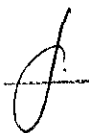


12 SEP -3 28 02

SENATE

SENATE BILL NO. 3268

BY: 

(In substitution of SBN 2152, taking into consideration HBN 5432)

Prepared jointly by the Committees on Environment and Natural Resources; and
Finance with Senators Cayetano (P.), Escudero and Drilon as authors

AN ACT

**ESTABLISHING THE AGOO-DAMORTIS PROTECTED LANDSCAPE AND SEASCAPE IN
THE PROVINCE OF LA UNION AS A PROTECTED AREA UNDER THE CATEGORY OF
PROTECTED LANDSCAPE AND SEASCAPE, PROVIDING FOR ITS MANAGEMENT AND
FOR OTHER PURPOSES**

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “Agoo-Damortis
2 Protected Landscape and Seascape (ADPLS) Act of 2012”.

3 **SEC. 2. Declaration of Policy.** – Considering the diversity of the unique biological
4 resources of the Province of La Union and its aesthetic, educational, sociocultural,
5 economic and ecological importance, it is hereby declared the policy of the State to
6 ensure its protection and conservation including the local communities therein and
7 their cultural and way of life insofar as they are in harmony with nature.

8 In so doing, the State shall ensure the full implementation of this Act, the
9 mobilization of resources for the institutional mechanisms herein established, and the
10 full scientific and technical support needed for the conservation of biodiversity and the
11 integrity of the ecosystems, culture and religious practices.

1 All lands comprising the Agoo-Damortis Protected Landscape and Seascape
2 (ADPLS) shall fall under the classification of National Park as provided for in the
3 Philippine Constitution.

4 **SEC. 3. Scope and Coverage.** – The boundaries of the ADPLS, which falls under the
5 category of Protected Landscape and Seascape as defined herein, within the Province of
6 La Union, are as follows:

7 Parcel I

8 Beginning at Corner "1", N34°23'45"W, 5,314.48 meters from BLLM #1, CAD
9 314-D, Agoo, Cadastre (N-1806567.81 and E-218537.90)

10	Line	Bearing	Distance (Meters)
11	1-2	S 32°40'40" E	327.20
12	2-3	S 07°55'14" E	105.19
13	3-4	N 41°29'47" E	31.45
14	4-5	S 39°42'35" E	69.48
15	5-6	S 48°10'47" W	23.10
16	6-7	S 31°11'05" E	80.48
17	7-8	S 28°44'42" E	138.46
18	8-9	S 24°20'27" E	41.76
19	9-10	N 71°33'54" E	20.05
20	10-11	S 31°50'07" E	194.08
21	11-12	N 58°20'55" E	77.69
22	12-13	S 15°18'46" E	78.90
23	13-14	S 69°08'43" W	20.36
24	14-15	S 04°36'59" E	34.91

1	15-16	N 88°27'39" W	17.29
2	16-17	S 04°05'08" E	146.23
3	17-18	N 67°16'54" E	18.38
4	18-19	S 02°59'25" E	121.56
5	19-20	S 03°48'27" E	266.03
6	20-21	S 06°33'48" W	321.00
7	21-22	S 01°31'16" E	392.41
8	22-23	S 08°44'29" W	426.22
9	23-24	S 09°01'05" W	326.55
10	24-25	S 10°15'59" W	424.44
11	25-26	S 08°38'10" W	413.27
12	26-27	S 30°58'40" W	315.94
13	27-28	S 00°53'33" W	319.84
14	28-29	S 03°16'04" W	294.01
15	29-30	S 04°57'41" W	413.76
16	30-31	S 03°13'28" W	64.42
17	31-32	S 02°56'17" E	273.96
18	32-33	S 07°20'07" E	244.80
19	33-34	S 08°27'18" E	135.55
20	34-35	S 03°35'53" E	295.92
21	35-36	S 01°23'40" E	241.96
22	36-37	S 01°03'39" W	48.93
23	37-38	S 01°06'44" E	93.33
24	38-39	S 00°05'51" W	265.44

1	39-40	S 12°42'29" E	455.06
2	40-41	S 33°57'13" E	81.91
3	41-42	S 40°09'56" E	129.22
4	42-43	S 19°01'32" E	166.74
5	43-44	S 23°14'10" E	90.70
6	44-45	S 20°29'50" E	103.49
7	45-46	S 21°35'43" E	257.23
8	46-47	S 25°29'00" E	386.38
9	47-48	S 25°03'09" E	307.01
10	48-49	S 31°29'22" E	533.33
11	49-50	S 29°22'17" E	206.88
12	50-51	S 22°49'27" E	409.87
13	51-52	S 16°46'09" E	354.82
14	52-53	S 12°09'28" E	402.20
15	53-54	S 09°57'23" E	379.88
16	54-55	S 34°49'38" E	310.12
17	55-56	S 51°26'29" E	239.82
18	56-57	S 26°56'39" E	244.92
19	57-58	S 42°47'55" E	508.69
20	58-59	S 48 °02'11" E	326.53
21	59-60	S 35°55'01" E	294.20
22	60-61	S 05°29'32" E	189.31
23	61-62	S 29°58'17" E	511.40
24	62-63	N 61°58'55" E	111.86

1	63-64	N 29°10'22" E	489.73
2	64-65	N 15°18'03" W	99.56
3	65-66	N 46°18'22" W	491.79
4	66-67	N 13°47'39" W	416.05
5	67-68	N 25°38'27" W	728.56
6	68-69	N 57°54'29" E	1081.11
7	69-70	S 60°37'54" E	273.40
8	70-71	S 04°51'23" W	139.11
9	71-72	S 54°09'23" E	2260.34
10	72-73	S 24°54'08" E	2164.43
11	73-74	N 87°11'24" E	147.85
12	74-75	S 09°45'08" E	117.66
13	75-76	S 18°35'15" E	268.58
14	76-77	S 14°25'24" E	260.05
15	77-78	S 22°50'17" E	274.26
16	78-79	S 20°34'31" E	314.49
17	79-80	S 41°43'05" E	229.39
18	80-81	S 29°24'56" E	195.53
19	81-82	S 11°08'02" E	86.79
20	82-83	S 18°11'56" E	208.85
21	83-84	S 16°01'15" E	329.90
22	84-85	S 17°58'53" E	162.87
23	85-86	S 52°18'20" E	25.19
24	86-87	S 07°46'46" E	324.60

1	87-88	S 17°55'03" E	285.64
2	88-89	S 14°15'05" E	292.57
3	89-90	S 25°49'52" E	221.43
4	90-91	S 21°34'53" E	219.21
5	91-92	S 46°58'29" E	195.18
6	82-93	S 88°57'53" W	4914.67
7	93-94	N 53°18'37" W	6304.71
8	94-95	N 29°38'36" W	4194.52
9	95-96	N 22°01'26" W	1601.73
10	96-97	N 21°49'58" W	2764.87
11	97-98	N 02°49'35" E	5502.18
12	98-99	N 84°05'21" E	5217.01
13	99-100	S 06°06'55" E	21.05
14	100-1	S 17°41'25" E	21.72

15 the point of beginning containing an area of ten thousand seven hundred seventy-four
16 and 68/100 (10,774.68) hectares.

17 Parcel II

18 Beginning at Corner "1", N34°23'45"W, 5,314.48 meters from BLLM #1, CAD
19 314-D, Agoo, Cadastre (N-1806567.81 and E-218537.90)

20	Line	Bearing	Distance
21	1-2	N 78°07'33" E	50.95
22	2-3	S 33°26'23" E	335.04
23	3-4	S 06°37'57" E	45.67
24	4-5	S 39°38'03" E	135.62

1	5-6	S 44°59'59" W	22.38
2	6-7	S 25°03'27" E	179.35
3	7-8	N 73°04'20" E	25.36
4	8-9	S 28°24'18" E	176.32
5	9-10	N 59°02'10" E	110.73
6	10-11	S 11°57'54" E	162.85
7	11-12	S 20°07'10" W	113.48
8	12-13	S 09°09'44" E	33.13
9	13-14	S 19°29'10" E	72.74
10	14-15	S 05°20'29" E	130.33
11	15-16	S 05°05'23" E	261.62
12	16-17	S 06°48'07" W	325.13
13	17-18	S 01°35'28" E	398.95
14	18-19	S 08°37'50" W	418.31
15	19-20	S 08°46'49" W	335.21
16	20-21	S 10°35'35" W	421.81
17	21-22	S 07°53'42" W	418.59
18	22-23	S 31°20'21" W	317.46
19	23-24	S 01°21'50" W	310.26
20	24-25	S 02°29'06" W	304.13
21	25-26	S 04°15'20" W	405.19
22	26-27	S 05°31'39" W	65.72
23	27-28	S 02°19'17" E	273.48
24	28-29	S 07°16'39" E	245.69

1	29-30	S 09°54'15" E	134.94
2	30-31	S 02°57'14" E	296.86
3	31-32	S 02°59'11" E	242.99
4	32-33	S 04°51'52" W	49.77
5	33-34	S 00°19'59" E	90.73
6	34-35	S 00°13'35" E	266.92
7	35-36	S 13°08'02" E	438.76
8	36-37	S 30°34'45" E	53.92
9	37-38	S 39°48'20" E	144.20
10	38-39	S 20°33'21" E	189.30
11	39-40	S 22°46'13" E	92.68
12	40-41	S 21°41'39" E	366.75
13	41-42	S 24°46'51" E	363.71
14	42-43	S 25°37'00" E	313.57
15	43-44	S 31°17'45" E	514.86
16	44-45	S 30°08'41" E	234.24
17	45-46	S 22°33'03" E	404.40
18	46-47	S 16°34'05" E	353.33
19	47-48	S 12°23'15" E	418.03
20	48-49	S 09°43'39" E	374.64
21	49-50	S 36°10'21" E	260.08
22	50-51	S 52°44'31" E	249.20
23	51-52	S 25°13'16" E	241.40
24	52-53	S 42°43'59" E	499.85

1	53-54	S 48°15'33" E	328.03
2	54-55	S 35°49'16" E	334.39
3	55-56	S 04°03'44" E	186.15
4	56-57	S 29°44'11" E	451.99
5	57-58	N 61°17'38" E	50.52
6	58-59	N 29°49'48" E	439.03
7	59-60	N 12°48'15" W	71.41
8	60-61	N 46°21'31" W	487.66
9	61-62	N 14°16'29" W	430.01
10	62-63	N 25°18'32" W	774.91
11	63-64	N 58°06'40" E	1154.33
12	64-65	S 60°35'49" E	328.79
13	65-66	S 02°38'33" W	137.30
14	66-67	S 54°05'57" E	2245.41
15	67-68	S 24°59'13" E	2141.70
16	68-69	S 89°37'57" E	164.59
17	69-70	S 07°41'12" E	173.53
18	70-71	S 18°54'32" E	262.07
19	71-72	S 15°19'33" E	261.45
20	72-73	S 21°48'05" E	272.71
21	73-74	S 19°49'12" E	269.15
22	74-75	S 42°01'34" E	230.08
23	75-76	S 30°21'05" E	228.62
24	76-77	S 08°52'50" E	102.51

1	77-78	S 19°10'44" E	205.53
2	78-79	S 16°05'02" E	329.40
3	79-80	S 17°29'27" E	131.63
4	80-81	S 38°09'26" E	37.57
5	81-82	S 07°19'25" E	339.32
6	82-83	S 18°32'18" E	277.08
7	83-84	S 14°51'16" E	304.53
8	84-85	S 27°28'27" E	208.10
9	85-86	S 20°27'14" E	208.31
10	86-87	S 47°05'15" E	235.52
11	87-88	S 88°25'31" W	72.44
12	88-89	N 46°58'29" W	195.18
13	89-90	N 21°34'53" W	219.21
14	90-91	N 25°49'52" W	221.43
15	91-92	N 14°15'05" W	292.57
16	92-93	N 17°55'03" W	285.64
17	93-94	N 07°46'46" W	324.60
18	94-95	N 52°18'20" W	25.19
19	95-96	N 17°58'53" W	162.87
20	96-97	N 16°01'15" W	329.90
21	97-98	N 18°11'56" W	208.85
22	98-99	N 11°08'02" W	86.79
23	99-100	N 29°24'56" W	195.53
24	100-101	N 41°43'05" W	229.39

1	101-102	N 20°34'31" W	314.49
2	102-103	N 22°50'17" W	274.26
3	103-104	N 14°25'24" W	260.05
4	104-105	N 18°35'15" W	268.58
5	105-106	N 09°45'08" W	117.66
6	106-107	S 87°11'24" W	147.85
7	107-108	N 24°54'08" W	2164.43
8	108-109	N 54°09'23" W	2260.34
9	109-110	N 04°51'23" E	139.11
10	110-111	N 60°37'54" W	273.40
11	111-112	S 57°54'29" W	1081.11
12	112-113	S 25°38'27" E	728.56
13	113-114	S 13°47'39" E	416.05
14	114-115	S 46°18'22" E	491.79
15	115-116	S 15°18'03" E	99.56
16	116-117	S 29°10'22" W	489.73
17	117-118	S 61°58'55" W	111.86
18	118-119	N 29°58'17" W	511.40
19	119-120	N 05°29'32" W	189.31
20	120-121	N 35°55'01" W	294.20
21	121-122	N 48°02'11" W	326.53
22	122-123	N 42°47'55" W	508.69
23	123-124	N 26°56'39" W	244.92
24	124-125	N 51°26'29" W	239.82

1	125-126	N 34°49'38" W	310.12
2	126-127	N 09°57'23" W	379.88
3	127-128	N 12°09'28" W	402.20
4	128-129	N 16°46'09" W	354.82
5	129-130	N 22°49'27" W	409.87
6	130-131	N 29°22'17" W	206.88
7	131-132	N 31°29'22" W	533.33
8	132-133	N 25°03'09" W	307.01
9	133-134	N 25°29'00" W	386.38
10	134-135	N 21°35'43" W	257.23
11	135-136	N 20°29'50" W	103.49
12	136-137	N 23°14'10" W	90.70
13	137-138	N 19°01'32" W	166.74
14	138-139	N 40°09'56" W	129.22
15	139-140	N 33°57'13" W	81.91
16	140-141	N 12°42'29" W	455.06
17	141-142	N 00°05'51" E	265.44
18	142-143	N 01°06'44" W	93.33
19	143-144	N 01°03'39" E	48.93
20	144-145	N 01°23'40" W	241.96
21	145-146	N 03°35'53" W	295.92
22	146-147	N 08°27'18" W	135.55
23	147-148	N 07°20'07" W	244.80
24	148-149	N 02°56'17" W	273.96

1	149-150	N 03°13'28" E	64.42
2	150-151	N 04°57'41" E	413.76
3	151-152	N 03°16'04" E	294.01
4	152-153	N 00°53'33" E	319.84
5	153-154	N 30°58'40" E	315.94
6	154-155	N 08°38'10" E	413.27
7	155-156	N 10°15'59" E	424.44
8	156-157	N 09°01'05" E	326.55
9	157-158	N 08°44'29" E	426.22
10	158-159	N 01°31'16" W	392.41
11	159-160	N06°33'48" E	321.00
12	160-161	N 03°48'27" W	266.03
13	161-162	N 02°59'25" W	121.56
14	162-163	N 17°41'25" W	21.72
15	163-164	S 67°16'54" W	18.38
16	164-165	N 04°05'08" W	146.23
17	165-166	S 88°27'39" E	17.29
18	166-167	N 06°06'55" W	21.05
19	167-168	N 04°36'59" W	34.91
20	168-169	N 69°08'43" E	20.36
21	169-170	N 15°18'46" W	78.90
22	170-171	S 58°20'55" W	77.69
23	171-172	N 31°50'07" W	194.08
24	172-173	S 71°33'54" W	20.05

1	173-174	N 24°20'27" W	41.76
2	174-175	N 28°44'42" W	138.46
3	175-176	N 31°11'05" W	80.48
4	176-177	N 48°10'47" E	23.10
5	177-178	N 39°42'35" W	69.48
6	178-179	S 41°29'47" W	31.45
7	179-180	N 07°55'14" W	105.19
8	180-1	N 32°40'40" W	327.20

9 the point of beginning containing an area of one hundred thirty-eight and 62/100
10 (138.62) hectares.

11 The ADPLS shall cover a total land area of ten thousand nine hundred thirteen
12 and 33/100 (10,913.33) hectares.

13 The Department of Environment and Natural Resources (DENR) shall
14 appropriately mark on the ground the technical descriptions provided in this Act with
15 clearly visible markers and shall prepare appropriate maps therefor. Any modification
16 of the coverage of this Act due to such factors as changing ecological situations, new
17 scientific or archeological findings, or discovery of traditional boundaries not previously
18 taken into account shall be made through an act of Congress, after consultation with the
19 affected public and concerned government agencies.

20 **SEC. 4. Definition of Terms.** – For purposes of this Act, the following terms are
21 defined as follows:

22 (a) "ADPLS Fund" refers to the special trust fund to be established for the
23 purpose of financing projects in the ADPLS.

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

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

6 (d) "*Bioprospecting*" refers to the research, collection and utilization of
7 biological and genetic resources for purposes of applying the knowledge derived
8 therefrom solely for commercial purposes.

9 (e) "*Collection*" or "*Collecting*" refers to the act of gathering or harvesting
10 wildlife, its by-products or derivatives.

11 (f) "*Conservation*" refers to the sustainable utilization of wildlife, and/or
12 maintenance, restoration and enhancement of the habitat.

13 (g) "*Consultation*" refers to the meeting or dialogue with concerned or affected
14 individual and groups within and outside the ADPLS designated to identify and resolve
15 issues and problems affecting them in relation to the protection, conservation and
16 sustainable development of the ADPLS.

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

20 (i) "*Endangered Species*" refer to the species or subspecies that is not critically
21 endangered but whose survival in the wild is unlikely if the causal factors continue
22 operating.

23 (j) "*Endemic Species*" refer to the species or subspecies of flora and fauna
24 which are naturally occurring and found only within specific areas in the country.

1 (k) "*Exotic Species*" refer to the species or subspecies of flora and fauna which
2 do not naturally occur within the protected area at present or in historical time.

3 (l) "*Exploitation*" refers to any mode of use, extraction, development,
4 utilization or disposition of resources, for whatever purpose, whether commercial or
5 otherwise.

6 (m) "*Exploration*" refers to the searching or prospecting for mineral resources,
7 as defined by law, by geological, geo-chemical or geophysical surveys, remote sensing,
8 rest pitting, trenching, drilling, shaft sinking, tunneling or any other means for the
9 purpose of determining the existence, extent, quantity and quality thereof and the
10 feasibility of mining them for profit.

11 (n) "*Habitat*" refers to the place or type of environment where a species or
12 subspecies naturally occurs or has naturally established its population.

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

15 (p) "*Management Plan*" refers to the fundamental plan, strategy and/or scheme
16 which shall guide all activities relating to the ADPLS in order to attain the objectives of
17 this Act.

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

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

1 (s) "*National Integrated Protected Areas System (NIPAS)*" refers to the
2 classification and administration of all designated protected areas to maintain essential
3 ecological processes and life-support systems, to preserve genetic diversity, to ensure
4 sustainable use of resources found therein, and to maintain their natural conditions to
5 the greatest extent possible.

6 (t) "*NIPAS Act*" refers to the National Integrated Protected Areas System
7 (NIPAS) Act of 1992 or Republic Act No. 7586, and its implementing rules and
8 regulations.

9 (u) "*National Park*" refers to the land of the public domain classified as such in
10 the 1987 Constitution which include all areas under the National Integrated Protected
11 Areas System (NIPAS) pursuant to Republic Act No. 7586 primarily designated for the
12 conservation of native plants and animals, their associated habitats and cultural
13 diversity.

14 (v) "*Nongovernment Organization (NGO)*" refers to the agency, institution,
15 foundation or a group of persons whose purpose is to assist people's
16 organizations/associations in various ways including, but not limited to, organizing,
17 education, training, research and/or resource accessing.

18 (w) "*People's Organization (PO)*" refers to the group of organized migrant
19 communities and/or interested indigenous peoples which may be an association,
20 cooperative, federation, or other legal entity, established to undertake collective action
21 to address community concerns and needs, and mutually share the benefits of the
22 endeavor.

1 (x) "*Protected Area*" refers to the identified portions of land and/or water set
2 aside by reasons of their unique physical and biological significance, managed to
3 enhance biological diversity and protected against destructive human exploitation.

4 (y) "*Protected Area Management Board (PAMB)*" refers to the multi-sectoral
5 policy-making body created in accordance with the NIPAS Act of 1992.

6 (z) "*Protected Area Superintendent (PASu)*" refers to the chief operating DENR
7 officer of the protected area.

8 (aa) "*Protected Landscape and Seascape*" refer to the areas of national
9 significance which are characterized by the harmonious interaction of man and land
10 while providing opportunities for public enjoyment through recreation and tourism
11 within the normal lifestyle and economic activity of these areas.

12 (bb) "*Quarrying*" refers to the process of extracting, removing and disposing
13 quarry resources found on or underneath the surface of private or public land.

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

20 (dd) "*Tenured migrant*" refers to forest occupants who have actually and
21 continuously occupied a portion of the protected area for at least five (5) years, and are
22 solely dependent therein for subsistence, as of the passage of this Act. An ADPLS
23 occupant is understood to be "solely dependent for subsistence" when everything

1 indispensable for survival for the household, including food, clothing, shelter and health,
2 comes only from the utilization of resources from the protected area.

3 (ee) "*Wildlife*" refers to the wild forms and varieties of flora and fauna, in all
4 developmental stages, including those which are in captivity or are being bred or
5 propagated.

6 **SEC. 5. *Management Plan.*** — There shall be a Management Plan promulgated for
7 the ADPLS that shall serve as the basic long-term framework plan in the management of
8 the protected area and guide in the preparation of its annual operations plan and
9 budget.

10 Within one (1) year from the effectivity of this Act, the Management Plan shall
11 have been put into effect following the general management planning strategy provided
12 for under the NIPAS Act and according to the procedure herein set forth. It shall contain,
13 among others, the following:

14 (a) The category of the protected area;

15 (b) Period of applicability of the plan;

16 (c) Key management issues;

17 (d) Goals and objectives of management in support of Section 2 hereof;

18 (e) Site management strategy;

19 (f) Major management activities such as, but not limited to, enforcement of
20 laws, habitat and wildlife management, sustainable-use management, infrastructure
21 development and maintenance, and fire and pest control;

22 (g) Zoning; and

23 (h) Visitor management programs.

1 The preparation of the Management Plan shall be facilitated by the Office of the
2 Protected Area Superintendent (PASu) in collaboration with the appropriate offices of
3 the department, local communities, indigenous cultural communities/indigenous
4 peoples (ICCs/IPs), NGOs, experts and other stakeholders within the ADPLS. The
5 Management Plan shall be approved by the majority of the PAMB and endorsed to the
6 Secretary through Protected Areas and Wildlife Bureau (PAWB). The Management Plan
7 is deemed accepted unless formal written disapproval from the Secretary is received
8 by the PAMB on the ground of inconsistency with existing laws and related rules and
9 regulations.

10 **SEC. 6. *Management of the ADPLS.*** – There is hereby created a PAMB which shall
11 have jurisdiction, power and authority over the ADPLS for all matters that may affect
12 biodiversity conservation, protection and sustainable development. The composition of
13 which shall be in accordance with the pertinent provision of the NIPAS Act of 1992:
14 *Provided, That at least twenty percent (20%) of the PAMB members shall be comprised*
15 *of women pursuant to Republic Act No. 9710 or the Magna Carta of Women and its*
16 *implementing rules and regulations.*

17 The representatives from the local government units (LGUs) and national
18 agencies in the PAMB shall include among their duties, the duty to inform their
19 respective constituents, office or sector, of PAMB-approved or other relevant policies,
20 rules, regulations, programs and projects and to ensure that the provisions of this Act,
21 the NIPAS Act and its implementing rules and regulations are observed, complied with,
22 and used as reference and framework in their respective plans, policies, programs and
23 projects. Failure to comply with the foregoing shall subject such representative to
24 disciplinary action as the PAMB may provide.

1 The members of the PAMB shall not receive any salary but shall be entitled to
2 reimbursements for actual and necessary expenses incurred, either in their attendance
3 in meetings of the PAMB or in connection with other official business authorized by a
4 resolution of the PAMB, subject to existing rules and regulations.

5 **SEC. 7. Powers and Functions of the PAMB.** – The PAMB of the ADPLS, which shall
6 decide by consensus or majority vote of the members present constituting a quorum of
7 majority of all the members, shall have the following powers and functions in addition
8 to those provided under the NIPAS Act of 1992 and its implementing rules and
9 regulations:

10 (a) Issue implementing rules and regulations consistent with the provisions of
11 this Act if the same is warranted for its effective implementation.

12 (b) Adopt rules of procedures in the conduct of its business with the power to
13 create committees for purposes of technical, manpower and other related assistance;

14 (c) Approve the management plan and oversee the office of the PASu;

15 (d) Establish reasonable criteria consistent with the provisions of this Act and
16 accordingly set and impose processing and research fees and other charges for the
17 issuance of permits, certifications and other papers for activities regulated by this Act or
18 the management plan, whose proceeds shall form part of the ADPLS;

19 (e) Recommend to the DENR for approval the deputization of persons or group
20 of persons pursuant to the NIPAS Act and its implementing rules and regulations for the
21 effective enforcement of the provisions of this Act and other laws, rules and regulations
22 governing the conduct or management of the ADPLS;

1 (f) Manage the ADPLS Fund, and other funds for the ADPLS, ensure their
2 proper administration and render accounting, all subject to existing government
3 auditing rules and regulations; and

4 (g) Recommend appropriate policy changes to the DENR and other
5 government authorities.

6 The DENR, through the RED, shall ensure that the PAMB acts within the scope of
7 its powers and functions. In case of conflict between administrative orders of national
8 application issued by the DENR pursuant to the NIPAS Act and the resolutions issued by
9 the PAMB, the PAMB shall notify the DENR Secretary who shall decide whether to apply
10 the rule or withdraw its application in the ADPLS.

11 **SEC. 8. *The Protected Area Superintendent (PASu) Office.*** – There is hereby
12 established a PASu Office within the protected area to be in charge of the management,
13 protection and administration of the ADPLS. The PASu shall be supported by the
14 existing personnel of the DENR. The head of office shall be the chief operating officer of
15 the ADPLS and shall be directly accountable to the PAMB.

16 The PASu shall have full responsibility for the protection of land, water, wildlife
17 and other natural physical and biological resources within the ADPLS. As such, the PASu
18 shall have the following duties and responsibilities in addition to those provided under
19 the NIPAS Act and its implementing rules and regulations:

20 (a) Establish, operate and maintain a database management system as decision
21 support tool;

22 (b) Prepare the management plans as herein defined;

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

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

8 (e) Monitor all activities within the ADPLS to ensure its conformity with the
9 management plan;

10 (f) Recommend the issuance of permits based on terms, conditions and criteria
11 established by PAMB;

12 (g) Ensure the integration of the ADPLS management policies, regulations,
13 programs and projects at all the concerned national and local government units level;
14 and

15 (h) Perform such other functions as the PAMB may delegate.

16 The PASu shall be supported by a sufficient number of personnel who shall be
17 performing day to day management, protection and administration of the ADPLS. Upon
18 the recommendation of the PAMB, the DENR Regional Executive Director shall deputize
19 local community leaders and environment and natural resources officers.

20 **SEC. 9. *Integrated Protected Area Fund of the ADPLS.*** - The Integrated Protected
21 Area Fund (IPAF) shall be established as a special trust fund and shall be disbursed
22 solely for the protection, maintenance, administration and management of ADPLS and
23 the System. At least seventy-five percent (75%) of the funds collected shall form part of
24 ADPLS Sub-fund which shall be solely disbursed for its use. The ADPLS Sub-fund shall

1 likewise be exempted from being deposited in the National treasury and shall be made
2 readily available for disbursement upon proper approval of the PAMB and the DENR,
3 subject to the usual accounting and auditing rules and regulations.

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

11 The LGUs shall continue to impose and collect all other fees not enumerated
12 herein which they have traditionally collected, such as business permits and rentals of
13 LGUs facilities: *Provided,* That the LGUs shall not impose property tax and issue new tax
14 declaration for areas covered by the ADPLS. Furthermore, LGUs may charge add-ons to
15 fees imposed by the PAMB: *Provided,* That such add-ons shall be based on the
16 contribution of the LGUs in the maintenance and protection of the ADPLS.

17 **SEC. 10. Tenured Migrants and Other ADPLS Stakeholders.** – Tenured migrants
18 shall be eligible to become stewards of portions of lands within allowable zones. The
19 PAMB shall identify, verify and review all tenurial instruments, land claims, and
20 issuances of permits for resource use within the ADPLS and recommend the issuance of
21 the appropriate tenure instrument consistent with the zoning provided in the
22 Management Plan.

23 Should areas occupied by tenured migrants be designated as zones in which no
24 occupation or other activities are allowed pursuant to the attainment of sustainable

1 development, provision for the transfer of said tenured migrants to multiple use zones
2 or buffer zones shall be accomplished through just and humane means.

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

7 Within three (3) months from the passage of this Act, the PASu shall submit to the
8 PAMB the complete list of tenured migrants which list shall be final upon approval of
9 the PAMB.

10 **SEC. 11.** *Existing Facilities Within the ADPLS.* – Within sixty (60) days from the
11 effectivity of this Act, existing facilities such as roads, buildings, water systems,
12 transmission lines, communication facilities, heavy equipment, and irrigation facilities
13 existing within the boundaries of the ADPLS shall submit project descriptions to the
14 PAMB through the PASu.

15 The PAMB, with the assistance of the DENR, shall determine whether the
16 existence of such facility and its future plans and operations will be detrimental to the
17 ADPLS or whether conditions for its operation shall be imposed. If any such conditions
18 are violated, the owner of the facility shall be liable to pay a fine of Five thousand pesos
19 (P5,000.00) for every violation. Upon reaching a total fine of Five hundred thousand
20 pesos (P500,000.00), the PAMB through the PASu and deputizing other government
21 entities, shall cause the cessation and demolition of the facility at the cost of its owner.

22 Existing facilities allowed to remain within the ADPLS may be charged a
23 reasonable royalty by the PAMB. All income from such royalty shall accrue to the ADPLS
24 Fund.

1 **SEC. 12. *Renewable and Nonrenewable Resources.*** – Any exploration and
2 exploitation or utilization of nonrenewable resources including mining within the
3 ADPLS shall not be allowed. Renewable energy projects within the ADPLS shall be
4 permitted only through an act of Congress except energy from wind, sun and water
5 sources and not more than three (3) megawatt capacity for mini-hydro power:
6 *Provided, That these renewable energy projects are outside the strict protection zone,*
7 *adopt reduced impact technologies, and undergo the Environmental Impact Assessment*
8 *(EIA) System as provided by law: *Provided, further, That the PAMB has endorsed the**
9 *project.*

10 **SEC. 13. *Local Government Units.*** – The local government units (LGUs) within the
11 ADPLS shall participate in its management through representation in the PAMB as
12 provided under Section 6 hereof. Said LGUs may appropriate portions of their share
13 from the annual internal revenue allotment and other income for use of the ADPLS:
14 *Provided, That all funds directly coming from the LGUs shall be exempted from the*
15 *twenty-five percent (25%) remittance requirement for the central Integrated Protected*
16 *Areas Fund (IPAF).*

17 **SEC. 14. *Prohibited Acts and Penalties.*** – The following shall be the prohibitions
18 and penalties applicable to the ADPLS, in addition to the prohibited acts as provided in
19 the NIPAS Act and its implementing rules and regulations:

20 (a) The penalties and qualifications prescribed in Articles 309 (Penalties) and
21 310 (Qualified Theft) of the Revised Penal Code, depending on the value of the
22 resources involved in connection with the prohibited act or a fine of at least triple the
23 value of the said resources, or both, shall be imposed upon any person who:

1 (1) Takes, destroys, collects, disturbs or possesses any wild terrestrial or
2 aquatic plants or animals, flora or fauna, sand, rocks, or by-products derived therefrom,
3 within particularly identified regulated or prohibited areas or zones in the ADPLS
4 including private lands without the necessary permit, authorization or exemption:
5 *Provided*, That hunting of animals shall be absolutely prohibited except for scientific
6 research;

7 (2) Cuts, gathers, removes or collect timber or any forest products, within
8 particularly identified regulated or prohibited areas or zones in the ADPLS including
9 private lands without the necessary permit, authorization or exemption;

10 (3) Possesses or transports, within or outside the ADPLS any timber, forest
11 products, wild terrestrial or aquatic plants, animals, or by-products derived therefrom
12 which is ascertained to have been taken from the ADPLS;

13 (4) Undertakes mineral exploration or extraction within the ADPLS;

14 (5) Engages in quarrying of sand, gravel, guano, limestone or any material
15 within the ADPLS;

16 (6) Hunts, collects, removes or destroys any endangered or protected species,
17 except when collection or removal is for scientific research and exempted from the
18 prohibition by the PAMB;

19 (7) Conducts bioprospecting within the ADPLS without prior PAMB approval in
20 accordance with existing guidelines;

21 (8) Engages in *kaingin* or, in any manner, causing forest fires inside the ADPLS;

22 or

23 (9) Establishes or introduces any exotic species, within the ADPLS, which are
24 detrimental to endemic species and the ecosystem therein.

1 (b) A fine of not less than Five thousand pesos (P5,000.00) but not more than
2 Five hundred thousand pesos (P500,000.00) or imprisonment from one (1) year but not
3 more than six (6) years, or both, shall be imposed upon any person who:

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

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

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

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

16 (5) Uses, dumps, places or causes to be placed into the ADPLS toxic chemicals
17 and non-biodegradable products, including pesticides and other hazardous substances,
18 soaps and shampoos, and washing detergents, unless the same is expressly allowed in
19 the management plan;

20 (6) Prospects, hunts or otherwise locates hidden treasures within the ADPLS;

21 (7) Informally occupies or dwells in any land within the ADPLS without
22 clearance from the PAMB;

23 (8) Possesses or uses blasting caps or explosives anywhere within the ADPLS;

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

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

5 (11) Purchases or sells, mortgages or leases lands or other portions of the
6 ADPLS which are covered by any tenurial instrument.

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

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

14 All conveyances, vessels, equipments, paraphernalia, implements, gears, tools
15 and similar devices shall be subject to immediate and administrative confiscation,
16 independent of the judicial proceedings by the PASu Office upon apprehension, subject
17 however to due process and substantial evidence requirements. When legal action is
18 however, filed in the regular courts, the said conveyances, vessels, equipments,
19 paraphernalia, implements, gears, tools and similar devices, independent of the
20 administrative proceedings, shall not be released until after judgment has been
21 rendered. Proceeds of the sale of all objects administratively or judicially confiscated
22 pursuant hereto shall accrue to the ADPLS Fund. Procedure for the sale thereof shall be
23 promulgated by the PAMB. However, in no case shall any confiscated or rescued
24 protected animal species be sold or in any manner disposed of but shall be immediately

1 turned over to the PASu Office for release in its natural habitat, subject to existing
2 regulations.

3 The penalties specified in this section will be in addition to the penalties
4 contained in Republic Act No. 9072 (National Caves and Cave Resources Management
5 and Protection Act), Republic Act No. 9147 (Wildlife Resources Conservation and
6 Protection Act), and other related laws.

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

9 **SEC. 15. Reporting Responsibility.** – The PASu, through the PAMB, shall submit an
10 annual accomplishment report to the Secretary of the DENR on the activities
11 undertaken in the ADPLS.

12 **SEC. 16. Appropriations.** – The Secretary of the DENR shall immediately include
13 in the DENR's program the implementation of this Act, the funding of which shall be
14 included in the annual General Appropriations Act.

15 **SEC. 17. Construction and Suppletory Application of Existing Laws.** – The
16 provisions of this Act shall be construed liberally in favor of the protection and
17 rehabilitation of the ADPLS and the conservation and restoration of its biological
18 diversity, taking into account the needs and interests of qualified tenured migrants, for
19 present and future Filipino generations.

20 The NIPAS Act shall have suppletory effect in the implementation of this Act.

21 **SEC. 18. Transitory Provision.** –In order to ensure the recovery and restoration of
22 biological diversity and to develop sustainable livelihood opportunities for tenured
23 migrants, the DENR shall henceforth cease to issue concessions, licenses, permits,
24 clearances, compliance documents or any other instrument that allows exploitation and

1 utilization of resources within the ADPLS until the Management Plan shall have been
2 put into effect.

3 All existing land-use and resource use permits within the ADPLS shall be
4 reviewed and shall not be renewed upon their expiration unless consistent with the
5 Management Plan and approved by the PAMB.

6 **SEC. 19. Repealing Clause.** – For the purpose of this Act, the provisions of the
7 NIPAS Act are hereby modified in accordance with the provisions herein. All other laws,
8 rules and regulations inconsistent with this Act are hereby repealed or modified
9 accordingly. The prohibitions and penalties under the NIPAS Act are hereby superseded
10 for the entire area covered by this Act.

11 **SEC. 20. Separability Clause.** – If any part or section of this Act is declared by the
12 courts as unconstitutional, such declaration shall not affect the other parts or sections
13 hereof.

14 **SEC. 21. Effectivity Clause.** – This Act shall take effect immediately after its
15 complete publication in the *Official Gazette* or in a national newspaper of general
16 circulation available in the ADPLS.

Approved,