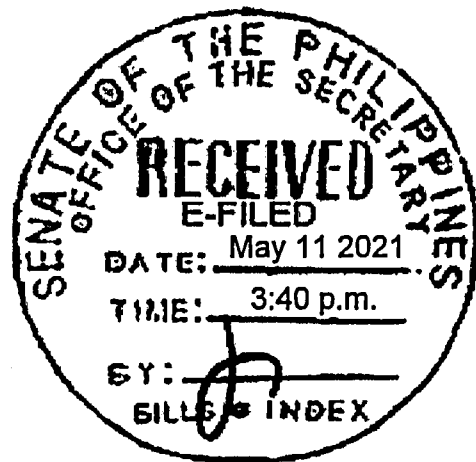


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
S. B. No. 2174



Introduced by **SENATOR IMEE R. MARCOS**

**AN ACT DECLARING THE KAPARKAN FALLS IN BARANGAY
CAGANAYAN, MUNICIPALITY OF TINEG, PROVINCE OF ABRA AN
ECOTOURISM SITE, ESTABLISHING THE KAPARKAN FALLS
DEVELOPMENT COUNCIL, AND APPROPRIATING FUNDS THEREFOR**

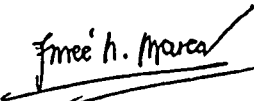
EXPLANATORY NOTE

Article II, Section 16 of the Philippine Constitution mandates that *"the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."*

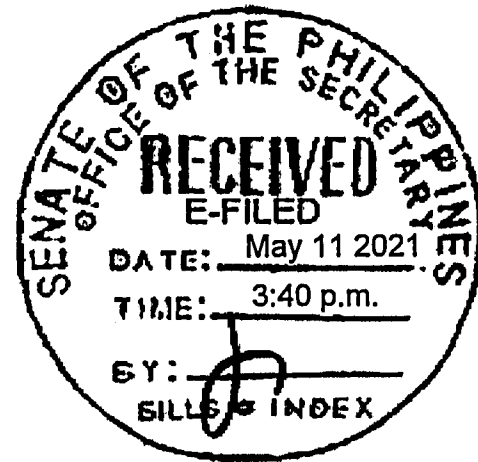
Kaparkan Falls is also known as *"Mulawin Falls."* It is located in Sitio Kaparkan, Barangay Caganayan, Tineg in the Province of Abra. It is approximately 500 metres long and 60 metres wide, and goes straight to the Tineg River. Kaparkan Falls is unlike any other falls found in the Philippines. The water flowing into a terrain resembling the Rice Terraces of the Cordilleras gives it a very unusual yet majestic form. It is one of the many natural wonders that Abra has to offer to both local and international tourists. The soothing cool waters entice visitors who have traveled a long distance to see the magnificent wonder that has been featured in numerous television programs and on social media.

This bill therefor seeks to declare Kaparkan Falls in the Municipality of Tineg, Province of Abra, as an ecotourism site. This is also in accordance with the fifth item in President Rodrigo Roa Duterte's 10-point socioeconomic agenda for the country, which aims to promote rural and value chain development toward increasing agricultural and rural enterprise productivity and rural tourism.

In view of the foregoing, the immediate passage of this measure earnestly sought.


IMEE R. MARCOS

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DEVELOPMENT COUNCIL, AND APPROPRIATING FUNDS THEREFOR**

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 "Kaparkan Falls
2 Ecotourism Act".

3 **SEC. 2. Declaration of Policy.** – Section 16, Article II of the Constitution
4 declares that the State shall protect and advance the right of the people to a balanced
5 and healthful ecology in accord with the rhythm and harmony of nature.

6 Towards this end, it shall be the policy of the State to promote an ecologically
7 sustainable and culturally-sensitive tourism industry as a tool for socio-economic
8 development in the country, where its participants receive benefit equitably from the
9 development of the sector.

10 **SEC. 3. Kaparkan Falls Ecotourism Site.** – Kaparkan Falls in Barangay
11 Caganayan in the Municipality of Tineg, Province of Abra is hereby declared an
12 ecotourism site. As such, its development shall be prioritized by the Department of
13 Tourism (DOT) and the Department of Environment and Natural Resources (DENR),
14 and shall be subject to the rules and regulations governing the development of
15 ecotourism sites.

16 **SEC. 4. Technical Description.** – The technical description of the area
17 encompassing the Kaparkan Falls and which is being declared an ecotourism site is as
18 follows:

1 Parcel I pertains to the area beginning at a point marked "1" on the Land
 2 Classification Map, with *Latitude 17°43'20.045"*, *Longitude 120°49'23.406"* situated
 3 in Barangay Caganayan, Municipality of Tineg, Province of Abra,

thence N 66°36'3" W	197.74	meters to corner 2;
thence N 42°0'47" W	757.30	meters to corner 3;
thence S85°16'40" W	779.17	meters to corner 4;
thence N 12°10'7" W	286.49	meters to corner 5;
thence N77°23'41" W	643.61	meters to corner 6;
thence S 67°44'4" W	718.40	meters to corner 7;
thence N 24°40'5" E	422.70	meters to corner 8;
thence N 13°15'39" W	309.23	meters to corner 9;
thence N 13°15'39" W	796.43	meters to corner 10;
thence N 66°47'45" W	487.84	meters to corner 11;
thence S 40°6'0" W	300.02	meters to corner 12;
thence N 67°42'56" W	377.03	meters to corner 13;
thence N 28°49'58" W	1372.40	meters to corner 14;
thence N 55°40'44" W	1405.10	meters to corner 15;
thence N 16°5'33" W	802.84	meters to corner 16;
thence N37°22'38"E	1372.04	meters to corner 17;
thence N 47°56,7" W	575.48	meters to corner 18;
thence N 47°56'6" W	2987.39	meters to corner 19;
thence N 43°56'28" W	3073.46	meters to corner 20;
thence N 40°47'23" E	181.17	meters to corner 21;
thence N41°17" W	281.26	meters to corner 22;
thence N 33°46'57" E	1109.68	meters to corner 23;
thence N 88°56'9" E	661.69	meters to corner 24;
thence N 44°36'46" E	667.95	meters to corner 25;
thence S 59°49'30" E	351.17	meters to corner 26;
thence N 24°39,42" E	435.90	meters to corner 27;
thence S 75°5'23" E	578.87	meters to corner 28;

thence N49°41'30"E	441.90	meters to corner 29;
thence S 85°18'52" E	916.37	meters to corner 30;
thence S 63°41'21"E1	232.59	meters to corner 31;
thence S 47°04'2" E	1515.21	meters to corner 32;
thence S 38°22'14" W	254.05	meters to corner 33;
thence S 77°4'26" W	69.41	meters to corner 34;
thence S 42° 13'55" W	230.04	meters to corner 35;
thence S 15°38'32" W	193.19	meters to corner 36;
thence S 47°13'19"W	233.74	meters to corner 37;
thence S 33°57'36" W	262.86	meters to corner 38;
thence S 59°52'5" E	1447.06	meters to corner 39;
thence N43°13'58"E	747.38	meters to corner 40;
thence N 52°34'12"E	338.69	meters to corner 41;
thence S 43°56'23" E	632.71	meters to corner 42;
thence N65°28'46"E	612.02	meters to corner 43;
thence S 79°33'27"E	719.87	meters to corner 44;
thence S 32°45'9" E	288.29	meters to corner 45;
thence S 23°49'12" W	360.89	meters to corner 46;
thence S31°32'18"E	403.22	meters to corner 47;
thence S 48°34'20" E	1138.30	meters to corner 48;
thence S 72°34'53" E	240.80	meters to corner 49;
thence S 39°6'26" E	283.88	meters to corner 50;
thence S 37°6'50" W	529.58	meters to corner 51;
thence S 0°22'3" E	652.55	meters to corner 52;
thence S 35°43'5" E	994.36	meters to corner 53;
thence S 11°16'36"E	409.83	meters to corner 54;
thence S 12°0'46" W	966.56	meters to corner 55;
thence S 16°32'51"E	688.54	meters to corner 56;
thence S 19°28'39" W	619.13	meters to corner 57;
thence N82°45'28"W	628.25	meters to corner 58;

thence N39°34'10" W	358.96	meters to corner 59;
thence N74°22'15" W	288.19	meters to corner 60;
thence N 80°8'28" W	28.50	meters to corner 61;
thence S 19°23'4" W	47.33	meters to corner 62;
thence S 2°14'12" W	52.25	meters to corner 63;
thence S 63°20'54"E	203.07	meters to corner 64;
thence S 13°6'8"E	164.61	meters to corner 65;
thence S 50°57'43" W	622.29	meters to corner 66;
thence S 33°13'57" E	783.24	meters to corner 67;
thence S3°21'33" W	801.22	meters to corner 68;
thence S 20°20'36" E	781.26	meters to corner 69;
thence S 6°56'41"E	689.00	meters to corner 70;
thence S 32°45'50" W	425.67	meters to corner 1,

Containing an area of 6,827 hectares, more or less Parcel II pertains to the area beginning at a point marked "1" on the Land Classification Map, with Latitude 17°46'34.257", Longitude 120°46'52.307" situated in Barangay Caganayan, Municipality of Tined, Province of Abra,

thence N 47°52'37" W	109.32	meters to corner 2;
thence N 1°53'12" W	180.48	meters to corner 3;
thence N29°54'10" W	210.51	meters to corner 4;
thence N 8°20'28" W	184.31	meters to corner 5;
thence S 88°7'44" E	124.15	meters to corner 6;
thence N53°31'33"E	96.36	meters to corner 7;
thence S 19°16'52"E	134.16	meters to corner 8;
thence S 11°49'12"E	171.94	meters to corner 9;
thence N39°3'16"E	251.05	meters to corner 10;

thence S 2°4'4" W	383.32	meters to corner 11;
thence S23°31'52" W	156.74	meters to corner 12;
thence S 72°39'18" W	151.01	meters to corner 1,

1 Containing an area of seventeen (17) hectares, more or less.

2 **SEC. 5.** Kaparkan Falls Development Council. - A multi-sectoral council shall
3 be created to be known as the "Kaparkan Falls Development Council," herein referred
4 to as the Council. It shall be composed of the following members:

- 5 a. Representative from the Office of the Mayor of the Municipality of Tineg,
6 as Chairperson,
- 7 b. Head of the Tineg Municipal Tourism Office;
- 8 c. Head of the Tineg Municipal Environment and Natural Resources Office;
- 9 d. A representative from the DOT;
- 10 e. A representative from the DENR;
- 11 f. Two (2) representatives from the indigenous peoples sector in the
12 Municipality of Tineg; and
- 13 g. Two (2) representatives from the private sector in the Province of Abra.

14 The term of office of the members of the Council shall be coterminous with the
15 incumbent Municipal Mayor of Tineg.

16 The Provincial Government of Abra shall provide a secretariat for the Council
17 including the funding necessary to cover expenses for the performance of its official
18 functions and activities.

19 **SEC. 6.** *Functions and Responsibilities of the Council.* – The Council shall have
20 the following functions:

- 21 a. Formulation and implementation of the Kaparkan Falls Development
22 Plan, in consultation with the local residents, businesses and other
23 stakeholders;
- 24 b. Assessment and evaluation of the potential impact of the development
25 to the environmental safety and well-being of the site, communities and
26 enterprises;
- 27 c. Provision of technical and financial assistance to the communities within
28 the site;
- 29 d. Formulation of rules and regulations in relation to the maintenance and
30 security of the ecotourism site; and e. Performance of other functions as
31 may be necessary to carry out the objectives of this Act.

32

1 **SEC. 7. *Annual Reports.*** – Within sixty (60) days after each fiscal year, the
2 DOT and the DENR shall submit a report to both Houses of Congress with respect to
3 the operation of the ecotourism site. The report shall provide information on the total
4 amount expended during the fiscal year to carry out and achieve the purpose of this
5 Act.

6 **SEC. 8. *Appropriations.*** – The Secretaries of the DOT and the DENR shall
7 include in their respective Department's program the implementation of this Act, the
8 funding of which shall be included in the annual General Appropriations Act and from
9 internally generated funds of the DOT.

10 **SEC. 9. *Implementing Rules and Regulations.*** – Within sixty (60) days after the
11 effectivity of this Act, the DOT, DENR, and the Tourism Infrastructure and Enterprise
12 Zone Authority, in coordination with the Municipality of Tineg, shall promulgate the
13 necessary rules and regulations for the proper implementation of this Act. The DOT
14 and the DENR shall be jointly tasked to coordinate and monitor the proper
15 implementation of this Act.

16 **SEC. 10. *Separability Clause.*** – If any provision of this Act is declared
17 unconstitutional or invalid, the other provisions not affected by such declaration shall
18 remain in full force and effect.

19 **SEC. 11. *Repealing Clause.*** – All laws, decrees, ordinances, executive orders,
20 issuances or parts thereof, inconsistent with any provision of this Act are hereby
21 deemed amended, repealed or modified accordingly. **Sec. 12. *Effectivity.*** This Act shall
22 take effect fifteen (15) days after its publication in the Official Gazette or in a
23 newspaper of general circulation.

24 **SEC. 12. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
25 complete publication in the Official Gazette or in a newspaper of general circulation in
26 the Philippines.

Approved,