

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

First Regular Session
SIXTEENTH CONGRESS

House Bill No. 575



Introduced by Rep. Maria Carmen S. Zamora

EXPLANATORY NOTE

Article XII, Section 2, paragraph 1, of the Constitution of the Republic states, among others, that: *The exploration, development and utilization of natural resources shall be under the full control and supervision of the State.*

Reinforcing said provision of the fundamental law of the land is Section 2 of Republic Act No. 7586 otherwise known as the "National Integrated Protected Areas System (NIPAS) Act of 1992" which reads:

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Towards this end, there is hereby established a National Integrated Protected Areas System which shall encompass outstanding remarkable areas and biologically important public lands that are habitats of rare and endangered species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetlands or marine, all of which shall be designated as "protected areas."

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In view of the foregoing legal frameworks, this bill proposes the inclusion of the Mt. Tagub-Kampalili Ranges in the Municipality of Maragusan, Compostela Valley Province under the NIPAS as a Protected Landscape.

The Mt. Tagub-Kampalili Ranges is a good example of a biodiversity conservation area due to its unique natural and physical properties. Its establishment as a component of the NIPAS is premised on the following:

1. It is the source of head waters of major rivers which drain in the provinces of Davao Oriental, Davao Province and the Agusan Provinces;
2. It is a confirmed habitat of the Philippine Eagle;
3. It serves as a greenbelt area of the municipality of Maragusan;
4. There are numerous potential areas for eco-tourism projects, hence, the need to protect the area from further exploitation and destruction; and
5. Indigenous communities abound in the area and their livelihood is dependent on the mountain ranges.

Moreover, declaring the mountain ranges as a protected landscape will also solve timber poaching, soil erosion, illegal gathering and collection of wildlife resources, illegal entry and occupation and illegal transfer of land rights.

This legislative measure's approval is timely, beneficial and necessary.


MARIA CARMEN S. ZAMORA

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AN ACT DECLARING THE PORTION OF THE MT. TAGUB-KAMPALILI RANGES
WITHIN MARAGUSAN, COMPOSTELA VALLEY PROVINCE AS A PROTECTED
LANDSCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREAS
SYSTEM

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

SECTION 1. The portion of the Mt. Tagub-Kampalili Ranges within the municipality of Maragusan in Compostela Valley Province is hereby declared a Protected Landscape under the National Integrated Protected Areas System.

SEC. 2. The Mt. Tagub-Kampalili Ranges Protected Landscape shall include about Forty-Two Thousand Nine Hundred Fifty Three (42,953) hectares.

TECHNICAL DESCRIPTION

a. The Protected Landscape

a.1. Parcel I

Bounded on all directions by its Buffer Zone, beginning at a point marked "1" on the map and on the ground being due west with a distance of 2,442 meters to corner 2;

Thence,	N8 E	9,900 meters	to corner 3;
Thence,	N 26 30E	7,626 meters	to corner 4;
Thence,	S77 13E	20,835 meters	to corner 5;
Thence,	Due South	8,700 meters	to corner 6;
Thence,	S73 58W	4,162 meters	to corner 7;
Thence,	N8 14E	1,803 meters	to corner 8;
Thence,	N35 42W	375.30 meters	to corner 9;
Thence,	N19 50W	886.40 meters	to corner 10;
Thence,	N12 01E	1,040.80 meters	to corner 11;
Thence,	N05 41E	745.80 meters	to corner 12;
Thence,	N05 27E	553.20 meters	to corner 13;
Thence,	N19 52W	192 meters	to corner 14;
Thence,	N10 25W	268.90 meters	to corner 15;
Thence,	N00 21W	635.20 meters	to corner 16;

Thence,	N03 18E	1,182.80 meters	to corner 17;
Thence,	N64 03W	400.30 meters	to corner 18;
Thence,	S64 01W	481.90 meters	to corner 19;
Thence,	S85 17W	616.60 meters	to corner 20;
Thence,	N03 07W	460.10 meters	to corner 21;
Thence,	N85 50W	700 meters	to corner 22;
Thence,	N84 24W	769.20 meters	to corner 23;
Thence,	N55 24W	1,556.40 meters	to corner 24;
Thence,	N09 46W	490.90 meters	to corner 25;
Thence,	N36 30E	528.20 meters	to corner 26;
Thence,	S85 50W	1,000 meters	to corner 27;
Thence,	N15 10W	1,960 meters	to corner 28;
Thence,	S87 30W	320 meters	to corner 29;
Thence,	S08 10W	500 meters	to corner 30;
Thence,	S15 50E	2,640.10 meters	to corner 31;
Thence,	S32 10E	1,240 meters	to corner 32;
Thence,	S01 10E	2,240.10 meters	to corner 33;
Thence,	S21 50E	1,419.90 meters	to corner 34;
Thence,	S26 00E	620 meters	to corner 35;
Thence,	S02 10W	3,440.10 meters	to corner 36;
Thence,	S86 01W	4,686.30 meters	to corner 37;
Thence,	Due North	1,000 meters	to corner 38;
Thence,	Due West	2,630.10 meters	to corner 39;
Thence,	Due North	3,500 meters	to corner 40;
Thence,	Due West	1,500 meters	to corner 41;
Thence,	N20 00W	2,650 meters	to corner 42;
Thence,	Due West	3,000 meters	to corner 43;
Thence,	Due South	2,750 meters	to corner 44;
Thence,	Due West	750 meters	to corner 45;
Thence,	Due South	5,000 meters	to corner 46;
Thence,	Due West	2,750 meters	to corner 47;
Thence,	S35 W	1,300.10 meters	to corner 48;
Thence,	S38 E	1,250 meters	to corner 49;
Thence,	Due South	725 meters	to corner 50;
Thence,	S15 E	2,975 meters	to corner 51;
Thence,	S85 W	1,154.30 meters	to point 1.

a.2. Parcel II

Bounded on all directions by its Buffer Zone, beginning at a point marked "1" on the map and on the ground being S66 34W with a distance of 21,117.50 meters to corner 2;

Thence,	N25 21W	10,511.90 meters	to corner 3;
Thence,	Due East	720 meters	to corner 4;
Thence,	S24 34E	1,346.90 meters	to corner 5;
Thence,	Due East	675 meters	to corner 6;
Thence,	N80 E	964.70 meters	to corner 7;
Thence,	N09 W	2,556.50 meters	to corner 8;
Thence,	N37 24W	2,140.10 meters	to corner 9;
Thence,	N65 02E	1,154.30 meters	to corner 10;
Thence,	S45 E	9,075 meters	to corner 11;

Thence,	N69 44E	1,385.80 meters	to corner 12;
Thence,	Due North	4,650 meters	to corner 13;
Thence,	Due East	500 meters	to corner 14;
Thence,	Due North	2,950 meters	to corner 15;
Thence,	Due East	1,000 meters	to corner 16;
Thence,	N86 01W	4,686.30 meters	to corner 17;
Thence,	S07 30E	2,799.90 meters	to corner 18;
Thence,	S16 50W	720 meters	to corner 19;
Thence,	N81 32E	700 meters	to corner 20;
Thence,	S32 52W	849 meters	to corner 21;
Thence,	S64 16E	800 meters	to corner 22;
Thence,	N16 10E	1,550 meters	to corner 23;
Thence,	N51 10E	579.80 meters	to corner 24;
Thence,	N54 46E	249.90 meters	to corner 25;
Thence,	N53 30E	2,512.70 meters	to corner 26;
Thence,	N32 19W	1,343.90 meters	to corner 27;
Thence,	S73 58E	4,162 meters	to corner 28;
Thence,	Due South	7,700 meters	to point 1.

b. The Buffer Zone

b. 1. Block I

Beginning at point marked "1" on the map and on the ground, being S62 W running 550 meters to corner 2;

Thence,	N20 W	180 meters	to corner 3;
Thence,	N31 E	220 meters	to corner 4;
Thence,	N34 W	220 meters	to corner 5;
Thence,	N29 E	300 meters	to corner 6;
Thence,	S88 E	200 meters	to corner 7;
Thence,	N67 E	300 meters	to corner 8;
Thence,	N51 W	150 meters	to corner 9;
Thence,	N42 W	160 meters	to corner 10;
Thence,	N39 W	250 meters	to corner 11;
Thence,	N20 E	135 meters	to corner 12;
Thence,	N26 W	150 meters	to corner 13;
Thence,	N37 E	160 meters	to corner 14;
Thence,	N36 E	225 meters	to corner 15;
Thence,	N31 E	200 meters	to corner 16;
Thence,	N15 E	150 meters	to corner 17;
Thence,	N15 E	140 meters	to corner 18;
Thence,	N74 E	200 meters	to corner 19;
Thence,	N33 E	135 meters	to corner 20;
Thence,	N36 E	130 meters	to corner 21;
Thence,	S80 E	160 meters	to corner 22;
Thence,	N10 E	155 meters	to corner 23;
Thence,	N20 W	150 meters	to corner 24;
Thence,	N21 W	150 meters	to corner 25;
Thence,	N08 W	200 meters	to corner 26;

Thence,	N64 E	175 meters	to corner 27;
Thence,	N15 W	200 meters	to corner 28;
Thence,	N10 W	205 meters	to corner 29;
Thence,	N08 W	230 meters	to corner 30;
Thence,	N27 E	150 meters	to corner 31;
Thence,	N10 W	200 meters	to corner 32;
Thence,	N29 W	270 meters	to corner 33;
Thence,	N24 E	200 meters	to corner 34;
Thence,	N16 30W	180 meters	to corner 35;
Thence,	N15 E	250 meters	to corner 36;
Thence,	N07 E	250 meters	to corner 37;
Thence,	N20 W	250 meters	to corner 38;
Thence,	N09 W	185 meters	to corner 39;
Thence,	S66 W	250 meters	to corner 40;
Thence,	N63 W	650 meters	to corner 41;
Thence,	N17 W	420 meters	to corner 42;
Thence,	N04 E	440 meters	to corner 43;
Thence,	N03 W	340 meters	to corner 44;
Thence,	N35 W	300 meters	to corner 45;
Thence,	N14 W	390 meters	to corner 46;
Thence,	N30 W	430 meters	to corner 47;
Thence,	S86 W	440 meters	to corner 48;
Thence,	N74 W	450 meters	to corner 49;
Thence,	N60 W	450 meters	to corner 50;
Thence,	N13 W	350 meters	to corner 51;
Thence,	N19 W	250 meters	to corner 52;
Thence,	N35 W	550 meters	to corner 53;
Thence,	N05 W	500 meters	to corner 54;
Thence,	N31 W	350 meters	to corner 55;
Thence,	S61 W	350 meters	to corner 56;
Thence,	S85 W	300 meters	to corner 57;
Thence,	Due West	550 meters	to corner 58;
Thence,	N24 W	255 meters	to corner 59;
Thence,	N18 W	335 meters	to corner 60;
Thence,	N08 E	430 meters	to corner 61;
Thence,	S28 34W	780 meters	to corner 61-A;
Thence,	S 28 53 E	2,169.10 meters	to corner 62;
Thence,	S69 W	200 meters	to corner 63;
Thence,	S53 W	280 meters	to corner 64;
Thence,	N85 W	640 meters	to corner 65;
Thence,	S84 W	325 meters	to corner 66;
Thence,	S47 W	200 meters	to corner 67;
Thence,	S42 W	280 meters	to corner 68;
Thence,	S12 W	200 meters	to corner 69;
Thence,	S11 W	350 meters	to corner 70;
Thence,	S23 29W	252.40 meters	to corner 71;
Thence,	S35 E	340 meters	to corner 72;
Thence,	S30 30E	375 meters	to corner 73;
Thence,	S12 W	175 meters	to corner 74;
Thence,	S49 E	250 meters	to corner 75;
Thence,	S67 E	200 meters	to corner 76;

Thence,	S68 E	200 meters	to corner 77;
Thence,	S10 E	250 meters	to corner 78;
Thence,	S48 E	300 meters	to corner 79;
Thence,	S19 W	400 meters	to corner 80;
Thence,	S41 W	375 meters	to corner 81;
Thence,	S12 W	400 meters	to corner 82;
Thence,	S80 W	275 meters	to corner 83;
Thence,	S15 W	425 meters	to corner 84;
Thence,	S06 W	500 meters	to corner 85;
Thence,	S20 E	370 meters	to corner 86;
Thence,	S30 W	220 meters	to corner 87;
Thence,	N87 W	300 meters	to corner 88;
Thence,	N72 W	345 meters	to corner 89;
Thence,	N45 W	420 meters	to corner 90;
Thence,	N66 W	1,175 meters	to corner 91;
Thence,	S88 W	450 meters	to corner 92;
Thence,	S57 W	425 meters	to corner 93;
Thence,	N62 W	650 meters	to corner 94;
Thence,	S40 W	255 meters	to corner 95;
Thence,	S58 W	200 meters	to corner 96;
Thence,	S17 E	200 meters	to corner 97;
Thence,	S67 W	400 meters	to corner 98;
Thence,	S61 W	175 meters	to corner 99;
Thence,	S16 E	300 meters	to corner 100;
Thence,	S26 E	210 meters	to corner 101;
Thence,	S57 W	550 meters	to corner 102;
Thence,	S56 30E	540 meters	to corner 103;
Thence,	S82 30W	250 meters	to corner 104;
Thence,	S84 W	250 meters	to corner 105;
Thence,	S05 E	150 meters	to corner 106;
Thence,	S50 E	575 meters	to corner 107;
Thence,	S43 E	400 meters	to corner 108;
Thence,	S43 W	270 meters	to corner 109;
Thence,	S08 W	230 meters	to corner 110;
Thence,	S05 W	250 meters	to corner 111;
Thence,	S30 E	250 meters	to corner 112;
Thence,	S45 E	350 meters	to corner 113;
Thence,	S16 E	360 meters	to corner 114;
Thence,	S63 W	340 meters	to corner 115;
Thence,	S62 E	170 meters	to corner 116;
Thence,	S43 E	300 meters	to corner 117;
Thence,	Due South	550 meters	to corner 118;
Thence,	S55 W	500 meters	to corner 119;
Thence,	N15 W	2,975 meters	to corner 120;
Thence,	Due North	725 meters	to corner 121;
Thence,	N38 W	1,250 meters	to corner 122;
Thence,	N35 E	1,300 meters	to corner 123;
Thence,	Due East	2,750 meters	to corner 124;
Thence,	Due North	5,000 meters	to corner 125;
Thence,	Due East	750 meters	to corner 126;
Thence,	Due North	2,750 meters	to corner 127;

Thence,	Due East	3,000 meters	to corner 128;
Thence,	S20 E	2,650 meters	to corner 129;
Thence,	Due East	1,500 meters	to corner 130;
Thence,	Due South	3,500 meters	to corner 131;
Thence,	Due East	1,000 meters	to corner 132;
Thence,	Due South	5,700 meters	to corner 133;
Thence,	Due West	1,000 meters	to point 1.

b.2. Block II

Beginning at point marked "1" on the map and on the ground, being S54 W running 300 meters to corner 2;

Thence,	S84 W	2,450 meters	to corner 3;
Thence,	N08 E	10,300 meters	to corner 4;
Thence,	N26 30E	8,000 meters	to corner 5;
Thence,	S76 57E	21,078.60 meters	to corner 6;
Thence,	Due South	8,850 meters	to corner 7;
Thence,	Due East	200 meters	to corner 8;
Thence,	Due North	8,700 meters	to corner 9;
Thence,	N77 13W	20,835.60 meters	to corner 10;
Thence,	S26 30W	7,626 meters	to corner 11;
Thence,	S08 W	9,900 meters	to corner 12;
Thence,	Due East	2,442 meters	to point 1.

b.3. Block III

Beginning at point marked "1" on the map and on the ground, being Due South running 2,950 meters to corner 2;

Thence,	Due West	500 meters	to corner 3;
Thence,	Due South	4,650 meters	to corner 4;
Thence,	S69 44W	1,385 meters	to corner 5;
Thence,	N45 W	9,075 meters	to corner 6;
Thence,	N55 E	500 meters	to corner 7;
Thence,	S09 11W	294.10 meters	to corner 8;
Thence,	S64 E	275 meters	to corner 9;
Thence,	S77 12E	319.90 meters	to corner 10;
Thence,	S69 E	150 meters	to corner 11;
Thence,	S13 E	250 meters	to corner 12;
Thence,	S39 E	200 meters	to corner 13;
Thence,	S06 06E	295 meters	to corner 14;
Thence,	S30 E	150 meters	to corner 15;
Thence,	S83 07E	305 meters	to corner 16;
Thence,	S58 E	250 meters	to corner 17;
Thence,	N84 E	225 meters	to corner 18;
Thence,	N41 30E	155 meters	to corner 19;
Thence,	S17 10E	495.20 meters	to corner 20;
Thence,	S43 44E	549.80 meters	to corner 21;
Thence,	S35 29E	345.90 meters	to corner 22;
Thence,	S63 18E	429.50 meters	to corner 23;

Thence,	S66 18E	379.60 meters	to corner 24;
Thence,	S24 35E	647.50 meters	to corner 25;
Thence,	S43 E	300 meters	to corner 26;
Thence,	S75 08E	554.80 meters	to corner 27;
Thence,	S32 23E	395.80 meters	to corner 28;
Thence,	S62 W	180 meters	to corner 29;
Thence,	S40 25E	974.40 meters	to corner 30;
Thence,	S49 39E	620.50 meters	to corner 31;
Thence,	S57 24E	976.50 meters	to corner 32;
Thence,	S05 03W	445 meters	to corner 33;
Thence,	S84 06E	280 meters	to corner 34;
Thence,	N50 E	180 meters	to corner 35;
Thence,	N66 E	200 meters	to corner 36;
Thence,	N57 47E	406.90 meters	to corner 37;
Thence,	N07 W	190 meters	to corner 38;
Thence,	N24 31W	254.50 meters	to corner 39;
Thence,	N05 W	170 meters	to corner 40;
Thence,	N21 W	120 meters	to corner 41;
Thence,	N25 W	160 meters	to corner 42;
Thence,	N10 W	150 meters	to corner 43;
Thence,	N18 W	170 meters	to corner 44;
Thence,	Due North	155 meters	to corner 45;
Thence,	N05 54W	305 meters	to corner 46;
Thence,	N69 45W	395.30 meters	to corner 47;
Thence,	N18 15W	354.70 meters	to corner 48;
Thence,	N33 56W	376.30 meters	to corner 49;
Thence,	N25 12W	477.40 meters	to corner 50;
Thence,	N80 07E	454.90 meters	to corner 51;
Thence,	N03 56E	305 meters	to corner 52;
Thence,	N33 33W	354.20 meters	to corner 53;
Thence,	N39 06W	460.70 meters	to corner 54;
Thence,	N80 53W	395.10 meters	to corner 55;
Thence,	S29 17W	396.50 meters	to corner 56;
Thence,	S17 W	100 meters	to corner 57;
Thence,	S32 31W	295.70 meters	to corner 58;
Thence,	S37 30W	315 meters	to corner 59;
Thence,	S41 19W	348.70 meters	to corner 60;
Thence,	N51 51W	349.10 meters	to corner 61;
Thence,	N77 52W	445.10 meters	to corner 62;
Thence,	N36 21W	351 meters	to corner 63;
Thence,	N33 05W	431.40 meters	to corner 64;
Thence,	Due North	355 meters	to corner 65;
Thence,	N30 41E	454.30 meters	to corner 66;
Thence,	N60 25E	344.30 meters	to corner 67;
Thence,	N31 12E	471.90 meters	to corner 68;
Thence,	N66 53E	341.60 meters	to corner 69;
Thence,	N18 45E	364.70 meters	to corner 70;
Thence,	N31 40E	454.20 meters	to corner 71;
Thence,	N32 10E	454.20 meters	to corner 72;
Thence,	S75 12	354.50 meters	to corner 73;
Thence,	S31 45E	523.30 meters	to corner 74;

Thence,	S07 06E	345 meters	to corner 75;
Thence,	S69 15E	404.70 meters	to corner 76;
Thence;	S54 E	300 meters	to corner 77;
Thence,	S26 14E	520.50 meters	to corner 78;
Thence,	N29 E	225 meters	to corner 79;
Thence,	N54 E	250 meters	to corner 80;
Thence,	N10 46 E	234.90 meters	to corner 81;
Thence,	N57 E	200 meters	to corner 82;
Thence,	N62 30E	150 meters	to corner 83;
Thence,	N60 E	150 meters	to corner 84;
Thence,	N27 30W	205 meters	to corner 85;
Thence,	N30 W	210 meters	to corner 86;
Thence,	N13 44W	254.90 meters	to corner 87;
Thence,	N05 53E	255 meters	to corner 88;
Thence,	N43 E	250 meters	to corner 89;
Thence,	N30 E	210 meters	to corner 90;
Thence,	N13 42W	229.90 meters	to corner 91;
Thence,	N50 E	125 meters	to corner 92;
Thence,	N20 W	180 meters	to corner 93;
Thence,	N62 E	550 meters	to point 1.

b.4. Block IV

Beginning at point marked "1" on the map and on the ground, being S66 22W running 21,373.90 meters to corner 2;

Thence,	N26 00W	11,100 meters	to corner 3;
Thence,	Due East	1,225 meters	to corner 4;
Thence,	S26 E	1,375 meters	to corner 5;
Thence,	Due East	450 meters	to corner 6;
Thence,	N79 E	650 meters	to corner 7;
Thence,	N15 26W	267.50 meters	to corner 8;
Thence,	N15 37W	192.30 meters	to corner 9;
Thence,	N04 09W	217 meters	to corner 10;
Thence,	Due North	317 meters	to corner 11;
Thence,	N10 33E	286.80 meters	to corner 12;
Thence,	N15 22W	317.30 meters	to corner 13;
Thence,	N10 41W	117.10 meters	to corner 14;
Thence,	N10 20W	242.10 meters	to corner 15;
Thence,	N05 11W	217 meters	to corner 16;
Thence,	N26 54W	222.90 meters	to corner 17;
Thence,	N27 51W	242.90 meters	to corner 18;
Thence,	N33 56W	268.30 meters	to corner 19;
Thence,	N33 51W	293.30 meters	to corner 20;
Thence,	N34 02W	243.30 meters	to corner 21;
Thence,	N34 44W	239.20 meters	to corner 22;
Thence,	N45 18W	244.30 meters	to corner 23;
Thence,	N46 07W	247.90 meters	to corner 24;
Thence,	N45 11W	269.30 meters	to corner 25;
Thence,	N54 E	300 meters	to corner 26;
Thence,	S37 24E	2,140 meters	to corner 27;

Thence,	S09 E	2,556.50 meters	to corner 28;
Thence,	S80 W	964.70 meters	to corner 29;
Thence,	Due West	675 meters	to corner 30;
Thence,	N24 34W	1,346.90 meters	to corner 31;
Thence,	Due West	700 meters	to corner 32;
Thence,	N25 21E	10,511.90 meters	to corner 33;
Thence,	N66 34E	21,117.50 meters	to corner 34;
Thence,	Due North	7,700 meters	to corner 35;
Thence,	Due West	200 meters	to corner 36;
Thence,	Due South	7,850 meters	to point 1.

PROTECTED AREA MANAGEMENT

SEC. 3. Management Plan. The Protected Area Superintendent Office shall prepare the management plan in consultation with the appropriate offices of the Department of Environment and Natural Resources (DENR), local government units, local communities, concerned government units and experts who may extend their services. The Management Plan shall be reviewed, approved and adopted by the Protected Area Management Board (PAMB) and verified and certified to by the Secretary, within one (1) month from submission, that the plan conforms with all existing laws, rules and regulations issued by the DENR. The Secretary shall identify the inconsistency but still certify the consistent portion thereof or if acceptable, the Secretary shall exempt the management plan from applicability of the particular rules and regulations it is inconsistent with. The Protected Area Management Board may revise or modify the identified inconsistent parts of the management plan.

The Management Plan shall serve as the mandatory guide to all activities relating to this Mt. Tagub-Kampalili Ranges Protected Area in order to attain the objectives of this Act. Within two (2) years from the effectivity of this Act, a Management Plan shall be formulated in accordance with the General Management Planning Strategy provided for under the National Integrated Protected Areas System Act of 1992 and its implementing rules, regulations and administrative orders. The Management Plan shall contain, among others, the following:

1. the category of the protected area as a protected landscape;
2. period of applicability of the plan preferably at least 5 years;
3. key management issues;
4. goals and objectives of management in support of sec. 2 hereof;
5. site management strategy;
6. 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;
7. establishment of zones and the regulated and/or prohibited activities therein such as but not limited to multi-purpose use zones, recreational zones, strict protection zones. To avoid relocation, primary consideration shall be accorded to the traditional zones used which has been proven to be sustainable and in consonance with the biodiversity and protection of the natural characteristics of the protected areas.
8. visitor management programs;
9. livelihood project portfolio and investment plan development;

The Protected Area Management Board may delegate to any person, natural or artificial, in the Management Plan particular acts, powers and authority relating to the Management Plan

such as, but not limited to, the power to address unforeseen contingencies or furnish details, in accordance with complete and ascertainable standards provided in the same management plan.

Revisions or modifications of the management plan shall be initiated only through the Protected Areas Superintendent or any member of the Protected Area Management Board and be approved and adopted by the latter, by at least a majority vote, after extensive deliberation. The revisions or modifications shall be reviewed, approved and adopted by the Protected Area Management Board and certified to by the DENR Secretary within one (1) month from submission, that the plan as revised and modified conforms with all laws, rules and regulations issued by the DENR. In case of any inconsistency with existing laws, rules and regulations, the Secretary shall identify the inconsistency but still certify the consistent portions thereof, or if acceptable, exempt the management plan from applicability of the particular rules and regulations it is inconsistent with. The Protected Area Management Board may revise or modify the identified inconsistencies of the management plan.

SEC. 4. Successor Plans. The Protected Area Superintendent (PASu) shall initiate the preparation of all successor plans one year before the expiration of the period of applicability of the plan in effect. The PASu shall cause the radio announcement and publication of notices to solicit comments and suggestions on the next successor plan in radio stations heard over the protected area and newspapers circulated within the same, as frequently as practicable and as resources will allow, and the posting of such notices in the provincial, municipal and barangay halls and in three other areas frequented by the public on the first month of the last year of effectivity of the current plan. Public hearing may be conducted on the successor plan upon the written request of any interested party. All comments submitted or ventilated must be properly documented and presented for discussion with the Protected Area Management Board. The adoption, revision or modification of the successor plan shall follow the same procedure as provided for the management plan.

The Protected Area Superintendent shall make the proposed successor plan available to the public and receive and document public discussion, comments and suggestions for a reasonable period prior to the possible adoption of the same by the Protected Area Management Board. The finalized plan shall be made available for public perusal at the Protected Area Superintendent Office upon the approval of the Protected Area Management Board.

In the event that no successor plan is approved and adopted upon the expiration of the present plan, the latter shall continue to be in effect subject to the interim modifications as may be adopted by the Protected Area Management Board.

Unless otherwise specifically provided, nothing in this and the immediately foregoing section shall be construed to limit the power of the Protected Area Management Board to achieve the spirit and objective of this Act in the formulation of the Management and Successor Plan.

The Management and Successor Plan shall be plainly written for easy understanding. If it is approved in a language other than the vernacular, the same shall be immediately translated to either of the latter and be made readily available for perusal to the general public at the Protected Area Superintendent Office.

SEC. 5. There shall be a Protected Area Management Board which shall have sole jurisdiction, power and authority, such as but not limited to, policy making and permit granting, over the protected area for all matters that may affect biodiversity conservation, protection and sustainable development. It shall be composed of:

1. The Regional Executive Director for Region XI of the DENR or his/her duly designated representative as Chair;
2. The local chief executive for the municipality within the protected area or his/her duly designated representative who must be an official of the same municipality, as a member;
3. The presiding officer of the Sangguniang Bayan of the municipality, or as otherwise designated by the Sangguniang Bayan, any member of the Sangguniang Bayan of the municipality, as member;
4. The President of the Liga ng mga Barangay of the municipality as member;
5. Maximum of nine (9) representatives from peoples organizations as members, selected among themselves in a meeting duly called among all people's organizations operating in the protected area for the purpose of selecting Protected Area Management Board representatives;
6. Maximum of seven (7) representatives from non-government as members, selected among themselves in a meeting duly called among all non-government organizations operating in the protected area for the purpose of selecting Protected Area Management Board representatives;
7. The Provincial Planning and Development Officer or, as otherwise designated by the Provincial Governor, an officer of the Provincial Planning and Development Office, as member;
8. The Provincial Tourism Officer or, otherwise designated by the Provincial Governor, an officer of the Provincial Tourism Office, as member;
9. Representatives from government agencies operating within the protected area as may be appointed by the abovelisted members of the Protected Area Management Board based on their relevance and potential contribution to protected area management, as members; and
10. The Protected Area Superintendent, as ex-officio member:

In the selection of people's and non-government organizations representatives, preference shall be accorded to those organizations that are involved in the conservation and protection of the protected area and in the field of development work. The representation of non-government and people's organizations shall be institutional and shall endeavor to achieve geographic balance.

Every member of the Protected Area Management Board shall serve for a term of three (3) years subject however to the elected office held, government employment and/or official designation of the local government unit, national agency or people's organization or non-government organization Representation in the Protected Area Management Board shall, as much as practicable, ensure sufficient representation of stakeholders interests.

Representation of the local government units and national agencies in the Protected Area Management Board shall include the duty of appraising their respective constituents, office or sector, ensuring consistency between this Act, the Local Government Code, other relevant statutes and ordinances, local and national development plans and projects. Failure to comply with the foregoing shall subject such representative to disciplinary action as the Protected Area Management Board may provide. Conflicts arising out of jurisdiction, powers and functions, provision between this Act, ordinances, implementing rules, management plans and other statues shall be harmonized. The local government units and national agencies are mandated to resolve such conflicts within the Protected Area Management Board. If a conflict between the LGU, national agencies and

the protected area management objectives remain unresolved with the PAMB, it shall be resolved through mediation. Any irreconcilable conflicts arising therefrom shall be construed towards achieving the rationale and spirit of this Act.

SEC. 6. Powers and Functions of the Protected Area Management Board. The Protected Area Management Board, shall have the following powers and function:

1. Issue all rules and regulations to implement this Act and related laws, rules and regulations with power of delegation.
2. Prohibit and regulate, through protected area permits, acts that may be prejudicial to the protected area and the policy declaration herein set forth.
3. Establish criteria and set fees for the issuance of permits for the activities regulated.
4. Adopt rules of procedure for the conduct of business, roles and responsibilities and discipline of the board, including the creation of committees to whom its powers may be delegated.
5. Approve, revise or modify the management plan and successor plans.
6. Deputize, train and discipline interested, capable and responsible individuals for the enforcement of the laws, rules and regulations governing conduct in the protected area.
7. Accept donations, approve proposals for funding, budget allocations and exercise supervision and when mandated, accountability over all the funds that may accrue to the protected area.
8. Oversee and evaluate the office of the PASu.
9. Identify, verify and review all tenure instruments, land claims, and issuances of permits of for resource use within the protected area and recommend land reclassification and proper use of resources found therein consistent with the zoning provided in the management or successor plans.
10. Accept, review and approve, after establishing criteria, rules and procedures therefor, proposals for projects or activities to be undertaken within the protected area which affects biodiversity conservation, protection and sustainable development.
11. Initiate civil or administrative proceedings, file criminal complaints and take necessary legal action against individuals, associations, corporations or any entity destroying or contributing to the destruction of the protected area, in whatever degree such as, but not limited to, discharge of waste or refuse which may reach the protected area.
12. Participate in all stages of the Environmental Impact Assessment process of projects which may potentially affect the protected area, and in the monitoring thereof.
13. Review, approve or disapprove all projects and activities which may affect the protected area and require the submission of pertinent information thereof and undergo existing environmental impact assessment procedures. The PAMB may also recommend the project or activities which had earlier been not covered by or was exempted from the Environmental Impact Assessment system to undergo the same.
14. Recommend, when appropriate, reclassification of forest lands to alienable and disposable public lands consistent with the zoning and management plans and reversion of alienable and disposable public lands found to have natural growth of flora and fauna and important for biodiversity preservation to inalienable public lands.

The DENR through the Regional Executive Director, 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 the PAMB, the Secretary of the DENR in consultation with the PAMB, shall decide whether to apply the rule or withdraw its application to the site.

SEC. 7. Quorum of the Protected Area Management Board. Presence of more than half of the members of PAMB in a meeting duly called shall constitute a quorum for the official conduct of business and enactment of binding decisions. The PAMB en banc shall at a minimum meet on a semi-annual basis.

SEC. 8. The Executive Committee of the Protected Area Management Board. There shall be an Executive Committee of the PAMB who shall possess the powers and functions as may be delegated by the PAMB and shall be composed of the following members:

1. The Regional Executive Director of DENR Region XI or his/her duly designated representative as presiding officer;
2. The local chief executive for the municipality within the protected area or his/her duly designated representative who must be an official of the same municipalities, as member;
3. Four among the people's organizations members of the PAMB, as identified in paragraph 5, section 5 of this Act selected among themselves, as member;
4. Two among the non-government organizations members of the PAMB, as identified in paragraph 6, section 5 of this Act selected among themselves, as member;
5. Either one between the Provincial Planning and Development Officer of the Provincial Tourism Officer as designated by the Provincial Governor, as member;
6. One among the national government agencies members of the PAMB, as identified in paragraph 9, section 5 of this Act as designated by the PAMB, as member;
7. The Protected Area Superintendent as ex-officio member.

Membership in the executive committee shall be coterminous with membership in the PAMB.

SEC. 9. Quorum of the Executive Committee of the Protected Area Management Board. Presence of more than half of the members of the Executive Committee of the PAMB in a meeting duly called shall constitute a quorum for the official conduct of business and binding decisions.

SEC. 10. The Protected Area Superintendent Office. There shall be a Protected Area Superintendent Office within the DENR for the Mt. Tagub-Kampalili Ranges Protected Landscape headed by a Protected area Superintendent who shall serve as Chief Operating Officer of the protected area. The Protected Area Superintendent Office shall have the following powers and functions:

1. Prepare the management and successor plans as herein provided;
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 a productive partnership with the local community, including groups interested in the achievement of goals and objectives of the protected area, 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 protected area, institute and file legal action independently or in collaboration with other government agencies or

organizations and assist in the prosecution of offenses committed in violation of this Act.

7. Monitor all activities within the protected area for conformity with the management plan;
8. Issue protected area permits according to terms, conditions and criteria established by the PAMB;
9. Perform such other functions as the PAMB may assign

The Protected Area Superintendent Office shall, subject to adjustments by the Protected Area Management Board and the DENR, at least be composed of the following:

1. Protected Area Superintendent
2. Assistant Protected Area Superintendent
3. Administrative Staff

One (1) Administrative staff Officer II
One (1) Accountant I
One (1) Cashier
Two (2) Clerks
One (1) Driver
One (1) Utility Worker

4. Technical Staff

One (1) Chief Ecosystem Management Specialist
Two (2) Ecosystem Management Specialist II
One (1) Project Development Officer
One (1) Sociologist
One (1) Forester III
Eight (8) Community Development Assistants
Nine (9) Protected Area Rangers

TENURED MIGRANTS AND PRIVATE RIGHTS

SEC. 11. Tenured Migrants and Private Rights. Tenured migrants shall be eligible to become stewards of portions of lands within the allowed and designated zones. The PAMB shall identify, verify and review all tenure instruments, land claims and issuances of permits for resource use within the protected area and recommend the issuance of the appropriate tenure instrument consistent with the land classification, proper and allowed use of resources found therein and zoning provided in the management of successor plans.

Nothing herein shall be construed to mean any diminution of accrued rights earned by tenured migrants. If, however, areas occupied by tenured migrants are designated as zones in which no occupations or other activities are allowed pursuant to the attainment of sustainable development, provision for their transfer to multiple use zones or buffer zones shall be accomplished through just and humane means.

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

All private rights within the protected area shall be protected in accordance with the existing law.

PROHIBITED ACTS

SEC. 12. Prohibited Acts. The following shall be the prohibitions and penalties applicable to the protected area:

1. The penalties and qualifications prescribed in Art. 309 and 310 of the Revised Penal Code depending on the value of the resources involved in connection with the prohibited act shall be imposed on any person who:
 - a. Hunts, takes, destroys, disturbs or possesses any wild terrestrial or aquatic plants, animals, flora or fauna or products derived therefrom, within particularly identified regulated or prohibited areas or zones in the protected area including private lands without the necessary protected area permit, authorization or exemption, as issued or promulgated by the PAMB;
 - b. Cuts, gathers, removes or collects timber or any forest products, within particularly identified regulated or prohibited areas or zones in the protected area including private lands without the necessary protected area permit, authorization or exemption, as issued or promulgated by the PAMB;
 - c. Possesses outside the protected area any timber, forest products, wild terrestrial or aquatic plants, animals, flora or fauna so prohibited by the PAMB or products derived therefrom which is ascertained to have been taken from the protected area. It shall be presumed to have been taken from the protected area if the subject plants, animals, flora or fauna is found in possession of person or conveyances that has traveled to the protected area in the past seventy-two (72) hours.
 - d. Engages in mineral exploration or extraction, in whatever scale, within the protected area without the necessary protected area permit or authorization from the PAMB.
 - e. Engages in quarrying of sand, gravel, guano, limestone or any material within the protected area without an environmental clearance certificate duly issued by the DENR and authenticated by the PAMB.
 - f. Hunts, collects, removes or destroys endangered or protected species, except when collection or removal is for scientific research and is exempted from the prohibition by the PAMB.
2. A fine of not less than P5,000.00 but not more than P250,000.00 and/or imprisonment of not less than one (1) year nor more than five (5) years and the restoration and rehabilitation of the damage shall be imposed on any person who destroys or defaces for no useful purpose any natural formation within the protected area, Provided; that a useful purpose of that which is in the management plan or is approved as such by the PAMB prior to the commission of the act.
3. A fine of not less than P5,000.00 but not more than P250,000.00 and/or imprisonment of not less than one (1) year nor more than five (5) years shall be imposed upon any public officer, prosecutor or officer of the law who, in dereliction of the duties of his office, shall, without legal justification, refrain from instituting prosecution for the punishment of violators of the law, or shall tolerate the commission of offenses. Conviction of this offense shall also carry the penalty of perpetual disqualification from public office.

Valuation of the damage for this Act shall take into account biodiversity and conservation considerations as well as aesthetic and scenic value. Valuation assessed by the DENR or the

concerned government agency shall be presumed correct unless otherwise proven by preponderant evidence.

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

All conveyances, vessels, equipment, paraphernalia, implements, gear, tools and similar devices shall be subject to immediate administrative confiscation, independent of the judicial proceedings by the Protected Area Superintendent Office upon apprehension, subject however to due process and substantial evidence. When legal action is however filed in the regular courts, the said conveyances, vessels, equipment, paraphernalia, implements, gear, tools and similar devices shall, independent of the administrative proceedings, shall not be released until after a judgment. Proceeds of the sale of all objects administratively or judicially confiscated pursuant hereto shall accrue to the Integrated Protected Area Fund. Procedure for the sale thereof shall be promulgated by the PAMB.

SEC. 13. Special Prosecutors. Within 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 protected area shall be assigned. Such Special Prosecutor shall coordinate with the PAMB in the performance of his/her duties and assist in the training of wardens and rangers in arrest and criminal procedure. The PAMB shall periodically submit an evaluation of the performance of the designated Special Prosecutor to the Department of Justice.

SEC. 14. Special Counsels. The PAMB may retain the services of a competent lawyer to prosecute and/or assist in the prosecution of cases under the direct control and supervision of the regular special prosecutor and to defend the members of the PAMB, Protected Area Superintendent and staff, or person assisting in protection, conservation and sustainable development of the protected area against any legal action related to their powers, functions and responsibilities as provided in this Act or as delegated or tasked by the PAMB.

INTEGRATED PROTECTED AREA FUNDS

SEC. 15. Integrated Protected Area Fund. The integrated Protected Area Fund shall be for the purpose of financing projects and activities in the protected area to attain the objectives of this Act. The following revenues, the rates of which shall be approved by the PAMB shall accrue to the Integrated Protected Area Fund:

1. Resource Use

- a. Permit, license fees and royalties from allowed extraction or use of resources;
- b. Transport permit fees;
- c. Lease rentals of land, resources, facilities and equipment, not tourism related, in allowed areas;
- d. Such other revenues from allowed resources use within the protected area.

The local government unit from where the resource is located and the central Protected Area Fund shall each obtain a twenty-five percent (25%) share, while the local Integrated Protected Area Fund shall obtain a fifty percent (50%) share in the foregoing revenue:

2. Penalties and Damages

- a. Fines, fees and damages, other than those intended for rehabilitation, collected from violators;
- b. Proceeds from sale of confiscated goods;
- c. Such other proceeds from prohibited or penalized acts.

The local government units and/or people's organizations, non-government organizations which participated in the enforcement leading to the foregoing proceeds, shall proportionally share among themselves twenty-five percent (25%) of the same. While the local Integrated Protected Area Fund shall obtain a fifty percent (50%) share and the Central Protected Area a twenty-five percent (25%) share in the foregoing proceeds.

3. Tourism Related

- a. Entrance fees to identified and developed tourism spots;
- b. Revenues generated from concessions, leases, etc. within identified and developed tourism spots.

The local government unit where the tourist spot or facility is located shall obtain a fifty (50%) share in the foregoing revenues. While the local Integrated Protected Area Fund and the Central Protected Area a twenty-five percent (25%) share.

All the foregoing revenues or proceeds shall be exempt from whatever tax, charges or fees. The local government units, Local and Central Protected Area Funds may, however, opt to apportion to one another in part or in whole revenues or proceeds earmarked for them.

EXISTING FACILITIES, UTILIZATION OF NON-RENEWABLE RESOURCES, ENVIRONMENTAL IMPACT ASSESSMENT, GO-NGO-PO PARTNERSHIP

SEC 16. Existing Facilities Within the Protected Area. Within ninety (90) days from the effectivity of this Act, all commercial facilities existing within the boundaries of the protected area with a total capitalization exceeding P1 million shall submit to the PAMB through the PASu the following:

1. Environmental Impact Assessment
2. Environment Compliance Certificate, if any
3. Development Plan, if any

Failure to submit the required information shall constitute a violation of this Act. Based on its submission, the PAMB with the help of the DENR, shall assess such facility and its future plan and operation vis-à-vis the objectives of this Act. The PAMB may prescribe conditions for the operation of the facility to ensure that it does not contradict protected area management objectives. If any such conditions are violated, a fine of P5,000.00 for every day of violation shall be imposed. Upon reaching a total fine of P500,000.00, regardless of duration, the PAMB, through the PASu and deputizing other government entities shall cause the cessation and demolition of the cost of its owners.

Existing facilities allowed to remain within the protected area may be charged a reasonable fee by the PAMB based on the extent of its impact on environment and biodiversity.

SEC. 17. Utilization of Non-Renewable Resources. Any exploration for, exploitation or utilization of renewable resources within the protected area 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 five (5) megawatts capacity shall be exempt from such requirement but however subject to the Environmental Impact Assessment process, approval by the PAMB and such other requirements it may require.

SEC. 18. Environmental Impact Assessment System. Existing laws, rules and regulations relating to Environmental Impact Assessment shall be applicable to projects and activities intended in the protected area. Issuance of the corresponding Environmental Compliance Certificate or the exemption thereto shall require the approval of the PAMB.

SEC. 19. Mandating Government, Non-Government Organizations and People's Organization Partnership. All government agencies, non-government organizations and people's organizations and their personnel are mandated to continuously foster and develop a strong and true partnership for the purpose of attaining the objectives of this Act.

APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

SEC. 20. Appropriation. For the purpose of this Act, there is hereby appropriated the amount of P20,000,000.00 annually for the first five (5) years of operation after which, the Integrated Protected Area fund should support the protected area activities without prejudice to the possibility of annual appropriations as may be required and sourced from the budget of the DENR.

SEC. 21. Construction. The provisions of this Act shall be construed liberally in favor of achieving biodiversity conservation, protection and sustainable development. Provisions of Republic Act No. 7586 otherwise known as the National Integrated Protected Areas Systems Act and existing forestry laws and their corresponding rules and regulations not inconsistent hereto shall have supplementary effect in the implementation of this Act.

SEC. 22. Repealing Clause. All existing laws, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 23. Separability Clause. If any part of section of this Act is declared by the courts as unconstitutional, such declaration shall not affect the other parts or sections hereof and shall continue in full force and effect.

SEC. 24. Effectivity Clause. This Act shall be translated in Bisaya. It shall be published in a newspaper of general circulation readily available in the protected area. It shall likewise be posted for three (3) consecutive weeks starting on the day of publication in the newspaper in both English and Visayan languages in a conspicuous place in the provincial, municipal and barangay halls within the area as well as in three (3) other places frequented by the public. Thirty (30) days after the publication and posting, this Act shall have full force and effect.

Approved,