

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 2773



Introduced by Representatives Rafael P. Nantes and Proceso J. Alcala

EXPLANATORY NOTE

Mts. Banahaw–San Cristobal Protected Landcape (MBSCPL) is located near the boundary of the provinces of Laguna and Quezon in Southern Luzon with a latitude of 14°04.0'N and a longitude of 121°29.0'E. It towers 2,158 meters above sea level (avsl).

Based on the studies conducted by the Philippine Institute of Volcanology and Seismology (PHIVOLCS) and other volcanologists, Mt. Banahaw used to be an active volcano. Its first reported eruption was on 1730. On January 12, 1743, the volcano erupted again pouring out water and big rocks similar to that of the 1730 event. Similar volcanic event was also reported in 1843 and 1909. It was found out later that the avalanche of water, mud and rocks had descended to the west of the volcano along the drainage channels which are natural outlet of the crater and covered the road with a layer of debris measuring more than one meter thick. Landslide dammed the water coming from the crater and that the bursting of the obstruction liberated the accumulated water.¹

Mt. Banahaw's crater has a breach of 1.5 km x 3.5 km at its southern rim. It was occupied by a lake when a violent eruption occurred in 1730 and opened its southern rim pouring out water, incandescent lava and big boulders of rock which today can still be seen near the town of Sariaya, Quezon. The crater now 210 meters deep, seems to be an elliptical hole when observed from the south and there are some deep circular ponds which are probably extinct craters found at the base of the mountain.

Parasitic composite cones can be found at the volcano's western slopes (Mt. San Cristobal, 1,470 meters above sea level) and its northeastern slopes (Mt. Banahaw de Lucban, 1,875 meters above sea level). Two low-lying domes (Buho and Masalakot Domes) outcrop in the northern slopes of Mt. San Cristobal. A cinder cone (Mt. Mayabobo) and two water-filled marsh (Lakes Dagatan and Ticob) are located south of Dolores, Quezon.²

Mt. Banahaw has an actual land area of 11,133 hectares covering a portion of the municipalities of Lucban, Tayabas, Sariaya, Candelaria and Dolores of the province of Quezon and Liliw, Nagcarlan, Rizal and Majayjay of the province of Laguna.

There are two pronounced seasons in the area, summer or dry season during November to April and rainy season during May to October. Its soil type was sandy loam, rich in organic and natural fertilizers.

¹ Mode of Emplacement of Two Debris-avalanche Deposits at Banahaw Volcano, Southern Luzon, Philippines: Sandra Geronimo – Catane; Graduate School of Science and Technology, Kobe University, Nada, Kobe 657, Japan (Received September 21, 1993; Accepted June 24, 1994)
² PHIVOLCS: Banahaw Volcano, Quick Reference Notes

Of the total Philippine forest cover, recent aerial surveys reveal that less than one percent forest cover remain in the provinces of Laguna and Quezon. These forested areas are particularly found in Mt. Makiling, Mt. San Cristobal and Mt. Banahaw. The highest mountain is Mt. Banahaw reaching an altitude of more than 2,158 meters.

We cannot ignore the fact that Mt. Banahaw plays a very vital role in the conservation of our natural heritage. Its diverse array of unique and rare wildlife are a testimony of an island once almost completely covered with natural vegetation before the forest were exchanged for what we now call development.³

Wildlife biologists have always hypothesized that the Mts. Banahaw – San Cristobal complex is an important faunal region that deserves to be included in the priority list of protected areas. The area is often described as the “meeting point” of the two distinct sub-faunal regions – Northern Luzon and Southern Luzon, each characterized by its own array of unique endemic species.⁴

In Banahaw, rare, endangered and threatened wildlife species like the rodent, flame-breasted fruit dove - locally called *punay* - the hornbill or *kalaw*, the many-colored flycatcher, mammals like the deer and wild boar or *baboy damo*, owls like the hawk owl and the Luzon Scops Owl, different varieties of the cloud rat and little studied varieties of frogs, eels and snakes indicate the health of the last remaining 1% to 1.5% virgin forest of Southern Luzon.⁵

Frogs, eels, snakes and deer indicate the health of the water sources of Banahaw's ecosystem. Birds, monkeys, deer and wild boar, being fruit-eaters, play a vital role in seed dispersal that ensures the propagation of the forest. But their existence is increasingly fragile. It has been observed that they are extremely sensitive to changes and disturbances in their habitat and prefer to leave if these are disturbed. It has also been observed that the fruit dove and the hornbill, being monogamous, are slow to multiply. Given these, their populations are slowly dwindling under human encroachment.⁶

The cloud rats endemic to Banahaw are valuable source of information on the evolution of an ecosystem where the two distinct sub-faunal regions of Northern Luzon and Southern Luzon meet and blend - to call it as “Eco-tone”.

Cloud rats, too, multiply much more slowly than the prolific lowland varieties. We have found that if foreign rats get into their native habitats, they can overwhelm the numbers of the endemic species and destroy their homes in less than five years.

Much of Banahaw's endemic species, if not already extinct, are now rare. Many of them, like the *punay* and the *kalaw*, cannot live in an altered ecosystem. Species that took thousands of years to evolve in a specialized ecosystem could crumble in the span of one (1) to five (5) years under the increasing encroachment of humans without appreciation of the value of the forest eco-system and its teeming life forms.⁷

To this date, given the absence of pro-active implementation of environmental laws to protect Mts. Banahaw and San Cristobal, we estimate that since these rare animals have an average life span of 5 to 20 years, Banahaw's wildlife could slowly die

³ Faunal Diversity of Mt. Banahaw and Implications for Conservation Priorities: Neil Aldrin D. Mallari HARIBON-Birdlife Philippines Programme and Arvin C. Diesmos Wildlife Biology Laboratory, University of the Philippines, Los Banos, Laguna

⁴ Faunal Diversity of Mt. Banahaw and Implications for Conservation Priorities: Neil Aldrin D. Mallari HARIBON-Birdlife Philippines Programme and Arvin C. Diesmos Wildlife Biology Laboratory, University of the Philippines, Los Banos, Laguna

⁵ KAAKBAY Quezon Inc. , Community Environmental Impact Assessment, South Luzon Toll way Extension Project, April 19, 1997.

⁶ Ibid

⁷ KAAKBAY Quezon Inc. , Community Environmental Impact Assessment, South Luzon Toll way Extension Project, April 19, 1997.

out, never to be seen again, if no firm parameters and wise policies recognizing the urbanized Filipino's lack of awareness are adopted and enforced. Apart from the values of beauty and joy they bring to humans who have a fellow-feeling towards them, the potential negative evolutionary consequences of allowing the extinction of species which propagate the life of the forest are grave indeed.

We estimate that in the Philippines, our remaining forests are worth only 10 more years, unlike our neighbor Indonesia which still has a hundred years worth of forests.

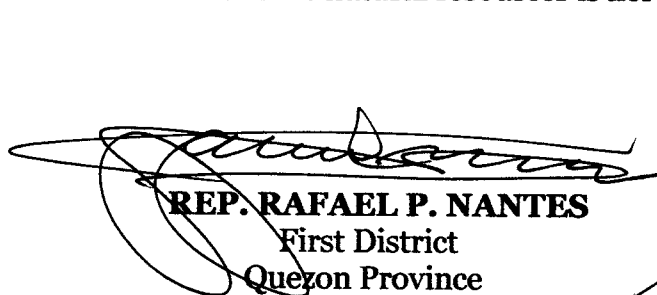
The Banahaw watershed extending to Tayabas Bay not only shelters and nourishes species endemic to the Philippines but also serves as a feeding station and summer migration area for birds native to the temperate region such as birds of Alaska, Siberia, China and Japan. This watershed is therefore "a corridor of life" for the world of wildlife.⁸

In addition, Banahaw, which used to be an active volcano, may erupt again in the near future even though it has remained in repose during the last 259 years. Having been inactive for a long time, people living on its slopes now view it simply as a mountain and no longer as a volcano. This dangerous attitude would expectedly result in uncontrolled development of the volcano slopes and expansion of population centers towards the highly vulnerable upper slopes. Ignoring Mt. Banahaw's potential for another eruption in the future puts more and more people and expensive infrastructure at risk.

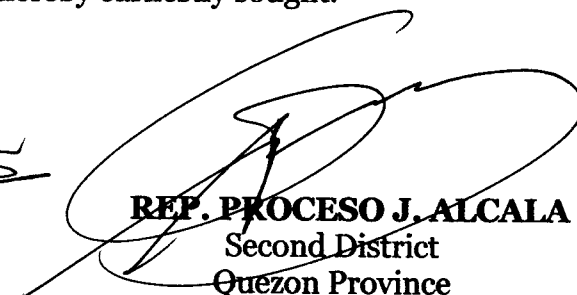
The 5-year closure order of the PAMB of Mts. Banahaw-San Cristobal initially arrest the issues and problems regarding the influx of half a million pilgrims during holy week that bring tons of both solid and liquid waste. According to some scientist fecal coliform contamination of Banahaw particularly in Dolores, Quezon will surely occur if such human influx continue to persist.

Given the above situation, there is an urgent and pressing need to pass a bill in Congress that will address the precarious and fragile state of Mt. Banahaw's diverse flora and fauna and provide measures that will help protect and secure the lives and property of the people living within the vicinity in the event of an unforeseen eruption in the future.

Hence, the need for a Congressional Act that will not only rehabilitate but will likewise guarantee sustainable resource management and ecology-sound conservation of Mt. Banahaw's natural resources is hereby earnestly sought.



REP. RAFAEL P. NANTES
First District
Quezon Province



REP. PROCESO J. ALCALA
Second District
Quezon Province

⁸ Faunal Diversity of Mt. Banahaw and Implications for Conservation Priorities: Neil Aldrin D. Mallari HARIBON-Birdlife Philippines Programme and Arvin C. Diesmos Wildlife Biology Laboratory, University of the Philippines, Los Banos, Laguna

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HOUSE BILL NO. 2773

Introduced by Representatives Rafael P. Nantes and Proceso J. Alcala

AN ACT
TO ESTABLISH MOUNTS BANAHAW - SAN CRISTOBAL PROTECTED
LANDSCAPE AND ITS PERIPHERAL BUFFER ZONES IN THE PROVINCES
OF LAGUNA AND QUEZON AS A PROTECTED LANDSCAPE, 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:

SECTION 1. Title. This act shall be known as the Mounts Banahaw-San Cristobal Protected Landscape Act of 2004.

SEC. 2. Declaration of Policy. The importance of Mounts Banahaw-San Cristobal area as a major watershed in the Provinces of Laguna and Quezon, its educational and aesthetic importance, its biodiversity and its cultural and religious importance, behooves the State to undertake steps for its protection and preservation. It is therefore declared the policy of the State to ensure the protection and conservation of Mounts Banahaw-San Cristobal Protected Landscape, its associated forest, biodiversity, cultural and religious importance. In so doing, the State shall ensure the full implementation of this Act, the mobilization of resources for the operational of the herein institutional mechanisms and the full scientific and technical support needed for the conservation of biodiversity and the integrity of the ecosystems, culture and religious practices.

SEC. 3. Scope. The boundaries of the Mounts Banahaw-San Cristobal Protected Landscape (MBSCPL), situated in the provinces of Quezon and Laguna are as follows:

“Beginning at a point marked “1” on the DENR NIPAS Map No. RO-4A-4 which is N 7°23’ E, 10,564. 63 meters from BLLM No. 1 of the Municipality of Dolores, Province of Quezon;

Parcel I

Thence	N 39°00’ W	235.0 meters to corner 2;
Thence	N 39°00’ W	459.0 meters to corner 3;
Thence	N 51°00’ W	153.0 meters to corner 4;

Thence	N 76°00' E	144.3 meters to corner 5;
Thence	N 59°00' E	81.7meters to corner 6;
Thence	N 28°00' W	117.5 meters to corner 7;
Thence	N 30°00' W	367.3 meters to corner 8;
Thence	N 77°00' W	251.2 meters to corner 9;
Thence	N 26°00' E	565.4 meters to corner 10;
Thence	N 46°28' E	170.0 meters to corner 11;
Thence	N 81°07' E	326.7 meters to corner 12;
Thence	N 39°14' E	162.2 meters to corner 13;
Thence	N 34°45' E	218.3 meters to corner 14;
Thence	N 21°13' E	196.9 meters to corner 15;
Thence	N 18°28' W	171.3 meters to corner 16;
Thence	N 00°40' E	80.9 meters to corner 17;
Thence	N 63°54' W	81.9 meters to corner 18;
Thence	N 81°47' W	135.8 meters to corner 19;
Thence	N 01°51' W	173.9 meters to corner 20;
Thence	N 25°27' W	77.4 meters to corner 21;
Thence	S 80°12' W	166.1 meters to corner 22;
Thence	S 20°36' W	482.9 meters to corner 23;
Thence	S 12°43' W	187.5 meters to corner 24;
Thence	N 82°04' W	149.6 meters to corner 25;
Thence	S 6°26' E	112.8 meters to corner 26;
Thence	S 63°01' E	117.5 meters to corner 27;
Thence	S 30°47' W	121.5 meters to corner 28;
Thence	S 23°02' W	115.0 meters to corner 29;
Thence	N 70°02' W	404.8 meters to corner 30;
Thence	N 35°27' E	145.6 meters to corner 31;
Thence	N 27°30' E	171.5 meters to corner 32;
Thence	N 6°42' W	412.4 meters to corner 33;
Thence	N 16°30' W	384.5 meters to corner 34;
Thence	N 38°00' W	93.1 meters to corner 35;
Thence	N 89°40' W	137.8 meters to corner 36;
Thence	S 00°30' E	71.7 meters to corner 37;
Thence	S 18°20' W	236.8 meters to corner 38;
Thence	S 11°30' W	190.3 meters to corner 39;
Thence	S 80°20' W	176.9 meters to corner 40;
Thence	N 65°00' W	410.7 meters to corner 41;
Thence	N 65°00' W	667.4 meters to corner 42;
Thence	N 65°00' W	515.4 meters to corner 43;
Thence	N 29°15' W	867.5 meters to corner 44;
Thence	N 34°15' W	63.2 meters to corner 45;
Thence	N 59°00' E	162.9 meters to corner 46;
Thence	N 22°00' W	202.4 meters to corner 47;
Thence	S 87°10' W	128.0 meters to corner 48;
Thence	S 55°20' W	74.1 meters to corner 49;
Thence	N 55°15' W	51.3 meters to corner 50;
Thence	N 30°30' W	374.8 meters to corner 51;
Thence	N 74°10' E	290.0 meters to corner 52;
Thence	N 79°30' W	356.5 meters to corner 53;
Thence	N 24°00' E	325.6 meters to corner 54;
Thence	S 83°00' W	131.8 meters to corner 55;
Thence	N 44°00' W	153.5 meters to corner 56;
Thence	S 85°00' E	282.7 meters to corner 57;
Thence	S 70°03' E	299.8 meters to corner 58;
Thence	S 83°56' E	209.8 meters to corner 59;
Thence	N 08°00' W	109.5 meters to corner 60;
Thence	N 67°05' E	92.9 meters to corner 61;

Thence	S 34°56' E	119.6 meters to corner 62;
Thence	N 22°00' E	190.6 meters to corner 63;
Thence	N 18°00' E	114.1 meters to corner 64;
Thence	N 07°00' W	179.9 meters to corner 65;
Thence	N 82°00' E	743.8 meters to corner 66;
Thence	N 37°30' E	317.9 meters to corner 67;
Thence	N 39°00' E	87.0 meters to corner 68;
Thence	N 66°43' E	514.8 meters to corner 69;
Thence	N 09°50' E	189.1 meters to corner 70;
Thence	N 77°33' E	246.5 meters to corner 71;
Thence	N 79°05' E	442.3 meters to corner 72;
Thence	S 42°45' E	305.0 meters to corner 73;
Thence	S 60°33' E	245.5 meters to corner 74;
Thence	N 50°20' E	214.3 meters to corner 75;
Thence	S 50°33' E	498.7 meters to corner 76;
Thence	S 06°30' W	86.7 meters to corner 77;
Thence	S 88°05' E	192.4 meters to corner 78;
Thence	S 62°00' E	300.0 meters to corner 79;
Thence	S 12°37' W	276.6 meters to corner 80;
Thence	S 14°20' E	150.9 meters to corner 81;
Thence	N 37°00' E	174.2 meters to corner 82;
Thence	N 67°00' E	247.8 meters to corner 83;
Thence	S 50°00' E	221.3 meters to corner 84;
Thence	N 62°14' E	490.8 meters to corner 85;
Thence	N 41°35' E	1585.3 meters to corner 86;
Thence	N 14°14' E	500.3 meters to corner 87;
Thence	S 50°00' E	173.1 meters to corner 88;
Thence	N 09°37' W	396.4 meters to corner 89;
Thence	N 15°33' E	178.8 meters to corner 90;
Thence	N 66°00' E	225.6 meters to corner 91;
Thence	N 07°02' E	316.9 meters to corner 92;
Thence	N 83°28' E	940.0 meters to corner 93;
Thence	N 46°24' E	83.4 meters to corner 94;
Thence	S 44°33' E	145.0 meters to corner 95;
Thence	N 35°16' E	97.4 meters to corner 96;
Thence	N 38°09' W	157.8 meters to corner 97;
Thence	N 47°01' E	307.4 meters to corner 98;
Thence	N 45°32' E	265.7 meters to corner 99;
Thence	S 40°53' E	69.4 meters to corner 100;
Thence	N 49°43' E	110.5 meters to corner 101;
Thence	S 78°23' E	68.3 meters to corner 102;
Thence	N 58°07' E	176.5 meters to corner 103;
Thence	N 37°30' E	147.3 meters to corner 104;
Thence	N 56°51' W	175.2 meters to corner 105;
Thence	N 47°19' E	278.4 meters to corner 106;
Thence	N 47°14' E	331.0 meters to corner 107;
Thence	N 85°01' E	192.0 meters to corner 108;
Thence	S 04°19' E	267.3 meters to corner 109;
Thence	S 77°46' E	102.2 meters to corner 110;
Thence	S 04°50' E	290.5 meters to corner 111;
Thence	S 79°05' E	58.5 meters to corner 112;
Thence	N 03°05' E	217.2 meters to corner 113;
Thence	N 48°21' E	185.2 meters to corner 114;
Thence	S 27°17' E	158.5 meters to corner 115;
Thence	S 55°12' E	111.2 meters to corner 116;
Thence	N 50°34' E	258.8 meters to corner 117;
Thence	S 51°01' E	56.2 meters to corner 118;

Thence	N 19°37' E	163.2 meters to corner 119;
Thence	N 60°38' E	192.6 meters to corner 120;
Thence	N 07°58' E	130.1 meters to corner 121;
Thence	N 52°30' E	224.0 meters to corner 122;
Thence	S 39°39' E	215.1 meters to corner 123;
Thence	N 76°29' E	156.1 meters to corner 124;
Thence	S 62°27' E	488.9 meters to corner 125;
Thence	S 62°42' E	913.0 meters to corner 126;
Thence	S 47°41' E	496.1 meters to corner 127;
Thence	S 62°16' E	616.1 meters to corner 128;
Thence	S 62°26' E	500.9 meters to corner 129;
Thence	S 61°56' E	545.3 meters to corner 130;
Thence	S 62°32' W	552.9 meters to corner 131;
Thence	S 71°14' W	449.6 meters to corner 132;
Thence	S 17°45' E	446.6 meters to corner 133;
Thence	N 83°11' E	251.0 meters to corner 134;
Thence	N 34°23' E	818.2 meters to corner 135;
Thence	N 81°39' E	309.5 meters to corner 136;
Thence	S 61°52' E	159.1 meters to corner 137;
Thence	S 42°09' W	391.2 meters to corner 138;
Thence	S 09°32' E	594.1 meters to corner 139;
Thence	N 71°03' E	669.9 meters to corner 140;
Thence	S 22°57' E	496.3 meters to corner 141;
Thence	S 46°52' W	70.2 meters to corner 142;
Thence	S 31°00' E	115.8 meters to corner 143;
Thence	N 56°19' E	50.9 meters to corner 144;
Thence	S 22°53' E	818.9 meters to corner 145;
Thence	S 23°03' E	1136.6 meters to corner 146;
Thence	S 43°30' W	254.8 meters to corner 147;
Thence	N 65°47' W	902.9 meters to corner 148;
Thence	S 13°55' W	330.7 meters to corner 149;
Thence	S 64°46' E	728.4 meters to corner 150;
Thence	S 42°57' W	269.1 meters to corner 151;
Thence	S 43°04' W	292.6 meters to corner 152;
Thence	N 81°38' W	53.9 meters to corner 153;
Thence	N 27°56' W	262.5 meters to corner 154;
Thence	S 09°33' E	292.6 meters to corner 155;
Thence	N 61°59' W	119.3 meters to corner 156;
Thence	S 04°43' W	350.4 meters to corner 157;
Thence	S 43°04' W	280.7 meters to corner 158;
Thence	S 23°14' E	2180.0 meters to corner 159;
Thence	S 61°58' W	2545.0 meters to corner 160;
Thence	N 40°13' W	695.0 meters to corner 161;
Thence	S 39°12' W	810.8 meters to corner 162;
Thence	N 42°45' W	3.7 meters to corner 163;
Thence	S 60°28' W	59.4 meters to corner 164;
Thence	N 33°37' W	14.2 meters to corner 165;
Thence	S 55°32' W	93.3 meters to corner 166;
Thence	S 44°07' E	65.5 meters to corner 167;
Thence	S 39°12' W	320.0 meters to corner 168;
Thence	S 39°12' W	434.1 meters to corner 169;
Thence	N 50°49' W	184.0 meters to corner 170;
Thence	S 39°20' W	190.0 meters to corner 171;
Thence	S 50°49' E	180.0 meters to corner 172;
Thence	S 30°20' E	2.9 meters to corner 173;
Thence	S 39°12' W	320.0 meters to corner 174;
Thence	S 10°46' W	1424.0 meters to corner 175;

Thence	N 89°39' W	360.0 meters to corner 176;
Thence	N 01°14' W	41.3 meters to corner 177;
Thence	N 33°57' E	51.7 meters to corner 178;
Thence	N 49°56' E	41.4 meters to corner 179;
Thence	N 09°35' E	51.0 meters to corner 180;
Thence	N 45°12' W	61.8 meters to corner 181;
Thence	N 05°15' W	39.8 meters to corner 182;
Thence	N 10°53' E	41.3 meters to corner 183;
Thence	N 53°14' E	64.9 meters to corner 184;
Thence	N 01°44' E	85.7 meters to corner 185;
Thence	N 01°37' W	49.6 meters to corner 186;
Thence	N 54°32' W	52.8 meters to corner 187;
Thence	N 23°48' W	41.8 meters to corner 188;
Thence	N 22°34' W	67.5 meters to corner 189;
Thence	N 23°39' W	17.6 meters to corner 190;
Thence	N 35°13' E	52.5 meters to corner 191;
Thence	N 45°24' E	45.8 meters to corner 192;
Thence	N 16°31' E	40.7 meters to corner 193;
Thence	N 28°32' E	31.7 meters to corner 194;
Thence	N 25°20' E	19.5 meters to corner 195;
Thence	N 57°23' E	21.8 meters to corner 196;
Thence	N 05°28' W	13.2 meters to corner 197;
Thence	S 41°56' W	24.9 meters to corner 198;
Thence	S 53°03' W	28.6 meters to corner 199;
Thence	N 85°30' W	24.6 meters to corner 200;
Thence	N 65°54' W	44.0 meters to corner 201;
Thence	N 46°33' W	57.1 meters to corner 202;
Thence	N 77°34' W	28.1 meters to corner 203;
Thence	S 80°07' W	45.0 meters to corner 204;
Thence	S 87°03' W	55.0 meters to corner 205;
Thence	N 54°37' W	52.5 meters to corner 206;
Thence	N 23°12' W	31.3 meters to corner 207;
Thence	N 03°36' W	45.7 meters to corner 208;
Thence	N 29°40' E	42.8 meters to corner 209;
Thence	N 10°40' W	34.7 meters to corner 210;
Thence	N 80°20' W	45.0 meters to corner 211;
Thence	N 51°19' W	25.5 meters to corner 212;
Thence	N 36°49' W	121.3 meters to corner 213;
Thence	N 03°19' W	36.3 meters to corner 214;
Thence	N 61°19' E	58.3 meters to corner 215;
Thence	N 29°10' W	35.8 meters to corner 216;
Thence	N 62°14' W	33.1 meters to corner 217;
Thence	N 49°08' W	92.7 meters to corner 218;
Thence	S 76°58' W	204.0 meters to corner 219;
Thence	N 73°52' W	27.7 meters to corner 220;
Thence	S 54°55' W	850.0 meters to corner 221;
Thence	S 18°57' W	73.8 meters to corner 222;
Thence	S 36°53' E	50.3 meters to corner 223;
Thence	S 30°02' E	203.4 meters to corner 224;
Thence	S 24°02' E	62.4 meters to corner 225;
Thence	S 64°39' W	9.0 meters to corner 226;
Thence	S 52°57' W	262.8 meters to corner 227;
Thence	S 19°55' E	198.1 meters to corner 228;
Thence	S 22°01' E	29.5 meters to corner 229;
Thence	N 89°39' W	67.4 meters to corner 230;
Thence	N 26°05' W	423.5 meters to corner 231;
Thence	N 09°20' W	159.2 meters to corner 232;

Thence	N 19°01' W	247.0 meters to corner 233;
Thence	S 77°53' W	77.0 meters to corner 234;
Thence	S 20°34' E	155.8 meters to corner 235;
Thence	S 22°48' E	80.7 meters to corner 236;
Thence	S 16°59' E	124.3 meters to corner 237;
Thence	S 32°07' E	74.5 meters to corner 238;
Thence	S 09°20' E	183.7 meters to corner 239;
Thence	S 07°36' E	156.9 meters to corner 240;
Thence	N 86°15' W	650.0 meters to corner 241;
Thence	N 10°50' E	211.8 meters to corner 242;
Thence	N 65°04' W	266.0 meters to corner 243;
Thence	N 59°22' W	365.4 meters to corner 244;
Thence	N 39°00' W	342.6 meters to corner 245;
Thence	S 77°46' W	730.0 meters to corner 246;
Thence	S 00°20' E	60.4 meters to corner 247;
Thence	S 13°07' W	37.0 meters to corner 248;
Thence	S 25°52' E	38.0 meters to corner 249;
Thence	S 46°20' E	93.5 meters to corner 250;
Thence	S 73°14' W	35.3 meters to corner 251;
Thence	S 35°04' W	47.5 meters to corner 252;
Thence	S 39°16' W	107.2 meters to corner 253;
Thence	S 08°53' E	54.4 meters to corner 254;
Thence	S 50°03' E	86.1 meters to corner 255;
Thence	S 07°34' E	54.5 meters to corner 256;
Thence	S 45°34' W	53.2 meters to corner 257;
Thence	S 04°17' W	38.9 meters to corner 258;
Thence	N 73°02' W	719.0 meters to corner 259;
Thence	N 15°50' W	2626.4 meters to corner 260;
Thence	N 80°01' W	287.3 meters to corner 261;
Thence	S 14°51' W	2592.8 meters to corner 262;
Thence	N 73°02' W	543.4 meters to corner 263;
Thence	N 40°18' W	171.0 meters to corner 264;
Thence	N 17°19' W	99.2 meters to corner 265;
Thence	N 35°22' E	613.2 meters to corner 266;
Thence	N 26°46' E	682.9 meters to corner 267;
Thence	N 45°53' E	408.3 meters to corner 268;
Thence	N 22°49' E	514.7 meters to corner 269;
Thence	N 30°10' W	237.0 meters to corner 270;
Thence	N 48°40' W	575.4 meters to corner 271;
Thence	N 38°10' W	228.6 meters to corner 272;
Thence	S 13°54' W	227.8 meters to corner 273;
Thence	S 27°14' E	88.9 meters to corner 274;
Thence	S 00°53' W	155.0 meters to corner 275;
Thence	S 27°06' W	301.3 meters to corner 276;
Thence	S 29°14' W	128.8 meters to corner 277;
Thence	S 23°30' W	33.5 meters to corner 278;
Thence	N 49°12' W	289.7 meters to corner 279;
Thence	S 43°16' W	79.7 meters to corner 280;
Thence	N 82°15' W	145.0 meters to corner 281;
Thence	N 16°52' W	78.0 meters to corner 282;
Thence	S 81°44' W	72.5 meters to corner 283;
Thence	S 39°00' W	258.9 meters to corner 284;
Thence	S 53°04' W	103.1 meters to corner 285;
Thence	S 66°43' W	228.7 meters to corner 286;
Thence	S 34°47' W	86.7 meters to corner 287;
Thence	N 61°30' W	79.0 meters to corner 288;
Thence	S 54°27' W	87.2 meters to corner 289;

Thence	S 31°03' W	176.7 meters to corner 290;
Thence	S 86°07' W	574.8 meters to corner 291;
Thence	S 89°35' W	149.4 meters to corner 292;
Thence	N 19°30' E	249.0 meters to corner 1;

which is the point of beginning containing an area of TEN THOUSAND SEVEN HUNDRED EIGHTY FOUR and 05/100 (10,784.05) Hectares.

Parcel II

“Beginning at a point marked “1” which is N 07°57' E, 8,766.30 meters from BLLM No. 1 of the Municipality of Candelaria, Province of Quezon:

Thence	N 38°45' E	229.9 meters to corner 2;
Thence	N 47°18' E	137.0 meters to corner 3;
Thence	N 16°42' W	188.8 meters to corner 4;
Thence	N 02°20' W	202.7 meters to corner 5;
Thence	N 55°26' E	327.5 meters to corner 6;
Thence	N 59°29' E	120.8 meters to corner 7;
Thence	N 59°29' E	218.8 meters to corner 8;
Thence	N 35°20' E	466.8 meters to corner 9;
Thence	S 29°12' E	160.3 meters to corner 10;
Thence	S 07°24' W	327.2 meters to corner 11;
Thence	S 07°45' E	140.1 meters to corner 12;
Thence	S 43°47' E	47.7 meters to corner 13;
Thence	N 86°04' E	272.5 meters to corner 14;
Thence	S 64°38' W	83.7 meters to corner 15;
Thence	S 37°41' W	178.3 meters to corner 16;
Thence	S 32°56' E	226.4 meters to corner 17;
Thence	S 21°36' W	104.3 meters to corner 18;
Thence	S 02°35' W	72.9 meters to corner 19;
Thence	S 58°00' W	166.2 meters to corner 20;
Thence	S 40°54' W	228.3 meters to corner 21;
Thence	S 05°14' E	49.3 meters to corner 22;
Thence	S 81°03' W	919.0 meters to corner 23;
Thence N 49°42' W 231.6 meters to corner 1; the point of beginning		
containing an area of ONE HUNDRED SIXTEEN and 54/100 (116.54)		
HECTARES.		

Any modification on this Act due to factors such as changing ecological situations, new scientific or archeological findings, or discovery of traditional boundaries not previously taken into account shall be made through an Act passed by Congress after consultation with the affected public and concerned government agencies.

SEC. 4. Land Classification. –“All lands of the public domain comprising the MBSCPL shall fall under the classification of National Park as provided for in the Philippine Constitution. Public lands classified as agricultural and alienable and disposable upon the passage of this Act shall remain as such and may be disposed of under the Law”.

SEC. 5. Definition of Terms. When used in this Act:

a. “NIPAS” is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to

preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;

b. "*Protected area*" refers to identified portions of land and water set aside by reasons of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;

c. "*Buffer zones*" are identified areas outside the boundaries of an immediately adjacent designated protected areas pursuant to Section 8 that need special development control in order to avoid or minimize harm to the protected area;

d. "*National park*" refers to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historical objects, wild animals and plants therein to provide enjoyment of these features in such areas;

e. "*Protected landscapes*" - are areas of national significance which are characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of these areas;

f. "*Sustainable Development*" - meeting the needs of today without compromising the ability of future generations to meet theirs; and

g. "*Biological diversity or Biodiversity*" - means the wealth of life forms found on earth: the millions of different plants, animals and micro-organisms, the genes they contain, and the intricate ecosystems they form.

SEC. 6. Protection and Conservation Plan. There shall be a Protection and Conservation Plan promulgated for the Mounts Banahaw-San Cristobal Protected Landscape. The Protection and Conservation Plan shall serve as the basic long term framework plan in the management of the protected area and shall guide the preparation of their annual operations plan and budget.

Within one (1) year from the effectivity of this Act, a Protection and Conservation Plan shall have been put into effect following the General Management Planning Strategy provided for under the NIPAS Act and according to the procedure herein set forth. It shall contain, among others, the following:

- (a) the category of the protected area
- (b) period of applicability of the plan
- (c) key management issues
- (d) goals and objectives of management in support of Section 2 (declaration of Policy) hereof
- (e) site management strategy
- (f) major management activities such as, but not limited to enforcement

of laws, habitat and wildlife management, sustainable use management, infrastructure development and maintenance, fire and pest control, etc.

(g) zoning

(h) visitor and management programs

SEC. 7. Preparation of Protection and Conservation Plan. The Protected Area Superintendent (PASu) shall prepare the Protection and Conservation Plan in coordination with the appropriate offices of the DENR and local communities and NGOs which shall be reviewed and approved by the Protected Area Management Board and certified by the Secretary. Such certification shall be mandatory to ensure that the plan conforms with all laws, and the applicable rules and regulation issued by the DENR, of national application. Provided, however, that the Secretary may revise and modify the Protection and Conservation Plan, submitted for certification to make it conform with the laws and applicable regulations after consultation with the PAMB.

The PASu shall prepare all successor plans. One year before the expiration of the period of the applicability of the plan in effect, the PASu shall cause publication of notices for comments and suggestions on the next successor plan in a newspaper of general circulation in the Municipalities of Lucban, Tayabas, Sariaya, Candelaria and Dolores in the Province of Quezon and the Municipalities of Majayjay, Liliw, Nagcarlan, Rizal and the City of San Pablo in the Province of Laguna. Notices shall also be posted in the respective provincial, municipal halls of the provinces and municipalities above mentioned as well as in the barangay halls bounding or immediately adjacent to the protected landscape. The proposed plan shall be made available to the public during the period for comment and a finalized plan shall be made available for public perusal at the Office of the PASu upon the approval of PAMB.

The zoning of the protected area shall give primary consideration to the ecological value of the protected area as watershed and secondly to its cultural and religious importance. Sustainable use of traditional resource users may also be given due consideration, unless the same are deemed detrimental to biodiversity and protection of the natural characteristics of the protected area.

The plan shall be in a language understandable in the area, plainly written and available for perusal to the general public at the PASu Office.

SEC. 8. Institutional Mechanisms. The following administrative and policy-making mechanisms shall apply:

A. There shall be a Protected Area Management Board (PAMB) which shall be the policy-making body of the protected area. It shall be composed of:

1. Provincial Environment and Natural Resources Officer (PENRO) of the province of Quezon as the permanent Chairperson of the Board;

2. Provincial Environment and Natural Resources Officer (PENRO) of the province of Laguna as the permanent Vice-Chairperson of the Board;

3. The Provincial Planning and Development Officers (PPDO) of the provinces of Quezon and Laguna as permanent Members of the Board;

4. The Provincial Government-Environment and Natural Resources Officers (PG-ENRO) of the provinces of Quezon and Laguna as permanent Members of the Board;

5. One (1) representative from each of the Municipal Government bounding the Protected Landscape to be appointed by the Municipal Mayor;

6. One (1) representative from each barangay bounding or adjacent to the Protected Landscape (PL) to be appointed by the Sangguniang Barangay;

7. One (1) representative from other departments or national government agencies directly involved in the protected landscape or has long term projects or permanent facility located therein;

8. At least three (3) representatives from accredited Non-Governmental Organizations (NGOs) operating within the protected landscape and chosen among themselves in a meeting duly called for the purpose;

9. At least three (3) representatives from accredited People's Organizations (Pos) operating within the protected landscape chosen among themselves in a meeting duly called for the purpose;

10. At least three (3) representatives from the various religious groups whose religious practices are directly linked to the protected landscape, chosen among themselves in a meeting duly called for the purpose;

11. One representative from the academic institution directly involved in the conservation of PL, chosen among themselves in a meeting duly called for the purpose.

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

All members of PAMB, and Secretariat are allowed to claim actual transportation and reasonable subsistence expenses while attending the regular meetings and official functions of their office, chargeable to the fund allocated for PAMB operations.

The PAMB of Mounts Banahaw-San Cristobal Protected Landscape shall have the following powers and functions:

1. Decide matters relating to planning, resources protection and general administration of the area in accordance with the approved protection and conservation plan;

2. Approve proposals, work plans, action plans, guidelines, for management of the protected area in accordance with the approved protection and conservation plan;

3. Delineate and demarcate protected landscape boundaries buffer

zones, ancestral domains, and recognize the rights and privileges of indigenous communities under the provisions of the Act;

4. Promulgate rules and regulations to promote development programs and projects on biodiversity conservation and sustainable development consistent with the Management Manual of the protected landscape;

5. Ensure the implementation of programs as prescribed in the Protection and Conservation Plan in order to provide employment to the people dwelling in and around the protected landscape;

6. Control and regulate the construction, operation and maintenance of roads, trails, waterworks, sewerage, fire protection and sanitation systems and other public utilities within the protected area;

7. Monitor and evaluate the performance of PL personnel, NGOs and the communities in providing for biodiversity conservation and socio-cultural and economic development and report their assessments to the NIPAS Policy and Program Steering Committee (NPPSC) and the IPAF Governing Board.

The Department of Environment and Natural Resources (DENR), through the Regional Executive Director (RED), shall exercise authority to oversee the PAMB to ensure that it is acting within the scope of its powers and functions. In case of a contradiction between administrative orders issued by the DENR pursuant to the NIPAS Act for national application and the rules and regulations issued by PAMB, the PAMB shall notify the Secretary of the DENR who shall decide whether to apply the rule or withdraw its application to the site.

B. The Protected Area Superintendent (PASu). There shall be a Protected Area Superintendent appointed by the DENR, who shall serve as the Chief Operating Officer of the protected area. The PASu shall have the following powers and functions:

1. Prepare the Protection and Conservation Plan and successor plans as herein provided and executes it;

2. Serve as the Secretariat for the PAMB with the duty to provide the PAMB with all the information necessary for it to make appropriate decisions when necessary;

3. Hire and supervise the necessary personnel to support operations as the budgets made available by the PAMB may allow;

4. Establish productive partnership with the local community including groups interested in the achievement of the goals and objectives of the PL, and in the planning, protection and management thereof;

5. Develop and implement a park information, education and visitor program;

6. Enforce the laws, rules and regulations relevant to the PL and assist in the prosecution of offenses;

7. Supervise all activities within the PL for conformity with the protection and conservation plan;

8. Perform such other functions as the PAMB may assign.

SEC. 9. *Administration and Management.* The Mounts Banahaw-San Cristobal Protected Landscape is hereby placed under the control and administration of the DENR through the Protected Area Management Board or PAMB. For this purpose, there is hereby created a PL Office which shall be equipped with necessary personnel, as follows:

One (1) Protected Area Superintendent (PASu)

Technical Staff:

Two (2) Asst. Protected Area Superintendent
Two (2) Community Development Officer (CDO) II
Two (2) Forester I
Two (2) Biologist I
One (1) Administrative Officer (AO) II
One (1) Records Officer
One (1) Property Custodian
One (1) Bill Collector
One (1) Cashier I
One (1) Bookkeeper
One (1) Clerk II
One (1) Driver
One (1) Utility Personnel

Field Staff:

Thirty (30) Park Rangers

SEC. 10. *Seasonal Pilgrimage.* People who enter to the PL seasonally for cultural and religious pilgrimage and other activities that have a benign impact on the sustainability and biodiversity shall be regulated by the PAMB. For such purpose, the PAMB shall designate parts of the PL where pilgrimage is allowed and under such terms and conditions that the PAMB may deem fit;

SEC. 11. *Prohibited Acts.* The following shall be the prohibitions and penalties applicable to the PL:

A. The penalties in Article 309 and 310 of the Revised Penal code depending on the value of the resources taken, damaged or destroyed shall be imposed upon any person who:

i. Hunts, destroys, collects, disturbs within the PL or possesses anywhere any plants or animals, sand, coral, rocks or products derived therefrom without a PL permit;

ii. Possesses outside the PL any wild plants or animals or products derived without the required permit from the PL;

iii. Mineral exploration or extraction within the PL;

iv. Hunting, collecting, removing or destroying any endangered or protected species;

B. A fine of not less than P5,000.00 nor more than P250,000.00 and/or imprisonment from three (3) years to five (5) years shall be imposed upon any person who:

- i. Violates any rules and regulations in the protection and conservation plan or by the PAMB or agreements reached before the PAMB in its exercise of adjudicative functions;
- ii. Erects any permanent structure on land or on water for any purpose not allowed by the protection and conservation plan, and without due permission from the PAMB;
- iii. Possesses chainsaws, hacksaw and other mechanized equipment within the PL, without permit from the Management Board;
- iv. Throws, dumps or causing to be dumped into the PL any non-biodegradable material or waste whether liquid, solid gas;
- v. Uses, dumps, places or causing to be placed into the PL and its buffer toxic chemicals, including pesticides and other hazardous substances, unless the same is expressly allowed in the protection and conservation plan.
- vi. Prospects, hunts or otherwise locate hidden treasures.

SEC. 12. *Special Prosecutors.* Within thirty (30) days from the effectivity of this Act, the Department of Justice shall appoint a Special Prosecutor to whom all cases of violation of laws, rules and regulations in the PL shall be assigned. Such Special Prosecutors shall coordinate with the PAMB and the PASu in the performance of his/her duties and assist in the training of wardens and rangers in arrest and criminal procedure. Whenever resources of the PAMB would allow, special private prosecutors may be appointed to act under the control and supervision of the prosecutor.

SEC. 13. *Local Government Units (LGUs).* The Provincial, Municipal and Barangays within the PL shall participate in the management of the PL through representation in the PAMB as provided under Section 7. These local government units shall allot appropriate portions of their share in the management of the PL from its annual Internal Revenue Allotment (IRA) and other income. All amount appropriated by local governments shall accrue to the Integrated Protected Area Funds (IPAF), provided that said funds coming from the LGUs shall be exempted from the 25% remittance requirement for the National IPAF.

SEC. 14. *Integrated Protected Area Funds* - The following shall constitute part of the Integrated Protected Area Funds and shall be subject to the rules on IPAF from the moment they accrue:

- (a) Taxes from the permitted use or collection of resources from PL with the exception of taxes already collected by the local government on such resources at the time of the passage of this Act;
- (b) Resource use fees from industries and facilities directly benefiting from the PL such as but not limited to Water Utilities, Power Industries and Communication Facilities;
- (c) Entrance fees, registration fees, research fees and fees for the permitted use of facilities or portion of the PL. Provided, that the PAMB may exempt from the collection of such fees, individuals or institutions for activities that will directly redound to the benefit of protected area.

- (d) Such other donations, fees and incomes derived from the operation of the PL.

The PAMB shall have the power to disburse the IPAF provided that a share of 25% shall be provided for the use of the national government for the support of the National Integrated Protected Area System. In allocating the funds, the PAMB may adopt a sharing scheme that will allow local governments to receive portions of the funds collected or accruing from their territorial jurisdictions. Provided further that onerous conditions attached to donations shall be honored by the PAMB.

SEC. 15. Utilization of Non-renewable Resources. Any exploration for, exploitation or utilization of non-renewable resources within the PL shall not be allowed. Energy projects, whether renewable or otherwise, shall be permitted only through an Act of Congress, provided that exploitation of renewable energy up to three (3) megawatts capacity shall be exempt from such requirement.

SEC. 16. Appropriation. For the purpose of these Act, there is hereby appropriated the amount of **FIFTEEN MILLION PESOS** (P15,000,000.00) for the first year of operation within THREE (3) years of operation after which the IPAF should support the PL activities without prejudice to the possibility of annual appropriations as may be required.

SEC. 17. Construction. The provisions of this Act shall be construed liberally in favor of tenured migrants and indigenous cultural communities and with due consideration to the protection of biodiversity. The NIPAS Act shall have suppletory effect in the implementation of this Act.

SEC. 18. Repealing Clause. For the purpose of this Act, Sections 11, 15, 20 and 21 of RA 7586 or NIPAS Act are hereby modified. All other laws, rules and regulations inconsistent with the Act are hereby repealed or modified accordingly. The prohibition and penalties under NIPAS Act are hereby superseded for the entire area covered by this Act.

SEC. 19. Separability Clause. If any part or section of this Act is declared by the courts as unconstitutional, such declaration shall not affect the other parts or sections thereof.

SEC. 20. Effectivity Clause. This Act shall be translated in Filipino . It shall be published once every week for three consecutive weeks in a newspaper of general circulation readily available in the areas in and around the scope specified herein. It shall likewise be posted for the same three (3) weeks in the appropriate language in a conspicuous place in the provincial, municipal and barangay halls within the area as well as in three other places frequented by the public. Fifteen days after publication, this Act shall have full force and effect.

Approved,