


7 JUL -4 P 7:08

SENATE

Senate Bill No. 1074

RECEIVED BY: 

Introduced by SENATOR COMPAÑERA PIA S. CAYETANO

EXPLANATORY NOTE

This bill seeks to declare the Agoo-Damortis Protected Seascape and Landscape in the Municipalities of Agoo, Sto. Tomas and Rosario, La Union as a protected area.

The Agoo-Damortis Protected Seascape and Landscape, which covers 10,649 hectares, bears unique and lush biological, geological and hydrological features. Aside from its rich terrestrial and aquatic vegetation, major rivers are located within the protected area which includes the Agoo river, Cupang river and Bani river. Also found in this area are no less than fifteen (15) species of birds and certain species of reptiles and fishes.

Recognizing its value, the area was established by virtue of Republic Act No. 4570 dated June 19, 1965 and later affirmed as Agoo-Damortis Protected Seascape and Landscape by virtue of Presidential Proclamation No. 277, dated April 23, 2005.

This bill, therefore, seeks to declare the Agoo-Damortis Protected Seascape and Landscape as a protected area in order to protect it from indiscriminate exploitation and to be able to maintain its ecological balance and preserve its source of water supply.

Given the importance of biodiversity, it is deemed crucial that we act on this 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.


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


SENATOR COMPAÑERA PIA S. CAYETANO

FOURTEENTH CONGRESS OF THE)
 REPUBLIC OF THE PHILIPPINES)
 First Regular Session)

7 JUL -4 2:38

SENATE

RECEIVED BY: Senate Bill No. 1074

 Introduced by Senator Pia S. Cayetano

AN ACT
ESTABLISHING THE AGOO-DAMORTIS PROTECTED SEASCAPE AND
LANDSCAPE IN THE MUNICIPALITIES OF AGOO, STO. TOMAS AND ROSARIO,
IN THE PROVINCE OF LA UNION AS A PROTECTED AREA, 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 “Agoo-Damortis Protected
 2 Seascape and Landscape Act of 2007.”

3 SEC. 2. *Land Classification.* – All lands of the public domain comprising the
 4 Agoo-Damortis Protected Seascape and Landscape shall fall under the classification of
 5 National Park as provided for in the Philippine Constitution.

6 SEC. 3. *Scope and Coverage.* – The Agoo-Damortis Protected Seascape and
 7 Landscape, located within the Municipalities of Agoo, Sto. Tomas and Rosario in the
 8 Province of La Union is hereby declared a protected area and categorized as a
 9 protected seascape and landscape pursuant to Republic Act No. 7586, otherwise
 10 known as the National Integrated Protected Areas Act of 1992 or the NIPAS Act.

11 The boundaries of the Agoo-Damortis Protected Seascape and Landscape are
 12 as follows:

13 Beginning at corner “1” on the plan which is identical to MBM 20, Agoo-
 14 Cadastre, N36°46’W, 5,125.64 m. from BLLM #1, Cad 314-D, Agoo Cadastre,

15 Thence S 34°08’E 323.0 m. to point 2

16 Thence S 07°28’E 110.1 m. to point 3

17 Thence N 43°31’E 37.5 m. to point 4

18 Thence S 42°48’ E 71.7 m. to point 5

19 Thence S 52°59’W 9.1 m. to point 6

20 Thence S 27°22’E 82.8 m. to point 7

21 Thence S 29°46’E 146.1 m. to point 8

22 Thence S 29°47’E 45.0 m. to point 9

1	Thence	N 80°57'E	17.6 m.	to point 10
2	Thence	S 32°35'E	183.0 m.	to point 11
3	Thence	N 59°47'E	69.6 m.	to point 12
4	Thence	S 09°05'E	79.2 m.	to point 13
5	Thence	N 89°42'W	15.0 m.	to point 14
6	Thence	S 05°00'E	50.7 m.	to point 15
7	Thence	S 06°31'E	16.6 m.	to point 16
8	Thence	N 86°49'E	16.2 m.	to point 17
9	Thence	S 06°49'E	155.0 m.	to point 18
10	Thence	N 75°41'E	10.4 m.	to point 19
11	Thence	S 20°32'E	17.5 m.	to point 20
12	Thence	S 07°00'E	120.0 m.	to point 21
13	Thence	S 04°07'E	260.1 m.	to point 22
14	Thence	S 05°38'W	319.4 m.	to point 23
15	Thence	S 03°45'E	389.9 m.	to point 24
16	Thence	S 07°41'W	411.7 m.	to point 25
17	Thence	S 07°44'W	330.6 m.	to point 26
18	Thence	S 09°52'W	412.2 m.	to point 27
19	Thence	S 07°41'W	411.7 m.	to point 28
20	Thence	S 30°57'W	311.1 m.	to point 29
21	Thence	S 00°58'E	319.0 m.	to point 30
22	Thence	S 03°23'W	288.1 m.	to point 31
23	Thence	S 03°30'W	411.2 m.	to point 32
24	Thence	S 04°50'W	62.0 m.	to point 33
25	Thence	S 04°36'E	277.9 m.	to point 34
26	Thence	S 08°28'E	246.7 m.	to point 35
27	Thence	S 09°07'E	134.7 m.	to point 36
28	Thence	S 04°37'E	298.9 m.	to point 37
29	Thence	S 01°57'E	247.0 m.	to point 38
30	Thence	S 00°58'E	52.0 m.	to point 39
31	Thence	S 01°56'E	93.0 m.	to point 40
32	Thence	S 01°57'E	267.0 m.	to point 41
33	Thence	S 13°56'E	450.3 m.	to point 42
34	Thence	S 33°01'E	80.5 m.	to point 43
35	Thence	S 40°01'E	131.4 m.	to point 44
36	Thence	S 21°40'E	163.9 m.	to point 45
37	Thence	S 23°05'E	91.9 m.	to point 46
38	Thence	S 20°08'E	103.0 m.	to point 47

1	Thence	S 24°16'E	264.0 m.	to point 48
2	Thence	S 26°27'E	384.8 m.	to point 49
3	Thence	S 25°23'E	313.5 m.	to point 50
4	Thence	S 32°49'E	539.3 m.	to point 51
5	Thence	S 31°47'E	211.8 m.	to point 52
6	Thence	S 24°18'E	413.4 m.	to point 53
7	Thence	S 18°25'E	355.2 m.	to point 54
8	Thence	S 14°18'E	404.4 m.	to point 55
9	Thence	S 12°10'E	377.7 m.	to point 56
10	Thence	S 36°39'E	305.7 m.	to point 57
11	Thence	S 53°04'E	240.0 m.	to point 58
12	Thence	S 28°02'E	257.1 m.	to point 59
13	Thence	S 43°29'E	516.3 m.	to point 60
14	Thence	S 50°29'E	324.4 m.	to point 61
15	Thence	S 37°05'E	308.5 m.	to point 62
16	Thence	S 06°51'E	186.7 m.	to point 63
17	Thence	S 30°36'E	515.1 m.	to point 64
18	Thence	S 24°00'E	250.0 m.	to point 65
19	Thence	S 63°25'W	111.8 m.	to point 66
20	Thence	N 30°23'E	475.3 m.	to point 67
21	Thence	N 18°39'W	95.0 m.	to point 68
22	Thence	N 45°39'W	503.5 m.	to point 69
23	Thence	N 14°25'W	400.6 m.	to point 70
24	Thence	N 25°36'W	730.3 m.	to point 71
25	Thence	N 59°07'E	1052.5 m.	to point 72
26	Thence	S 60°57'E	279.1 m.	to point 73
27	Thence	S 03°37'W	138.9 m.	to point 74
28	Thence	S 53°44'E	2275.0 m.	to point 75
29	Thence	S 25°41'E	2167.0 m.	to point 76
30	Thence	N 90°00'E	150.8 m.	to point 77
31	Thence	S 10°41'E	110.0 m.	to point 78
32	Thence	S 18°06'E	269.9 m.	to point 79
33	Thence	S 14°41'E	266.8 m.	to point 80
34	Thence	S 22°35'E	271.8 m.	to point 81
35	Thence	S 21°10'E	302.9 m.	to point 82
36	Thence	S 42°17'E	230.4 m.	to point 83
37	Thence	S 30°08'E	202.7 m.	to point 84
38	Thence	S 09°58'E	84.2 m.	to point 85

1	Thence	S 18°32'E	206.3 m.	to point 86
2	Thence	S 16°31'E	323.3 m.	to point 87
3	Thence	S 18°52'E	174.3 m.	to point 88
4	Thence	S 45°05'E	15.2 m.	to point 89
5	Thence	S 09°09'E	322.0 m.	to point 90
6	Thence	S 19°32'E	282.0 m.	to point 91
7	Thence	S 17°22'E	290.2 m.	to point 92
8	Thence	S 26°32'E	220.7 m.	to point 93
9	Thence	S 21°40'E	225.0 m.	to point 94
10	Thence	S 49°39'E	195.2 m.	to point 95
11	Thence	N 90°00'W	4895.0 m.	to point 96
12	Thence	N 53°05'W	6357.0 m.	to point 97
13	Thence	N 30°21'W	4200.0 m.	to point 98
14	Thence	N 22°30'W	1590.0 m.	to point 99
15	Thence	N 22°20'W	2760.0 m.	to point 100
16	Thence	N 01°04'E	5400.0 m.	to point 101
17	Thence	N 85°03'E	5152.2 m.	to point 1,

18 the point of beginning, containing an area of ten thousand five hundred thirteen and
19 30/100 (10,513.30) hectares, more or less.

20 PARCEL II beginning at a corner marked "1" on plan II, which is identical to
21 MBM 20, Agoo Cadastre, N 36°46' W, 5,125.64 m. from BLLM # 1, Cad 314-D, Agoo-
22 Cadastre,

23	Thence	N 85°03'E	57.0 m.	to point 2
24	Thence	S 34°08'E	309.0 m.	to point 3
25	Thence	S 07°28'E	43.0 m.	to point 4
26	Thence	S 42°48' E	159.0 m.	to point 5
27	Thence	S 52°59'W	19.8 m.	to point 6
28	Thence	S 29°46'E	195.8 m.	to point 7
29	Thence	N 80°57'E	17.6 m.	to point 8
30	Thence	S 32°35'E	167.8 m.	to point 9
31	Thence	N 59°47'E	95.5 m.	to point 10
32	Thence	S 09°05'E	155.0 m.	to point 11
33	Thence	S 07°28'W	138.0 m.	to point 12
34	Thence	S 06°49'E	27.5 m.	to point 13
35	Thence	S 20°32'E	66.0 m.	to point 14
36	Thence	S 07°00'E	122.0 m.	to point 15
37	Thence	S 04°07'E	268.0 m.	to point 16
38	Thence	S 05°38'W	320.0 m.	to point 17

1	Thence	S 03°45'E	390.0 m.	to point 18
2	Thence	S 07°41'W	412.0 m.	to point 19
3	Thence	S 07°41' E	330.0 m.	to point 20
4	Thence	S 09°52' W	411.0 m.	to point 21
5	Thence	S 30°57' W	310.0 m.	to point 22
6	Thence	S 00°58'E	315.0 m.	to point 23
7	Thence	S 03°23'W	290.0 m.	to point 24
8	Thence	S 03°30'W	408.0 m.	to point 25
9	Thence	S 04°50'W	61.0 m.	to point 26
10	Thence	S 04°36'E	275.0 m.	to point 27
11	Thence	S 08°28'E	245.0 m.	to point 28
12	Thence	S 09°07'E	135.0 m.	to point 29
13	Thence	S 04°37'E	300.0 m.	to point 30
14	Thence	S 01°57'E	245.0 m.	to point 31
15	Thence	S 01°58' E	52.0 m.	to point 32
16	Thence	S 01°56' E	93.0 m.	to point 33
17	Thence	S 01°57' E	268.0 m.	to point 34
18	Thence	S 13°56'E	445.0 m.	to point 35
19	Thence	S 33°01'E	70.0 m.	to point 36
20	Thence	S 40°01'E	145.0 m.	to point 37
21	Thence	S 21°40'E	190.0 m.	to point 38
22	Thence	S 23°05'E	90.0 m.	to point 39
23	Thence	S 20°08'E	100.0 m.	to point 40
24	Thence	S 24°16'E	265.0 m.	to point 41
25	Thence	S 26°27'E	365.0 m.	to point 42
26	Thence	S 25°23'E	310.0 m.	to point 43
27	Thence	S 32°49'E	520.0 m.	to point 44
28	Thence	S 31°47'E	240.0 m.	to point 45
29	Thence	S 24°18'E	400.0 m.	to point 46
30	Thence	S 18°25'E	355.0 m.	to point 47
31	Thence	S 14°18'E	412.0 m.	to point 48
32	Thence	S 12°10'E	368.0 m.	to point 49
33	Thence	S 36°39'E	265.8 m.	to point 50
34	Thence	S 53°04'E	255.0 m.	to point 51
35	Thence	S 28°02'E	242.0 m.	to point 52
36	Thence	S 43°29'E	505.0 m.	to point 53
37	Thence	S 50°29'E	325.0 m.	to point 54
38	Thence	S 37°05'E	338.0 m.	to point 55

1	Thence	S 06°51'E	188.0 m.	to point 56
2	Thence	S 30°36'E	455.0 m.	to point 57
3	Thence	N 63°25'E	50.0 m.	to point 58
4	Thence	N 30°23'E	435.0 m.	to point 59
5	Thence	N 18°39'W	70.0 m.	to point 60
6	Thence	N 45°39'W	490.0 m.	to point 61
7	Thence	N 14°25'W	425.0 m.	to point 62
8	Thence	N 25°36'W	775.0 m.	to point 63
9	Thence	N 59°07'E	1125.0 m.	to point 64
10	Thence	S 60°57'E	338.0 m.	to point 65
11	Thence	S 03°37'W	139.0 m.	to point 66
12	Thence	S 53°44'E	2256.0 m.	to point 67
13	Thence	S 25°45'E	2148.0 m.	to point 68
14	Thence	N 90°00'E	160.0 m.	to point 69
15	Thence	S 10°41'E	160.0 m.	to point 70
16	Thence	S 18°06'E	265.0 m.	to point 71
17	Thence	S 14°41'E	260.0 m.	to point 72
18	Thence	S 22°35'E	270.0 m.	to point 73
19	Thence	S 21°10'E	270.0 m.	to point 74
20	Thence	S 42°17'E	228.0 m.	to point 75
21	Thence	S 30°08'E	231.0 m.	to point 76
22	Thence	S 09°58'E	100.0 m.	to point 77
23	Thence	S 18°32'E	200.0 m.	to point 78
24	Thence	S 16°31'E	340.0 m.	to point 79
25	Thence	S 18°52'E	127.0 m.	to point 80
26	Thence	S 45°05'E	20.0 m.	to point 81
27	Thence	S 09°09'E	331.8 m.	to point 82
28	Thence	S 19°32'E	275.0 m.	to point 83
29	Thence	S 17°22'E	291.0 m.	to point 84
30	Thence	S 26°32'E	224.0 m.	to point 85
31	Thence	S 21°40'E	210.0 m.	to point 86
32	Thence	S 49°39'E	241.0 m.	to point 87
33	Thence	S 90°00'W	76.0 m.	to point 88
34	Thence	N 49°39'W	195.2 m.	to point 89
35	Thence	N 21°40'W	225.02 m.	to point 90
36	Thence	N 26°32'W	220.7 m.	to point 91
37	Thence	N 17°22'W	290.2 m.	to point 92
38	Thence	N 19°32' W	282.0 m.	to point 93

1	Thence	N 09°09'W	322.0 m.	to point 94
2	Thence	N 45°05'W	15.2 m.	to point 95
3	Thence	N 18°52'W	174.3 m.	to point 96
4	Thence	N 16°31'W	323.3 m.	to point 97
5	Thence	N 18°32'W	206.3 m.	to point 98
6	Thence	N 09°58'W	84.2 m.	to point 99
7	Thence	N 30°08'W	202.7 m.	to point 100
8	Thence	N 42°17'W	230.4 m.	to point 101
9	Thence	N 21°10'W	302.9 m.	to point 102
10	Thence	N 22°35'W	271.2 m.	to point 103
11	Thence	N 14°41'W	266.8 m.	to point 104
12	Thence	N 18°06'W	269.9 m.	to point 105
13	Thence	N 10°41'W	110.0 m.	to point 106
14	Thence	S 90°00'W	150.8 m.	to point 107
15	Thence	N 25°41'W	2167.0 m.	to point 108
16	Thence	N 53°44'W	2275.0 m.	to point 109
17	Thence	N 03°37'E	138.9 m.	to point 110
18	Thence	N 60°57'W	279.1 m.	to point 111
19	Thence	S 59°07'W	1052.5 m.	to point 112
20	Thence	S 25°36'E	730.3 m.	to point 113
21	Thence	S 14°25'E	400.6 m.	to point 114
22	Thence	S 45°39'E	503.5 m.	to point 115
23	Thence	S 18°39'E	95.0 m.	to point 116
24	Thence	S 30°23'W	475.3 m.	to point 117
25	Thence	S 63°25'W	111.8 m.	to point 118
26	Thence	N 30°36'W	515.1 m.	to point 119
27	Thence	N 06°51'W	186.7 m.	to point 120
28	Thence	N 37°05'W	308.5 m.	to point 121
29	Thence	N 50°29'W	324.4 m.	to point 122
30	Thence	N 43°29'W	516.3 m.	to point 123
31	Thence	N 28°02'W	257.1 m.	to point 124
32	Thence	N 53°04'W	240.0 m.	to point 125
33	Thence	N 36°39'W	305.7 m.	to point 126
34	Thence	N 12°10'W	377.7 m.	to point 127
35	Thence	N 14°18'W	404.4 m.	to point 128
36	Thence	N 18°25'W	355.2 m.	to point 129
37	Thence	N 24°18'W	413.4 m.	to point 130
38	Thence	N 31°47'W	211.8 m.	to point 131

1	Thence	N 32°49'W	539.3 m.	to point 132
2	Thence	N 25°23'W	313.5 m.	to point 133
3	Thence	N 26°27'W	384.8 m.	to point 134
4	Thence	N 24°16'W	264.0 m.	to point 135
5	Thence	N 20°08'W	103.0 m.	to point 136
6	Thence	N 23°05'W	91.9 m.	to point 137
7	Thence	N 21°40'W	163.9 m.	to point 138
8	Thence	N 40°01'W	131.4 m.	to point 139
9	Thence	N 33°01'W	80.5 m.	to point 140
10	Thence	N 13°56'W	450.3 m.	to point 141
11	Thence	N 01°57'W	267.0 m.	to point 142
12	Thence	N 01°56'W	93.0 m.	to point 143
13	Thence	N 00°58'W	52.0 m.	to point 144
14	Thence	N 01°57'W	247.0 m.	to point 145
15	Thence	N 04°37'W	298.9 m.	to point 146
16	Thence	N 09°07'W	134.7 m.	to point 147
17	Thence	N 08°28'W	246.7 m.	to point 148
18	Thence	N 04°36'W	277.9 m.	to point 149
19	Thence	N 04°50'E	62.0 m.	to point 150
20	Thence	N 03°30'E	411.2 m.	to point 151
21	Thence	N 03°23'E	288.1 m.	to point 152
22	Thence	N 00°58'W	319.0 m.	to point 153
23	Thence	N 30°57'E	311.1 m.	to point 154
24	Thence	N 07°41'E	411.7 m.	to point 155
25	Thence	N 09°52'E	412.2 m.	to point 156
26	Thence	N 07°44'E	330.6 m.	to point 157
27	Thence	N 07°41'E	411.7 m.	to point 158
28	Thence	N 03°45'W	389.9 m.	to point 159
29	Thence	N 05°38'E	319.4 m.	to point 160
30	Thence	N 04°07'W	264.1 m.	to point 161
31	Thence	N 07°00'W	120.0 m.	to point 162
32	Thence	N 20°32'W	17.5 m.	to point 163
33	Thence	S 75°41'W	10.4 m.	to point 164
34	Thence	N 06°49'W	155.0 m.	to point 165
35	Thence	S 86°49'E	16.2 m.	to point 166
36	Thence	N 06°31'W	16.6 m.	to point 167
37	Thence	N 05°00'W	50.7 m.	to point 168
38	Thence	S 89°42'E	15.0 m.	to point 169

1	Thence	N 09°05'W	79.2 m.	to point 170
2	Thence	S 59°47'W	69.6 m.	to point 171
3	Thence	N 32°35'W	183.0 m	to point 172
4	Thence	S 80°57'W	17.6 m.	to point 173
5	Thence	N 29°47'W	45.0 m.	to point 174
6	Thence	N 29°46'W	146.1 m.	to point 175
7	Thence	N 27°22'W	82.8 m.	to point 176
8	Thence	N 52°59'E	09.1 m.	to point 177
9	Thence	N 42°48'W	71.7 m.	to point 178
10	Thence	S 43°31'W	37.5 m.	to point 179
11	Thence	N 07°28'W	110.1 m.	to point 180
12	Thence	N 34°08'W	323.0 m.	to point 1,

13 the point of beginning, containing an area of one hundred fifty-one and 92/100
14 (151.92) hectares, more or less, as buffer zone subject to ground verification.

15 The Agoo-Damortis Protected Seascape and Landscape shall have a total
16 aggregate area of approximately ten thousand six hundred twenty-nine and 22/100
17 (10,629.22) hectares, subject to actual ground survey.

18 The technical descriptions provided in this Act will be subject to ground survey
19 and verification to be conducted by the Department of Environment and Natural
20 Resources (DENR). Any modification on this Act due to factors such as changing
21 ecological situations, new scientific or discovery of traditional boundaries not previously
22 taken into account shall be made through an act of Congress passed after full
23 consultation with the affected public.

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

26 (a) "Biodiversity" refers to variety and variability among living organisms and the
27 ecological complexes in which said organisms occur.

28 (b) "Biological resources" includes genetic resources, organisms or parts
29 thereof, population, or any other biotic component of ecosystems with actual or
30 potential use or value for humanity.

31 (c) "Bioprospecting" means the research, collection and utilization of biological
32 and genetic resources for purposes of applying the knowledge derived therefrom solely
33 for commercial purposes.

34 (d) "Buffer Zone" is the identified area outside the boundaries of Agoo-Damortis
35 Protected Seascape and Landscape and immediately adjacent to designated protected
36 area that need special development control in order to avoid or minimize harm to the
37 Agoo-Damortis Protected Seascape and Landscape.

1 (e) "By-product or derivatives" means any part taken or substance extracted
2 from wildlife, in raw or in processed form. This includes stuffed animals and herbarium
3 specimens.

4 (f) "Collection or collecting" is the act of gathering or harvesting wildlife, its by-
5 products or derivatives.

6 (g) "Conservation" means sustainable utilization of wildlife, and/or maintenance,
7 restoration and enhancement of the habitat.

8 (h) "Endangered species" refers to species or subspecies of flora and fauna that
9 is not critically endangered but whose survival in the wild is unlikely if the causal factors
10 continue operating.

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

13 (j) "Exotic species" means species or subspecies of flora and fauna which do not
14 naturally occur within the protected area at present or in historical time.

15 (k) "Habitat" means a place or type of environment where a species or
16 subspecies naturally occurs or has naturally established its population.

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

19 (m) "Management plan" refers to the fundamental plan, strategy and/or scheme
20 which shall guide all activities relating to the Agoon-Damortis Protected Seascape and
21 Landscape in order to attain the objectives of this Act.

22 (n) "Mineral" refers to all naturally occurring inorganic substance in solid, gas,
23 liquid, or any intermediate state including energy materials such as coal, petroleum,
24 natural gas, radioactive materials, and geothermal energy;

25 (o) "Multiple-Use Zone" refers to an area where settlement, traditional and/or
26 sustainable land use, including agriculture, agro-forestry, extraction activities and other
27 income generating or livelihood activities, may be allowed to the extent prescribed in
28 the IPAP/PAMP.

29 (p) "National Integrated Protected Areas System (NIPAS)" is the classification
30 and administration of all designated protected areas to maintain essential ecological
31 processes and life-support systems, to preserve genetic diversity, to ensure
32 sustainable use of resources found therein, and to maintain their natural conditions to
33 the greatest extent possible.

34 (q) "National Park" refers to the land of the public domain classified as such in
35 the 1987 Constitution which include all areas under the National Integrated Protected
36 Areas System (NIPAS) pursuant to R.A. 7586 primarily designated for the conservation
37 of native plants and animals, their associated habitats and cultural diversity.

1 (r) "Non-government organization (NGO)" refers to an agency, institution,
2 foundation or a group of persons whose purpose is to assist people's
3 organizations/associations in various ways including, but not limited to, organizing,
4 education, training, research and/or resource accessing.

5 (s) "People's organization" refers to a group of organized migrant communities
6 and or interested indigenous peoples which may be an association, cooperative,
7 federation, or other legal entity, established to undertake collective action to address
8 community concerns and needs, and mutually share the benefits of the endeavor.

9 (t) "Protected Area" refers to the identified portions of land and/or water set
10 aside by reason of their unique physical and biological significance, managed to
11 enhance biological diversity and protected against destructive human exploitation.

12 (u) "Protected Area Management Board (PAMB)" refers to the management
13 body within the site, responsible for deciding the allocation for budget, and decisions
14 on matters relating to planning, peripheral protection, and general administration of the
15 Agoo-Damortis Protected Seascape and Landscape in accordance with the General
16 Management Plan.

17 (v) "Protected Landscape/Seascape" refers to an area of national significance
18 which are characterized by the harmonious interaction of man and land while providing
19 opportunities for public enjoyment through recreation and tourism within the normal
20 lifestyle and economic activity of these areas.

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

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

29 (y) "Sustainable use" means the use of components of biological diversity in a
30 way and rate that does not lead to the long-term decline of biological diversity, thereby
31 maintaining its potential to meet the needs and aspirations of present and future
32 generations.

33 (z) "Tenured migrant" refers to occupants who have actually and continuously
34 occupied a portion of the Agoo-Damortis Protected Seascape and Landscape and is
35 solely dependent therein for subsistence. An Agoo-Damortis Protected Seascape and
36 Landscape occupant is understood to be "solely dependent for subsistence" when
37 everything indispensable for survival for the household, including food, clothing, shelter

1 and health, comes only from the utilization of resources from the Agoo-Damortis
2 Protected Seascape and Landscape.

3 (aa) "Wildlife" means 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 of Agoo-Damortis Protected Seascape and Landscape.* –
7 There is hereby created a Protected Area Management Board (PAMB) which shall
8 have jurisdiction, power and authority over the Agoo- Damortis Protected Seascape
9 and Landscape for all matters that may affect biodiversity conservation, protection and
10 sustainable development. The members of the PAMB are as follows:

11 (a) The DENR Regional Executive Director (RED) of Region II, as chairperson;

12 (b) The Provincial Planning and Development Officer (PPDO) of the Province
13 of La Union;

14 (c) The Mayors of the Municipalities of Agoo, Sto. Tomas and Rosario in the
15 Province of La Union, or their duly designated representatives;

16 (d) One representative from each of the Agoo-Damortis Protected Seascape
17 and Landscape;

18 (e) At least two (2) representatives from local POs with stakes in the Agoo-
19 Damortis Protected Seascape and Landscape, chosen among themselves;

20 (f) At least three (3) representatives from the local NGOs with stakes in the
21 Agoo-Damortis Protected Seascape and Landscape, chosen from among themselves;
22 and

23 (g) One representative from each government agency involved in the Agoo-
24 Damortis Protected Seascape and Landscape.

25 Each member of the PAMB shall serve for a term of five (5) years and shall be
26 considered to represent his or her sector and deemed to carry the vote of such sector
27 in all matters. In the case of members who are government officials, their appointment
28 shall be co-terminus with their term of office.

29 The members of the PAMB shall be appointed by the Secretary of the DENR in
30 conformity with the provisions of the NIPAS Act. As a transitory provision, the initial
31 members of the PAMB shall be nominated from the current members of the interim
32 PAMB of the Agoo-Damortis Protected Seascape and Landscape. Their nominations
33 shall be conducted in a joint meeting of the current members of the interim PAMB duly
34 called for the purpose: *Provided, That* at least one- third (1/3) of the members shall be
35 women.

36 In the selection of the representatives of POs and NGOs, preference shall be
37 accorded to those organizations that are involved in the conservation, protection and
38 development of the Agoo-Damortis Protected Seascape and Landscape.

1 Representation shall be by institution and shall aim to achieve balance in
2 representation by geographic location or areas.

3 The representatives from the Local Government Units (LGUs) and national
4 agencies in the PAMB shall include among their duty to inform their respective
5 constituents, office or sector of PAMB approved or other relevant policies, rules,
6 regulations, programs and projects and to ensure that the provisions of this Act is are
7 observed, complied with, and used as reference and framework in their respective
8 plans, policies, programs and projects. Failure to comply with the foregoing shall
9 subject such representative to disciplinary action as the PAMB may provide.

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

14 **SEC. 6. Powers and Functions of the PAMB.** – The PAMB of the Agoo-
15 Damortis Protected Seascape and Landscape, which shall decide by consensus or
16 majority vote, shall have the following duties and functions in addition to those provided
17 in the NIPAS Act and its Implementing Rules and Regulations:

18 (a) Issue rules and regulations to prohibit acts that may be prejudicial to the
19 Agoo-Damortis Protected Seascape and Landscape and to the declaration of policy set
20 forth under the NIPAS;

21 (b) Issue rules and regulations for the resolution of conflicts through
22 appropriate and effective means;

23 (c) Adopt rules and procedures in the conduct of business, including the
24 creation of committees to which its powers may be delegated;

25 (d) Approve the management plan and oversee the office of the Protected
26 Area Superintendent (PASu);

27 (e) Establish criteria and set fees for the issuance of permits for activities
28 regulated by this Act or the management plan;

29 (f) Recommend the deputization of appropriate individuals for the enforcement
30 of the laws, rules and regulations governing the conduct or management of the Agoo-
31 Damortis Protected Seascape and Landscape;

32 (g) Approve fees and charges in accordance with DAO 51, Series of 2000 and
33 raise funds for the Agoo-Damortis Protected Seascape and Landscape;

34 (h) Manage the allocation of the Agoo-Damortis Protected Seascape and
35 Landscape Fund, and other funds for the Agoo-Damortis Protected Seascape and
36 Landscape, ensure their proper administration and render accounting; and

37 (i) Recommend appropriate policy changes to the DENR and other government
38 authorities.

1 The DENR, through the Regional Executive Director (RED) shall ensure that the
2 PAMB acts within the scope of its powers and functions. In case of conflict between the
3 administrative orders issued by the DENR pursuant to the NIPAS Act and the
4 resolutions issued by the PAMB, such conflict shall be referred by PAMB to the DENR
5 Secretary who shall decide whether to apply the rule or withdraw its application from
6 the Agoo- Damortis Protected Seascape and Landscape.

7 SEC. 7. *The Protected Area Superintendent (PASu) Office.* – There is hereby
8 established a Protected Area Superintendent (PASu) Office in charge of the
9 implementation of the projects, programs and policies for the management, protection
10 and administration of the Agoo-Damortis Protected Seascape and Landscape. It will be
11 headed by a Protected Area Superintendent (PASu) and shall be supported by the
12 existing personnel of the DENR. The PASu shall be the Chief Operating DENR Officer
13 of the Agoo-Damortis Protected Seascape and Landscape and shall be accountable to
14 the RED of the DENR-Region I and the PAMB.

15 The PASu shall have full responsibility for the protection of land, water, wildlife,
16 and other natural physical and biological resources within the Agoo-Damortis Protected
17 Seascape and Landscape, As such, the PASu shall have the following duties and
18 responsibilities in addition to those provided under NIPAS and its Implementing Rules
19 and Regulations:

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

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

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

25 (d) *Enforce the laws, rules and regulations* relevant to the Agoo-Damortis
26 Protected Seascape and Landscape, institute and file legal action independently or in
27 collaboration with other governmental agencies or organizations and assist in the
28 prosecution of offenses committed in violation of this Act;

29 (e) Monitor all activities within the Agoo-Damortis Protected Seascape and
30 Landscape to ensure its conformity with the management plan;

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

33 (g) Perform such other functions as the PAMB may delegate.

34 The PASu shall be supported by a sufficient number of personnel who shall be
35 performing day to day management, protection and administration of Agoo-Damortis
36 Protected Seascape and Landscape. Upon recommendation of the PAMB, the DENR
37 Regional Director shall deputize local community leaders and environment and natural
38 resource officers.

1 SEC. 8. *Special Prosecutor and Retained Counsel.* – Within thirty (30) days
2 from the effectivity of this Act, the Department of Justice (DOJ) shall appoint a special
3 prosecutor to whom all cases of violation of laws, rules and regulations in the Agoo-
4 Damortis Protected Seascape and Landscape shall be assigned. Such Special
5 Prosecutor shall coordinate with the PAMB and the PASu in the performance of his/her
6 duties and assist in the training of wardens and rangers in arrest and criminal
7 procedures. The PAMB may retain the services of a counsel to prosecute and/or assist
8 in the prosecution of cases under the direct control and supervision of the regular or
9 special prosecutor and to defend the members of the PAMB, the PASu and the staff,
10 or any person assisting in the protection, conservation and sustainable development of
11 the Agoo-Damortis Protected Seascape and Landscape, against any legal action
12 related to their powers, functions and responsibilities as provided in this Act or as
13 delegated or tasked by the PAMB.

14 SEC. 9. *Agoo-Damortis Protected Seascape and Landscape Fund.* - There is
15 hereby established a trust fund to be known as the Agoo- Damortis Protected
16 Seascape and Landscape Fund for purposes of financing projects of the Agoo-
17 Damortis Protected Seascape and Landscape. Seventy- five percent (75%) income
18 generated from the operation of the Agoo- Damortis Protected Seascape and
19 Landscape or management of wild flora and fauna in the Agoo- Damortis shall accrue
20 to the Fund. The remaining twenty- five percent (25%) shall go to the Integrated
21 Protected Areas Fund (IPAF) as established in the NIPAS Act of 1992.

22 Income shall be derived from visitors/ tourists fee, fees from permitted sale and
23 export of flora and fauna and other resources from the Agoo- Damortis Protected
24 Seascape and Landscape, proceeds from the registration and lease of multiple-use
25 areas, including tourism concessions, fees, proceeds, and contributions from industries
26 and facilities directly benefiting from the protected seascape and landscape; and such
27 other fees and incomes derived from the operation of the protected seascape and
28 landscape.

29 The Agoo- Damortis Protected Seascape and Landscape Fund may be
30 augmented by grants, donations, endowment from various sources, domestic or
31 foreign, for purposes related to their functions: *Provided*, That disbursements
32 therefrom shall be made solely for the protection, maintenance, administration and
33 management of the system, and duly approved projects endorsed by the PAMB in
34 accordance with existing accounting and budgeting rules and regulations: *Provided*,
35 *further*, That the Fund shall not be used to cover personal services expenditures.

36 The LGUs shall continue to impose and collect all other fees not enumerated
37 herein which they have traditionally collected, such as business permits and rentals of
38 LGUs facilities. *Provided*, That the LGU shall not impose property tax and issue tax

1 declaration for areas or properties located in timberland areas or areas previously
2 classified as National Parks. Furthermore, LGUs may charge add-ons to fees imposed
3 by the PAMB provided that such add-ons shall be based on the contribution of the
4 LGUs in the maintenance and protection of the Agoo- Damortis Protected Seascape
5 and Landscape.

6 SEC. 10. *Existing Facilities Within the Agoo- Damortis Protected Seascape and*
7 *Landscape.* – Within sixty (60) days from the effectivity of this Act, major existing
8 facilities such as roads, buildings, water systems, transmission lines, communication
9 facilities, heavy equipment, and irrigation facilities existing within the boundaries of the
10 Agoo- Damortis Protected Seascape and Landscape shall submit project description to
11 the PAMB through the PASu.

12 The PAMB, with the assistance of the DENR, shall determine whether the
13 existence of such facility and its future plan and operations will be detrimental to the
14 Agoo- Damortis Protected Seascape and Landscape or whether conditions for its
15 operation shall be imposed. If any such conditions are violated, the owner of the facility
16 shall be liable to pay a fine of Five Thousand Pesos (P5,000.00) for every violation.
17 Upon reaching a total fine of Five Hundred Thousand Pesos (P500,000.00), the PAMB
18 through the PASu and deputizing other government entities, shall cause the cessation
19 and demolition of the facility at the cost of its owner.

20 Existing facilities allowed to remain within the Agoo- Damortis Protected
21 Seascape and Landscape may be charged a reasonable royalty by the DENR. All
22 income from such royalty shall accrue to the Agoo-Damortis Protected Seascape and
23 Landscape Fund.

24 SEC. 11. *Utilization of Resources.* – Any exploitation of or utilization of
25 nonrenewable resources within the Agoo- Damortis Protected Seascape and
26 Landscape shall not be allowed. Energy projects within the Agoo-Damortis Protected
27 Seascape and Landscape shall be permitted only through an act of Congress, except
28 energy from wind, sun, and water sources and not more than one (1) megawatt
29 capacity for mini-hydro power; *Provided*, that these renewable energy projects are
30 established outside the strict protection zone, adopt reduced impact technologies and
31 undergo the Environmental Impact Assessment (EIA) system as provided by law and:
32 *Provided, Further*, that the PAMB endorsement of the project has been obtained.

33 SEC. 12. *Tenured Migrants and Other Agoo- Damortis Protected Seascape and*
34 *Landscape Occupants.* –

35 Tenured migrants shall be eligible to become stewards of portions of lands
36 within allowable zones. The PAMB shall identify, verify and review all tenurial
37 instruments, land claims and issuances of permits for resource use within the Agoo-
38 Damortis Protected Seascape and Landscape and recommend the issuance of the

1 appropriate tenurial instrument consistent with the zoning provided in the management
2 plan and its successor plans.

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

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

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

14 SEC. 14. *Reporting Responsibility.* – The PASu, through the PAMB, shall be
15 responsible in the preparation of accomplishment reports on all activities undertaken in
16 the Agoo- Damortis Protected Seascape and Landscape for submission to the DENR
17 Secretary.

18 SEC. 15. *Prohibited Acts and Penalties.* – The following prohibitions and
19 penalties are applicable to the Agoo- Damortis Protected Seascape and Landscape, in
20 addition to the prohibited acts as provided in the NIPAS Act and its Implementing Rules
21 and Regulations:

22 (A) The penalties in Articles 309 and 310 of the Revised Penal Code,
23 depending on the value of the resources involved in connection with the prohibited act,
24 shall be imposed upon any person who:

25 (a) Takes, destroys, collects, disturbs or possesses any wild terrestrial or
26 aquatic plants, animals, flora or fauna, sand, rocks or by-products derived within
27 particularly identified regulated or prohibited areas zones in the Agoo- Damortis
28 Protected Seascape and Landscape including private lands without a the necessary
29 permit, authorization or exemption: *Provided:* That hunting of animals shall be
30 absolutely prohibited except for scientific research;

31 (b) Cuts, gathers, removes or collects timber or any forest products, within
32 particularly identified regulated or prohibited areas or zones in the Agoo- Damortis
33 Protected Seascape and Landscape including private lands without necessary permit,
34 authorization or exemption;

35 (c) Possesses, transports within or outside the Agoo- Damortis Protected
36 Seascape and Landscape any timber, forest products, wild terrestrial or aquatic plants,
37 animals, flora or fauna, or by- product derived therefrom which is ascertained to have
38 been taken from the protected area.

1 (d) Undertakes mineral exploration or extraction within the Agoo- Damortis
2 Protected Seascape and Landscape;

3 (e) Engages in quarrying of sand, gravel, guano, limestone or any material
4 within the Agoo- Damortis Protected Seascape and Landscape;

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

8 (g) Conducts bioprospecting within the Agoo- Damortis Protected Seascape and
9 Landscape without prior PAMB approval in accordance with existing guidelines; and

10 (h) Establishes or introduces exotic species within the Agoo- Damortis Protected
11 Seascape and Landscape which are detrimental to endemic species or without prior
12 PAMB approval.

13 (B) A fine of not less than Five thousand pesos (P5,000.00) nor more than Five
14 hundred thousand pesos (P500,000.00) and/or imprisonment from one (1) year but not
15 more than six (6) years shall be imposed upon any person who:

16 (a) Violates any rules and regulations in the management plan or by the PAMB
17 or agreements reached before the PAMB in the exercise of adjudicative functions;

18 (b) Erects any structure on land or on water for any purposes outside the
19 management plan, duly allowed by the PAMB: *Provided*, That large-scale private
20 infrastructure and other projects such as medium to high density residential
21 subdivisions, medium to large commercial and industrial establishments, golf-courses,
22 heavily mechanized commercial and non-traditional farming, and other activities that
23 cause increased in-migration, pollution and resource degradation are absolutely
24 prohibited;

25 (c) Possesses a chainsaw, hacksaw and other mechanized equipment within
26 the without a permit;

27 (d) Throws, dumps or causes to be dumped into the Agoo- Damortis
28 Protected Seascape and Landscape any non-biodegradable material or waste whether
29 liquid, solid or gas;

30 (e) Uses, dumps, places or causes to be placed into the Agoo- Damortis
31 Protected Seascape and Landscape toxic chemicals, including pesticides and other
32 hazardous substances, unless the same is expressly allowed in the management plan;

33 (f) Prospects, hunts or otherwise locates hidden treasures within the Agoo-
34 Damortis Protected Seascape and Landscape;

35 (g) Informally occupies or dwells in any land within the Agoo- Damortis
36 Protected Seascape and Landscape without clearance from the PAMB;

37 (h) Possesses or uses blasting caps or explosives anywhere within the Agoo- Damortis
38 Protected Seascape and Landscape;

1 (h) 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 (i) Alters, removes, or destroys any boundary markers, or signs;

5 (j) Engages in kaingin, or, in any manner, causing forest fires inside the Ago-
6 Damortis Protected Seascape and Landscape; or

7 (k) Purchases, or sells, mortgages, or leases lands or other portions of the
8 Ago- Damortis Protected Seascape and Landscape which are covered by any tenurial
9 instrument.

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

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

17 All conveyances, vessels, equipments, paraphernalia, implements, gears, tools
18 and similar devices shall be subject to immediate and administrative confiscation,
19 independent of the judicial proceedings by the PASu Office upon apprehension,
20 subject however to due process and substantial evidence requirements. When legal
21 action is however filed in the regular courts, the said conveyances, vessels,
22 equipments, paraphernalia, implements, gears, tools and similar devices, independent
23 of the administrative proceedings, shall not be released until after judgment has been
24 rendered. Proceeds of the sale of all objects administratively or judicially confiscated
25 pursuant hereto shall accrue to the Ago- Damortis Protected Seascape and
26 Landscape Fund. Procedure for the sale thereof shall be promulgated by the PAMB.
27 However, in no case shall any confiscated or rescued protected animal species be sold
28 or in any manner disposed of but shall be immediately turned over to the PASu Office
29 for release in its natural habitat, subject to existing regulations. However, in no case
30 shall any confiscated or rescued protected animal species be sold or in any manner
31 disposed of but shall be immediately turned over to the PASU Office for release in its
32 natural habitat, subject to existing regulations.

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

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

1 SEC. 16. *Construction and Suppletory Application of Existing Laws.* The
2 provisions of this Act shall be construed liberally in favor of achieving biodiversity
3 conservation, protection and sustainable development. Provisions of Republic Act No.
4 7586, otherwise known as the National Integrated Protected Areas Management Act of
5 1992 and existing forestry laws, and their corresponding rules and regulations not
6 inconsistent hereto shall have the suppletory effect in the implementation of this Act.

7 SEC. 17. *Transitory Provision.*- In order to ensure the recovery and restoration
8 of biological diversity and to develop sustainable livelihood opportunities for tenured
9 migrants, the DENR shall henceforth cease to issue concessions, licenses, permits,
10 clearances, compliance documents or any other instrument that allows exploitation and
11 utilization of resources within the Agoo-Damortis Protected Seascape and Landscape
12 until the management plan shall have been put into effect.

13 All existing land use and resource use permits within the Agoo- Damortis
14 Protected Seascape and Landscape shall be reviewed and shall not be reviewed upon
15 their expiration unless consistent with the management plan and approved by the
16 PAMB.

17 SEC. 18. *Separability Clause.* – If, for any reason, any part or section of this Act
18 is declared unconstitutional or invalid, such other parts or not affected thereby shall
19 remain in full force and effect

20 SEC. 19. *Repealing Clause.* – All laws, decrees, proclamations, rules and
21 regulations inconsistent with any provisions of this Act are hereby repealed or modified
22 accordingly.

23 SEC. 20. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its
24 complete publication in the *Official Gazette* or in a national newspaper of general
25 circulation available in the Agoo- Damortis Protected Seascape and Landscape.

26 Approved,