to corner 39
25	Thence	S 18°00"E	430.0 meters to corner 40
26	Thence	S 67°00"E	380.0 meters to corner 41
27	Thence	S 16°00"E	400.0 meters to corner 42
28	Thence	S 16°00"E	400.0 meters to corner 43
29	Thence	S 16°00"E	400.0 meters to corner 44
30	Thence	S 32°00"E	400.0 meters to corner 45
31	Thence	S 32°00"E	330.0 meters to corner 46
32	Thence	S 32°00"E	350.0 meters to corner 47
33	Thence	S 07°00"E	550.0 meters to corner 48
34	Thence	S 07°00"E	500.0 meters to corner 49
35	Thence	S 07°00"E	380.0 meters to corner 50
36	Thence	S 59°00"E	500.0 meters to corner 51

1	Thence	S 60°00"E	350.0 meters to corner 52
2	Thence	S 83°00"E	250.0 meters to corner 53
3	Thence	S 62°00"E	400.0 meters to corner 54
4	Thence	S 57°00"E	350.0 meters to corner 55
5	Thence	S 61°00"E	440.0 meters to corner 56
6	Thence	S 64°00"E	600.0 meters to corner 57
7	Thence	S 19°00"E	280.0 meters to corner 58
8	Thence	N 67°00"E	230.0 meters to corner 59
9	Thence	S 58°00"E	250.0 meters to corner 60
10	Thence	S 20°00"E	340.0 meters to corner 61
11	Thence	S 41°00"E	450.0 meters to corner 62
12	Thence	S 85°00"E	380.0 meters to corner 63
13	Thence	S 52°00"E	250.0 meters to corner 64
14	Thence	S 28°00"W	160.0 meters to corner 65
15	Thence	S 51°00"W	240.0 meters to corner 66
16	Thence	S 51°00"W	350.0 meters to corner 67
17	Thence	S 15°00"W	280.0 meters to corner 68
18	Thence	Foll. The road gen.	220.0 meters to corner 69
19		In N-Westerly dir. Abt.	
20	Thence	N 02°00"E	260.0 meters to corner 70
21	Thence	N 57°30"E	280.0 meters to corner 71
22	Thence	N 57°30"E	350.0 meters to corner 72
23	Thence	Foll. The road gen.	300.0 meters to corner 73
24		In N-Easterly dir. abt.	
25	Thence	Foll. The road gen.	500.0 meters to corner 74
26		In N-Westerly dir. Abt.	
27	Thence	Foll. The road gen.	620.0 meters to corner 75
28		In N-Westerly dir. Abt.	
29	Thence	Foll. The road gen.	250.0 meters to corner 76
30		In N-Westerly dir. Abt	
31	Thence	Foll. The road gen.	275.0 meters to corner 77
32		In S-Westerly dir. Abt	
33	Thence	Foll. The road gen.	180.0 meters to corner 78
34		S-Westerly dir. Abt.	
35	Thence	Foll. The road gen.	460.0 meters to corner 79
36		N-Westerly dir. Abt.	
37	Thence	Foll. The road gen.	600.0 meters to corner 80

1 N-Westerly dir.abt.

2 Thence Foll. The road gen. 300.0 meters to corner 81

3 In N-Westerly dir. Abt.

4 Thence Foll. The road gen. 130.0 meters to corner 82

5 S-Westerly dir. Abt.

6 Thence Foll. The road gen. 350.0 meters to corner 83

7 N-Westerly dir. Abt.

8 Thence Foll. The road gen. 400.0 meters to corner 84

9 In N-Westerly dir. Abt.

10 Thence Foll. The road gen. 250.0 meters to corner 85

11 In S-Westerly dir. Abt.

12 Thence Foll. The road gen. 550.0 meters to corner 86

13 S-Westerly dir. Abt.

14 Thence N 63°00"W 350.0 meters to corner 87

15 Thence N 03°00"W 500.0 meters to corner 88

16 Thence N 03°00"W 500.0 meters to corner 89

17 Thence N 03°00"W 500.0 meters to corner 90

18 Thence N 28°30"W 350.0 meters to corner 91

19 Thence N 28°30"W 375.0 meters to corner 92

20 Thence N 28°30"W 330.0 meters to corner 93

21 Thence N 11°00"W 500.0 meters to corner 94

22 Thence N 11°00"W 500.0 meters to corner 95

23 Thence N 61°00"W 400.0 meters to corner 96

24 Thence N 13°00"W 500.0 meters to corner 97

25 Thence N 13°00"W 500.0 meters to corner 98

26 Thence N 13°00"W 350.0 meters to corner 99

27 Thence N 33°00"E 300.0 meters to corner 100

28 Thence N 14°00"W 400.0 meters to corner 101

29 Thence N 14°00"W 480.0 meters to corner 102

30 Thence N 14°00"W 500.0 meters to corner 103

31 Thence N 37°00"E 500.0 meters to corner 104

32 Thence N 37°00"E 500.0 meters to corner 105

33 Thence N 37°00"E 500.0 meters to corner 106

34 Thence N 24°00"W 330.0 meters to corner 107

35 Thence N 05°00"W 320.0 meters to corner 108

36 Thence N 05°00"W 350.0 meters to corner 109

37 Thence N 26°00"E 400.0 meters to corner 110

1	Thence	N 26°00"E	400.0 meters to corner 111
2	Thence	N 26°00"E	400.0 meters to corner 112
3	Thence	N 26°00"E	500.0 meters to corner 113
4	Thence	N 60°00"E	350.0 meters to corner 114
5	Thence	N 60°00"E	380.0 meters to corner 115
6	Thence	S 85°00"E	480.0 meters to corner 116
7	Thence	N 74°30"E	500.0 meters to corner 117
8	Thence	N 74°30"E	500.0 meters to corner 118
9	Thence	S 30°00"E	300.0 meters to corner 119
10	Thence	S 27°00"W	350.0 meters to corner 120
11	Thence	S 69°00"E	500.0 meters to corner 121
12	Thence	S 69°00"E	500.0 meters to corner 122
13	Thence	S 69°00"E	500.0 meters to corner 123
14	Thence	S 69°00"E	400.0 meters to corner 124
15	Thence	S 69°00"E	350.0 meters to corner 125
16	Thence	S 41°00"E	210.0 meters to corner 126
17	Thence	S 80°00"E	500.0 meters to corner 127
18	Thence	S 80°00"E	500.0 meters to corner 128
19	Thence	S 80°00"E	500.0 meters to corner 129
20	Thence	S 80°00"E	500.0 meters to corner 130
21	Thence	S 80°00"E	500.0 meters to corner 131
22	Thence	S 80°00"E	500.0 meters to corner 132
23	Thence	S 80°00"E	500.0 meters to corner 133
24	Thence	S 80°00"E	500.0 meters to corner 134
25	Thence	S 54°00"E	500.0 meters to corner 135
26	Thence	S 54°00"E	500.0 meters to corner 136
27	Thence	S 54°00"E	650.0 meters to corner 137
28	Thence	S 20°00"W	500.0 meters to corner 138
29	Thence	S 20°00"W	500.0 meters to corner 139
30	Thence	S 20°00"W	500.0 meters to corner 140
31	Thence	S 20°00"W	500.0 meters to corner 141
32	Thence	S 20°00"W	500.0 meters to corner 142
33	Thence	S 20°00"W	550.0 meters to corner 143
34	Thence	S 20°00"W	550.0 meters to corner 144
35	Thence	Foll. Aliwagwag	450.0 meters to corner 145
36		Cr. Downstream in SE dir. Abt.	

1	Thence	Foll. Aliwagwag	450.0 meters to corner 146
2			Cr. Downstream in SE dir. Abt.
3	Thence	Foll. Aliwagwag	410.0 meters to corner 147
4			Cr. Downstream in SE dir. Abt.
5	Thence	Foll. Aliwagwag	420.0 meters to corner 148
6			Cr. Downstream in SE dir. Abt.
7	Thence	Foll. Aliwagwag	550.0 meters to corner 149
8			Cr. Downstream in SE dir. Abt.
9	Thence	Foll. Cateel	230.0 meters to corner 150
10			R. Upstream in SW dir. Abt.
11	Thence	Foll. Aliwagwag	500.0 meters to corner 151
12			Cr. Upstream in NW dir. Abt.
13	Thence	Foll. Aliwagwag	500.0 meters to corner 152
14			Cr. Upstream in NW dir. Abt.
15	Thence	Foll. Aliwagwag	500.0 meters to corner 153
16			Cr. Upstream in NW dir. Abt.
17	Thence	Foll. Aliwagwag	670.0 meters to corner 154
18			Cr. Upstream in NW dir. Abt.
19	Thence	S 20°00"W	350.0 meters to corner 155
20	Thence	S 38°00"E	500.0 meters to corner 156
21	Thence	S 38°00"E	500.0 meters to corner 157
22	Thence	S 38°00"E	500.0 meters to corner 158
23	Thence	S 38°00"E	500.0 meters to corner 159
24	Thence	S 38°00"E	500.0 meters to corner 160
25	Thence	Foll. The road gen.	650.0 meters to corner 161
26			In S-Westerly dir. Abt.
27	Thence	N 18°00"W	520.0 meters to corner 162
28	Thence	N 45°00"W	350.0 meters to corner 163
29	Thence	N 45°00"W	400.0 meters to corner 164
30	Thence	N 45°00"W	350.0 meters to corner 165
31	Thence	N 45°00"W	350.0 meters to corner 166
32	Thence	N 45°00"W	350.0 meters to corner 167
33	Thence	N 45°00"W	300.0 meters to corner 168
34	Thence	N 45°00"W	370.0 meters to corner 169
35	Thence	N 45°00"W	250.0 meters to corner 170
36	Thence	N 25°00"E	400.0 meters to corner 171
37	Thence	N 25°00"E	400.0 meters to corner 172

1 Thence N 25°00"E 530.0 meters to corner 173
 2 Thence N 25°00"E 520.0 meters to corner 174
 3 Thence N 25°00"E 420.0 meters to corner 175
 4 Thence N 25°00"E 350.0 meters to corner 176
 5 Thence N 25°00"E 350.0 meters to corner 177
 6 Thence N 25°00"E 350.0 meters to corner 178
 7 Thence N 25°00"E 430.0 meters to corner 179
 8 Thence N 25°00"E 400.0 meters to corner 180
 9 Thence N 58°00"W 350.0 meters to corner 181
 10 Thence N 58°00"W 500.0 meters to corner 182
 11 Thence N 58°00"W 530.0 meters to corner 183
 12 Thence N 58°00"W 350.0 meters to the point of beginning, containing an
 13 approximate area of four hundred twenty point six (420.6) hectares, more or less."

14 The buffer zone shall provide an extra layer around the protected area (PA) in
 15 which restrictions can apply and communities can assist in repelling threats to the
 16 area. The buffer zone shall be managed according to the management plan herein
 17 provided.

18 SEC. 5. *Definition of Terms.* – The following terms are hereby defined for the
 19 purpose of this Act:

20 (a) "Ancestral domain" refers to all areas generally belonging to Indigenous
 21 Cultural Communities or Indigenous People (ICCs/IPs) comprising lands, inland
 22 waters, coastal areas, and natural resources therein, held under a claim of
 23 ownership occupied or possessed by the ICCs/IPs, by themselves or thru their
 24 ancestors, communally or individually since time immemorial, continuously to the
 25 present except if interrupted by war, *force majeure* or displacement by force, deceit,
 26 stealth or as a consequence of government projects or any other voluntary dealings
 27 entered into by government or public individuals/corporations, and which are
 28 necessary to ensure their economic, social and cultural welfare. It shall include
 29 ancestral lands, forests, pasture, residential, agricultural, and other lands
 30 individually-owned, whether alienable and disposable or otherwise, hunting grounds,
 31 burial grounds, worship areas, bodies of water, mineral and other natural resources,
 32 and lands which may no longer be exclusively occupied by ICCs/IPs but from which
 33 they traditionally had access to for their subsistence and traditional activities,
 34 particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting
 35 cultivators.

36 (b) "Biodiversity" refers to the variety and variability among living organisms and
 37 ecological complexes in which said organisms occur.

1 (c) "Biological resources" includes genetic resources, organisms or parts
2 thereof, population, or any other biotic component of ecosystems with actual or
3 potential use or value for humanity.

4 (d) "Bioprospecting" means the research, collection and utilization of biological
5 and genetic resources for purposes of applying the knowledge derived therefrom
6 solely for commercial purposes.

7 (e) "Buffer zone" refers to identified areas outside the boundaries of and
8 immediately adjacent to the AFPL that need special development control in order to
9 avoid or minimize harm to the AFPL.

10 (f) "By-product or derivatives" means any part taken or substance extracted from
11 wildlife, in raw or in processed form. This includes stuffed animals and herbarium
12 specimens.

13 (g) "Collection or collecting" refers to the act of gathering or harvesting wildlife,
14 its by-products or derivatives.

15 (h) "Conservation" means sustainable utilization of wildlife, and/or maintenance,
16 restoration and enhancement of the habitat.

17 (i) "Ecosystem" means the dynamic complex of plant, animal and micro-
18 organism communities and their non-living environment interacting as a functional
19 unit.

20 (j) "Endangered species" refers to species or subspecies of flora and fauna that
21 is not critically endangered but whose survival in the wild is unlikely if the causal
22 factors continue operating.

23 (k) "Endemic species" means species or subspecies of flora and fauna which is
24 naturally occurring and found only within specific areas in the country.

25 (l) "Exotic Species" means species or subspecies of flora and fauna which do
26 not naturally occur within the protected area at present or in historical time

27 (m) "Habitat" means a place or type of environment where a species or
28 subspecies naturally occurs or has naturally established its population.

29 (n) "Hunting" refers to collection of wild fauna for food and/or recreational
30 purposes with the use of weapons such as guns, bow and arrow, spear and the like.

31 (o) "Indigenous Cultural Communities" or "Indigenous People" (ICCs/IPs) refer
32 to a group of people or homogenous societies identified by self-ascription and
33 ascription by others, who have continuously lived as organized community on
34 communally bounded and defined territory, and who have, under claims of ownership
35 since time immemorial, occupied, possessed and utilized such territories, sharing
36 common bonds of language, customs, traditions and other distinctive cultural traits,
37 or who have, through resistance to political, social and cultural inroads of
38 colonization, non-indigenous religions and cultures, became historically differentiated

1 from the majority of Filipinos. IPs shall likewise include peoples who are regarded as
2 indigenous on account of their descent from the populations which inhabited the
3 Country, at the time of conquest or colonization, or at the time of inroads of non-
4 indigenous religions and cultures, or the establishment of present state boundaries,
5 who retain some or all of their own social, economic, cultural and political institutions,
6 but who may have been displaced from their traditional domains or who may have
7 resettled outside their ancestral domains.

8 (p) "Management Plan" refers to the fundamental plan, strategy and/or scheme
9 which shall guide all activities relating to the protected area in order to attain the
10 objectives of this Act.

11 (q) "Mineral" refers to all naturally occurring inorganic substance in solid, gas,
12 liquid, or any intermediate state including energy materials such as coal, petroleum,
13 natural gas, radioactive materials, and geothermal energy.

14 (r) "Multiple-Use Zone" refers to the area where settlement, traditional and/or
15 sustainable land use, including agriculture, agro-forestry, extraction activities and
16 other income generating or livelihood activities, may be allowed to the extent
17 prescribed in the management plan.

18 (s) "National Integrated Protected Area System" refers to the classification of all
19 designated PAs pursuant to Republic Act No. 7586 or the "National Integrated
20 Protected Areas System (NIPAS) Act of 1992," to maintain essential ecological
21 processes and life-support systems, to protect genetic diversity, to ensure
22 sustainable use of resources found therein and to maintain their natural conditions to
23 the greatest extent as possible.

24 (t) "National Park" refers to the land of the public domain classified as such in
25 the 1987 Constitution which include all areas under the National Integrated Protected
26 Areas System (NIPAS) pursuant to RA 7586 primarily designated for the
27 conservation of native plants and animals, their associated habitats and cultural
28 diversity.

29 (u) "Non-government organization (NGO)" shall refer to an agency, institution,
30 foundation or a group of persons whose purpose is to assist peoples
31 organizations/associations in various ways including, but not limited to, organizing,
32 education, training, research and/or resource accessing.

33 (v) "Nonrenewable resources" shall refer to those resources within the AFPL,
34 the natural replenishment rate of which is not known.

35 (w) "People's Organization (PO)" shall refer to a group of organized migrant
36 communities and or interested indigenous peoples which may be an association,
37 cooperative, federation, or other legal entity, established to undertake collective

1 action to address community concerns and needs, and mutually share the benefits of
2 the endeavor.

3 (x) "Protected areas (PA)" refers to identified portions of land and water set
4 aside by reason of their unique physical and biological significance, managed to
5 enhance biological diversity and protected against destructive human exploitation.

6 (y) "Protected landscape" refers to an area of national significance which is
7 characterized by the harmonious interaction of man and land while providing
8 opportunities for public enjoyment through recreation and tourism within the normal
9 lifestyle and economic activity of the area.

10 (z) "Quarrying" means the process of extracting, removing and disposing quarry
11 resources found on or underneath the surface of public or private land.

12 (aa) "Special use zone" refers to an area containing existing installations of
13 national significance, such as telecommunication facilities, irrigation canals or electric
14 power lines.

15 (bb) "Sustainable Use" means the use of components of biological diversity,
16 thereby maintaining its potential to meet the needs and aspirations of present and
17 future generations.

18 (cc) "Strict protection zone" refers to a natural area with high biodiversity value
19 which shall be closed to all human activity except for scientific studies and/or
20 ceremonial or religious use by the indigenous cultural communities/indigenous
21 peoples; may include habitats of threatened species, or degraded areas that have
22 been designated for restoration and subsequent protection, even if these areas are
23 still in various stages of regeneration.

24 (dd) "Wildlife" means any wild forms and varieties of flora and fauna, in all
25 developmental stages, including those which are in captivity or are being bred or
26 propagated.

27 SEC.5. *Aliwagwag Falls Protected Landscape-Protected Area Management*
28 *Board (AFPL-PAMB)* – There is hereby created a PAMB which shall have sole
29 jurisdiction, power and authority over the AFPL for all matters that may affect
30 biodiversity conservation, protection and sustainable development. It shall be
31 composed of:

32 (1) The Regional Executive Director (RED) of the DENR Region XI, as
33 Chairperson;

34 (2) Provincial Planning and Development Officers of the Provinces of
35 Davao Oriental and Compostela Valley;

36 (3) The Mayors of the Municipalities of Boston and Cateel, Province of Davao
37 Oriental and the Municipality of Compostela, Province of Compostela Valley, or their
38 duly designated representatives;

1 (4) One representative from each barangay covering the AFPL;

2 (5) At least two (2) representatives from local POs with stakes in the AFPL,
3 chosen from among themselves;

4 (6) At least three (3) representatives from the local NGOs with stakes in the
5 AFPL, chosen from among themselves;

6 (7) One representative from government agencies involved in the AFPL
7 management; and

8 (8) One representative from each tribal community residing within the AFPL;

9 Each member of the PAMB shall serve for a term of five (5) years and shall be
10 considered to represent his or her sector and deemed to carry the vote of such
11 sector in all matters. In the case of members who are government officials, the term
12 of office shall be attached to the office held.

13 The members of the AFPL-PAMB shall be appointed by the Secretary of the
14 DENR in conformity with the provisions of the NIPAS Act. As a transitory provision,
15 the initial members of the AFPL-PAMB shall be nominated from the current members
16 of the interim PAMBs of the five (5) component areas of the AFPL. Their nominations
17 shall be conducted in a joint meeting of the current members of the interim PAMBs
18 duly called for the purpose: *Provided, further*, that at least one-third (1/3) of the
19 members shall be women.

20 In the selection of the representatives of POs and NGOs, preference shall be
21 accorded to those organizations that are involved in the conservation, protection and
22 development of the AFPL. Representation shall be by institution and shall aim to
23 achieve balance in representation by geographic location or areas.

24 The representatives from the LGUs and national agencies in the AFPL-PAMB
25 shall include among their duty to appraise their respective constituents, office or
26 sector, of AFPL-PAMB approved or other relevant policies, rules, regulations,
27 programs and projects and to ensure that the provisions of this Act are observed,
28 complied with, and used as reference and framework in their respective plans,
29 policies, programs and projects. Failure to comply with the foregoing shall subject
30 such representative to disciplinary action as the AFPL-PAMB may provide.

31 The members of the Board shall not receive any salary but shall be entitled to
32 reimbursements for actual and necessary expenses incurred, either in their
33 attendance in meeting of the Board or in connection with other official business
34 authorized by a resolution of the Board, subject to existing rules and regulations.

35 SEC. 6. *Powers and Functions of the AFPL-PAMB.* - The PAMB of the
36 Aliwagwag Falls Protected Landscape, which shall decide by consensus or majority
37 vote, shall have the following duties and functions, in addition to the duties and
38 functions enumerated in the implementing rules and regulations of the NIPAS Act:

1 (1) Issue rules and regulations to prohibit acts that may be prejudicial to the
2 AFPL and to the declaration of policy set forth under the NIPAS;

3 (2) Issue rules and regulations for the resolution of conflicts through appropriate
4 and effective means;

5 (3) Adopt rules and procedures in the conduct of business, including the
6 creation of committees to which its powers may be delegated;

7 (4) Approve the management plan and oversee the office of the PASu;

8 (5) Establish criteria and set fees for the issuance of permits for activities
9 regulated by this Act or the management plan;

10 (6) Recommend the deputization of appropriate individuals, including local
11 community leaders, for the enforcement of the laws, rules and regulations governing
12 the conduct or management of the AFPL;

13 (7) Approve fees and charges in accordance with DAO 51, Series of 2000 and
14 raise funds for the AFPL;

15 (8) Manage the allocation of the Aliwagwag Falls Protected Landscape Fund
16 ,and other funds for the AFPL, ensure their proper administration and render
17 accounting; and

18 (9) Recommend appropriate policy changes to the DENR and other
19 government authorities.

20 The DENR, through the Regional Executive Director (RED), shall ensure that
21 the AFPL-PAMB acts within the scope of its powers and functions. In case of conflict
22 between administrative orders issued by the DENR pursuant to the NIPAS Act and
23 the resolutions issued by the AFPL-PAMB, such conflict shall be referred by AFPL-
24 PAMB to the DENR Secretary who shall decide whether to apply the rule or withdraw
25 its application from the AFPL.

26 SEC. 7. *Protected Area Superintendent (PASu) Office.* – The Protected
27 Area Superintendent (PASu) Office is hereby created within the DENR Regional
28 office to be headed by the PASu who shall serve as the Chief Operating DENR
29 Officer of the entire AFPL. The PASu shall report directly to the RED of the DENR-
30 Region XI and shall be accountable to the AFPL-PAMB. The PASu and the PASu
31 staff shall reside within the AFPL and establish an office in order to implement this
32 Act.

33 The PASu shall have full responsibility for the protection of land, water, wildlife
34 and other natural physical and biological resources within the AFPL. As such, the
35 PASu shall have the following powers and functions in addition to those provided
36 under the NIPAS and its implementing rules and regulations:

37 (1) Establish, operate, and maintain a database management system as a
38 decision support tool;

1 (2) Prepare the management plan as herein defined;

2 (3) Provide a secretariat for the AFPL- PAMB and supply the AFPL-PAMB with
3 all the necessary information to make appropriate decisions for the implementation of
4 this Act;

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

9 (5) Monitor all activities within the AFPL to ensure its conformity with the
10 management plan;

11 (6) Ensure the integration of the AFPL management policies, regulations,
12 programs and projects in all concerned national and local government unit levels;

13 (7)-Recommend the issuance of permits based on terms, conditions and criteria
14 established by the AFPL-PAMB; and

15 (8) Perform such other powers and duties as may from time to time be
16 prescribed by the AFPL-PAMB and higher authorities.

17 *SEC. 8. Indigenous People's Rights. – Ancestral domain and other customary*
18 *rights and interests of indigenous communities within the AFPL shall be accorded*
19 *due recognition. The preservation of ancestral domain and customary rights shall be*
20 *considered as one of the management objectives. The maintenance, management*
21 *and development of ancestral domains which are found to be necessary for AFPL will*
22 *be pursuant to Section 58 of Republic Act No. 8371, otherwise known as the "The*
23 *Indigenous Peoples Rights Act of 1997 (IPRA)".*

24 The identification, delineation and recognition of ancestral domain claims
25 within the AFPL shall be conducted by the National Commission on Indigenous
26 Peoples (NCIP) pursuant to the provisions the IPRA, and its implementing rules and
27 regulations, in coordination with the AFPL-PAMB.

28 *SEC. 9. Tenured Migrants and Other AFPL Occupants. –Tenured*
29 *migrants shall be eligible become stewards of portions of lands within allowable*
30 *zones. The AFPL-PAMB shall identify, verify and review all tenorial instruments, land*
31 *claims, and issuances of permits for resource use within the AFPL and recommend*
32 *the issuance of the appropriate tenorial instrument consistent with the zoning*
33 *provided in the management plan.*

34 Should areas occupied by tenured migrants be designated as zones in which
35 no occupation or other activities are allowed pursuant to the attainment of
36 sustainable development, provision for the transfer of said tenured migrants to
37 multiple-use zones or buffer zones shall be accomplished through just and humane
38 means.

1 In the event of termination of a tenurial instrument for cause or by voluntary
2 surrender of rights, the PASu shall take immediate steps to rehabilitate the area in
3 order to return it to its natural state prior to the cultivation or other act by the tenured
4 migrant.

5 Other AFPL occupants who do not qualify as tenured migrants shall be
6 resettled outside the AFPL as determined by the AFPL-PAMB. The AFPL-PAMB
7 shall determine, plan and implement a definite schedule for resettling them outside of
8 the AFPL following the procedures set forth by existing law.

9 SEC. 10. *Prohibited Acts and Penalties.* – The following shall be the
10 prohibitions and penalties applicable to the AFPL, in addition to the prohibited acts
11 as provided in the NIPAS Act and its pertinent rules and regulations:

12 (A) The penalties provided for in Articles 309 and 310 of the Revised Penal
13 Code, depending on the value of the resources taken, damaged or destroyed, shall
14 be imposed upon any person who:

15 (1) Takes, destroys, collects, disturbs or possesses any wild terrestrial or
16 aquatic plants or animals, flora or fauna, sand, rocks or by-products derived
17 therefrom, within particularly identified regulated or prohibited areas zones in the
18 AFPL including private lands without the necessary permit, authorization or
19 exemption: *Provided*, That hunting of animals shall be absolutely prohibited except
20 for scientific research and for traditional hunting by the IPs/ICCs;

21 (2) Cuts, gathers, removes or collects timber or any forest products, within
22 particularly identified regulated or prohibited areas or zones in the AFPL including
23 private lands without the necessary permit, authorization or exemption;

24 (3) Possesses or transports, within or outside the AFPL any timber, forest
25 products, wild terrestrial or aquatic plants, animals, flora or fauna, or by-product
26 derived therefrom which is ascertained to have been taken from the AFPL;

27 (4) Undertakes mineral exploration or extraction within the AFPL;

28 (5) Engages in quarrying of sand, gravel, guano, limestone or any material
29 within the AFPL;

30 (6) Hunts, collects, removes or destroys any endangered or protected species,
31 except when collection or removal is for scientific research and exempted from the
32 prohibition by the AFPL-PAMB;

33 (7) Conducts bioprospecting within the AFPL without prior AFPL-PAMB
34 approval in accordance with existing guidelines; or

35 (8) Establishes or introduces exotic species within the AFPL which are
36 detrimental to endemic species or without prior AFPL-PAMB approval.

37 (B) A fine of not less than Five thousand pesos (P5,000.00) nor more than Five
38 hundred thousand pesos (P500,000.00) and/or imprisonment from one (1) year but

1 not more than six (6) years shall be imposed upon any person who:

2 (1) Violates any rules and regulations in the management plan or by the AFPL-
3 PAMB or agreements reached before the AFPL-PAMB in the exercise of adjudicative
4 functions;

5 (2) Erects any structure on land or on water for any purposes outside the
6 management plan: *Provided*, That large-scale private infrastructure and other
7 projects such as medium to high density residential subdivisions, medium to large
8 commercial and industrial establishments, golf-courses, heavily mechanized
9 commercial and non-traditional farming, and other activities that cause increased in-
10 migration, pollution and resource degradation are absolutely prohibited;

11 (3) Possesses a chainsaw, hacksaw and other mechanized equipment within
12 the AFPL without a permit;

13 (4) Throws, dumps or causes to be dumped into the AFPL any non-
14 biodegradable material or waste whether liquid, solid or gas;

15 (5) Uses, dumps, places or causes to be placed into the AFPL toxic chemicals,
16 including pesticides and other hazardous substances, unless the same is expressly
17 allowed in the management plan;

18 (6) Prospects, hunts or otherwise locates hidden treasures within the AFPL;

19 (7) Informally occupies or dwells in any land within the AFPL without clearance
20 from the AFPL-PAMB;

21 (8) Posseses or uses blasting caps or explosives anywhere within the AFPL;

22 (9) Destroys, excavates, vandalizes or, in any manner, damages any natural
23 formation on land, religious, spiritual, historical sites, artifacts and other objects of
24 natural or scenic value;

25 (10) Alters, removes or destroys boundary marks or signs;

26 (11) Engages in kaingin, or, in any manner, causing forest fires inside the AFPL;

27 or

28 (12) Purchases, or sells, mortgages or leases lands or other portions of the
29 AFPL which are covered by any tenurial instrument.

30 Valuation of the damage for this Act shall take into account biodiversity and
31 conservation considerations as well as aesthetic and scenic value. Valuation
32 assessed by the DENR or the concerned government agency shall be presumed
33 correct unless otherwise proven by preponderant evidence.

34 Any person who shall induce another or conspire to commit any of the illegal
35 acts prohibited in this Act or suffer their workers to commit any of the same shall be
36 liable in the same manner as the one actually performing the act.

37 All conveyances, vessels, equipments, paraphernalia, implements, gears,
38 tools and similar devices shall be subject to immediate and administrative

1 confiscation, independent of the judicial proceedings by the PASu Office upon
2 apprehension, subject however to due process and substantial evidence
3 requirements. When legal action is however filed in the regular courts, the said
4 conveyances, vessels, equipments, paraphernalia, implements, gears, tools and
5 similar devices, independent of the administrative proceedings, shall not be released
6 until after judgment has been rendered. Proceeds of the sale of all objects
7 administratively or judicially confiscated pursuant hereto shall accrue to the
8 Aliwagwag Falls Protected Landscape Fund. Procedure for the sale thereof shall be
9 promulgated by the AFPL-PAMB. However, in no case shall any confiscated or
10 rescued protected animal species be sold or in any manner disposed of but shall be
11 immediately turned over to the PASu office for release in its natural habitat, subject to
12 existing regulations.

13 The penalties specified in this Section will be in addition to the penalties
14 contained in RA 9072 (National Caves and Cave Resources Management and
15 Protection Act), RA 9147 (Wildlife Resources Conservation and Protection Act), and
16 other related laws.

17 Conviction for any offense under this Act, of a public officer or officer of the law
18 shall carry the accessory penalty of perpetual disqualification from public office.

19 SEC. 12. *Special Prosecutor and Retained Counsel.* – Within thirty (30)
20 days from the effectivity of this Act, the Department of Justice (DOJ) shall appoint a
21 special prosecutor to whom all cases of violation of laws, rules and regulations in the
22 AFPL shall be assigned. Such Special Prosecutor shall coordinate with the AFPL-
23 PAMB and the PASu in the performance of his/her duties and assist in the training of
24 wardens and rangers in arrest and criminal procedures. The AFPL-PAMB may retain
25 the services of a counsel to prosecute and/or assist in the prosecution of cases
26 under the direct control and supervision of the regular or special prosecutor and to
27 defend the members of the AFPL-PAMB, the PASu and the staff, or any person
28 assisting in the protection, conservation and sustainable development of the AFPL,
29 against any legal action related to their powers, functions and responsibilities as
30 provided in this Act or as delegated or tasked by the AFPL-PAMB.

31 SEC. 13. *Aliwagwag Falls Protected Landscape Fund.* –There is hereby
32 established a trust fund to be known as the Aliwagwag Falls Protected Landscape
33 Fund for purposes of financing projects of the AFPL. Seventy-five percent (75%)
34 income generated from the operation of the AFPL or management of wild flora and
35 fauna in the AFPL shall accrue to the fund. The remaining twenty-five percent (25%)
36 shall go to the Integrated Protected Areas Fund (IPAF) as established in the NIPAS
37 Act of 1992.

1 Income shall be derived from visitors/tourists fee, fees from permitted sale and
2 export of flora and fauna and other resources from the AFPL, proceeds from the
3 registration and lease of multiple-use areas, including tourism concessions, fees,
4 proceeds, and contributions from industries and facilities directly benefiting from the
5 AFPL, and such other fees and income derived from the operation of the AFPL.

6 The AFPL-PAMB may impose and charge reasonable fees, such as but not
7 limited to water users fee for water extracted by commercial water
8 extractors/distributors sourced and generated from the protected area. Such fee
9 structure may change as the AFPL-PAMB may see fit.

10 The Fund may be augmented by grants, donations, endowment from various
11 sources, domestic or foreign, for purposes related to their functions: *Provided*,
12 disbursements therefrom shall be made solely for the protection, maintenance,
13 administration and management of the system, and duly approved projects endorsed
14 by the AFPL-PAMB in accordance with existing accounting and budgeting rules and
15 regulations: *Provided, further*, That the Fund shall not be used to cover personal
16 services expenditures.

17 The LGUs shall continue to impose and collect all other fees not enumerated
18 herein which they have traditionally collected, such as business permits, property tax
19 and rentals of LGUs' facilities. *Provided*, LGUs may charge add-ons to fees imposed
20 by the AFPL-PAMB: *Provided*, That such add-ons shall be determined based on the
21 contribution of the LGUs in the maintenance and protection of the AFPL.

22 SEC. 14. *Existing Facilities Within the AFPL.* – Within sixty (60) days from
23 the effectivity of this Act, major existing facilities such as roads, buildings, water
24 systems, transmission lines, communication facilities, heavy equipment, and irrigation
25 facilities existing within the boundaries of the AFPL shall submit project description to
26 the AFPL-PAMB through the PASu.

27 The AFPL-PAMB, with the assistance of the DENR, shall determine whether
28 the existence of such facility and its future plan and operations will be detrimental to
29 the AFPL or whether conditions for its operation shall be imposed. If any such
30 conditions are violated, the owner of the facility shall be liable to pay a fine of Five
31 Thousand Pesos (P5,000.00) for every violation. Upon reaching a total fine of Five
32 Hundred Thousand Pesos (P500,000.00), the AFPL-PAMB through the PASu and
33 deputizing other government entities, shall cause the cessation and demolition of the
34 facility at the cost of its owner.

35 Existing facilities allowed to remain within the AFPL may be charged a
36 reasonable royalty by the DENR. All income from such royalty shall accrue to the
37 Aliwagwag Falls Protected Landscape Fund.

1 SEC. 15. *Utilization of Resources.* – Any exploitation of or utilization of
2 nonrenewable resources within the AFPL shall not be allowed. Energy projects within
3 the AFPL shall be allowed only through an act of Congress except energy from wind,
4 sun and water sources of not more than one (1) megawatt capacity for mini-hydro
5 power: *Provided*, That these renewable energy projects are established outside the
6 strict protection zone, adopt reduced impact technologies and undergo the
7 environmental impact assessment (EIA) system as provided by law and: *Provided*,
8 *Further*, that the AFPL-PAMB endorsement has been obtained.

9 SEC. 16. *Appropriations.* – The Secretary of the DENR shall include in its
10 program the implementation of this Act, the funding of which shall be included in the
11 annual General Appropriations Act.

12 SEC. 17. *Construction and Suppletory Application of Existing Laws.* The
13 provisions of this Act shall be construed liberally in favor of achieving biodiversity
14 conservation, protection and sustainable development Provisions of Republic Act No.
15 7586, otherwise known as the National Integrated Protected Areas Management Act
16 of 1992 and existing forestry laws, and their corresponding rules and regulations not
17 inconsistent hereto shall have the suppletory effect in the implementation of this Act.

18 SEC. 18. *Transitory Provisions.* – In order to ensure the recovery and
19 restoration of biological diversity and to develop sustainable livelihood opportunities
20 for tenured migrants, the DENR shall henceforth cease to issue concessions,
21 licenses, permits, clearances, compliance documents or any other instrument that
22 allows exploitation and utilization of resources within the AFPL until the management
23 plan shall have been put into effect.

24 All existing land use and resource use permits within the AFPL shall be
25 reviewed and shall not be renewed upon their expiration unless consistent with the
26 management plan and approved by the AFPL-PAMB. Moreover, areas determined
27 by wildlife habitat and potable water sources and reservoirs shall be declared
28 protected and special use zones, respectively, and their management and uses shall
29 be consistent with the provision of the respective executive orders, presidential
30 proclamations and amendments establishing them.

31 SEC. 19. *Reporting Responsibility.* – The PASu, through the AFPL-PAMB, shall
32 submit an annual accomplishment report to the Secretary of the DENR on the
33 activities undertaken in the AFPL.

34 SEC. 20. *Separability Clause.* – If, for any reason, any part or section of this
35 Act is declared invalid or unconstitutional, such other parts not affected thereby shall
36 continue to be in full force and effect.

1 SEC. 21. *Repealing Clause.* –All laws, decrees, proclamations, rules and
2 regulations inconsistent with the provisions of this Act are hereby repealed or
3 modified accordingly.

4 SEC. 22. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its
5 complete publication in the *Official Gazette* or in a national newspaper of general
6 circulation available in the AFPL.

7 Approved.