

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 1244



Introduced by Representative DEOGRACIAS B. RAMOS, Jr.

EXPLANATORY NOTE

This bill seeks to declare Bulusan Volcano located in the municipalities of Barcelona, Bulusan, Casiguran, Irosin and Juban, province of Sorsogon as a protected area under the category of a Natural Park.

The proposed protected area is a source of pride among Sorsogoneños and attracts a large number of tourists due to its hot and cold springs, pristine lake, diverse flora and fauna and the majestic beauty of the Bulusan Volcano.

The natural vegetation surrounding Bulusan Lake serves as a watershed, providing water to the underground reservoir and lowland communities. The area is a source of water to five nearby municipalities namely, Juban, Irosin, Barcelona, Bulusan and Casiguran.

The volcano is home to the Philippine brown deer, Luzon bleeding heart pigeon Kalaw (Rufous Hornbill), Tariktik (Tariktik Hornbill), Philippine Hanging Parakeet (Kulasisi) and Brahminy Kite (Banog).

The species of flora such as ground orchids, dipterocarp species of trees, jade vine constitute the biodiversity of species found therein.

The presence of illegal settlers and unauthorized farming especially during crop season persists due to the lack of funding and personnel to monitor the area. The peace and order situation also remains an issue.

It is crucial that Bulusan Volcano be declared a Natural Park in order to protect it from destructive human exploitation and the management of its natural and physical diversities be properly carried out.

The immediate approval of this bill is earnestly sought.


DEOGRACIAS B. RAMOS JR
Second District, Sorsogon

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HOUSE BILL NO. 1244

Introduced by Representative DEOGRACIAS B. RAMOS, Jr.

AN ACT DECLARING THE BULUSAN VOLCANO LOCATED IN THE MUNICIPALITIES OF BARCELONA, BULUSAN, CASIGURAN, IROSIN AND JUBAN, PROVINCE OF SORSOGON AS A PROTECTED AREA UNDER THE CATEGORY OF NATURAL PARK, PROVIDING FOR ITS MANAGEMENT AND APPROPRIATING FUNDS THEREFOR

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

CHAPTER I

Basic Policies

SECTION 1. Short Title. – This Act shall be known as the “BULUSAN VOLCANO NATURAL PARK (BVNP) ACT OF 2013”.

SEC. 2. Declaration of Policy. – Cognizant of the profound impact of human activities on all components of the natural environment particularly the effect of increasing population, resource exploitation and industrial advancement; recognizing the critical importance of protecting and maintaining the natural and physical diversities of the environment notably areas of unique biological significance in order to sustain life; taking into account the socio-cultural, economic, aesthetic and environmental values of the ecosystem of Bulusan Volcano and its surrounding areas to the Province of Sorsogon particularly its crucial watershed function with the presence of hot and cold springs and lakes, the diversity of its floral and fauna with some endemic species; and finally, in pursuit of the State’s duty to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature, it is hereby declared the policy of the State to secure for the Filipino people of present and future generations the protection and conservation of Bulusan Volcano and its surrounding areas in accordance with Republic Act No. 7586 or the National Integrated Protected Areas System (NIPAS) Act of 1992 and international conventions to which the Philippines is a signatory.

SEC. 3. Scope and Coverage. – The boundaries of the Bulusan Volcano Natural Park (BVNP), which fall under the classification of National Park as defined herein, within the municipalities of Barcelona, Bulusan, Casiguran, Irosin and Juban, all within the Province of Sorsogon, are as follows:

TECHNICAL DESCRIPTION

PARCEL I

AREA = 509.968 HECTARES

Beginning at a point marked "1" which is identical to BLLM No. 7, Juban CAD No. 223, BLLM No. 7 of Juban CAD No. 223, Sorsogon with geographic coordinates of 12° 46' 41.73" North and 124° 02' 46.45" East

LINE	BEARING	DISTANCE (meters)
1-2	N. 66° 09' 00" E.	09.45
2-3	N. 02° 29' 00" E.	36.31
3-4	N. 26° 39' 59" W.	32.14
4-5	N. 16° 41' 00" W.	48.08
5-6	N. 04° 32' 00" E.	59.85
6-7	N. 05° 00' 00" W.	67.69
7-8	N. 10° 26' 00" E.	98.59
8-9	N. 04° 55' 00" E.	55.24
9-10	N. 31° 56' 00" W.	85.48
10-11	N. 19° 09' 59" W.	73.24
11-12	N. 16° 29' 00" W.	57.88
12-13	N. 21° 51' 00" W.	98.58
13-14	N. 33° 27' 59" W.	105.65
14-15	N. 12° 53' 00" W.	92.73
15-16	N. 11° 05' 00" E.	44.28
16-17	N. 16° 34' 59" W.	107.61
17-18	N. 72° 54' 00" W.	164.52
18-19	N. 28° 02' 00" W.	29.07
19-20	N. 04° 20' 00" W.	180.18
20-21	N. 01° 09' 00" E.	21.35
21-22	N. 36° 10' 00" W.	13.13
22-23	N. 18° 39' 59" W.	20.34
23-24	N. 05° 06' 59" W.	59.91
24-25	N. 34° 59' 00" W.	82.90
25-26	N. 27° 46' 00" E.	31.19
26-27	N. 45° 04' 59" E.	36.72
27-28	N. 23° 31' 00" E.	15.16
28-29	N. 36° 31' 00" W.	26.43
29-30	N. 49° 41' 00" W.	368.25
30-31	S. 81° 33' 00" E.	132.03
31-32	N. 82° 02' 59" E.	227.99
32-33	N. 42° 42' 00" W.	217.11
33-34	N. 46° 33' 59" W.	270.78
34-35	N. 45° 00' 59" E.	236.44
35-36	N. 57° 30' 00" E.	234.53
36-37	N. 50° 24' 59" E.	275.76
37-38	N. 80° 43' 00" E.	403.99
38-39	S. 39° 08' 59" E.	296.14
39-40	S. 04° 16' 59" W.	63.16
40-41	N. 82° 58' 00" W.	126.63
41-42	S. 58° 49' 00" W.	277.54
42-43	S. 04° 54' 59" E.	131.28
43-44	S. 67° 11' 00" E.	131.38
44-45	S. 35° 22' 00" E.	358.08
45-46	S. 88° 06' 59" E.	239.38
46-47	S. 78° 58' 00" E.	226.48
47-48	S. 21° 25' 59" E.	348.45
48-49	S. 12° 19' 00" E.	285.42
49-50	N. 69° 08' 59" E.	108.50

50-51	N. 08° 48' 00" E.	194.15
51-52	N. 17° 38' 59" W.	50.35
52-53	N. 23° 21' 00" E.	41.44
53-54	N. 89° 52' 59" E.	35.24
54-55	N. 14° 05' 59" E.	79.29
55-56	N. 33° 56' 00" W.	37.02
56-57	N. 45° 57' 59" E.	34.39
57-58	N. 16° 47' 59" E.	21.23
58-59	N. 66° 22' 00" E.	35.90
59-60	N. 08° 39' 59" E.	59.84
60-61	N. 22° 03' 00" W.	49.45
61-62	N. 06° 20' 00" W.	54.95
62-63	N. 30° 23' 00" E.	56.83
63-64	N. 72° 39' 59" E.	30.98
64-65	N. 38° 59' 00" E.	16.04
65-66	N. 03° 31' 59" E.	69.01
66-67	N. 17° 26' 59" W.	51.68
67-68	N. 56° 08' 59" E.	243.00
68-69	S. 15° 28' 59" E.	151.22
69-70	S. 21° 50' 00" E.	280.00
70-71	N. 43° 09' 59" E.	246.38
71-72	N. 14° 52' 59" W.	138.01
72-73	N. 68° 23' 59" E.	125.75
73-74	S. 46° 02' 59" E.	182.90
74-75	S. 10° 43' 00" E.	204.70
75-76	S. 45° 41' 00" E.	273.19
76-77	N. 39° 19' 59" E.	257.94
77-78	S. 08° 38' 00" E.	1,407.26
78-1	S. 83° 12' 15" W.	2,702.76

PARCEL 2

AREA = 259.011 HECTARES

Beginning at a point marked "1" which is N 83° 12' 15", 2,702.76 from BLLM No. 7 of Juban, Sorsogon with geographic coordinates of 12° 46' 41.73" North and 124° 02' 46.45" East

LINE	BEARING	DISTANCE (meters)
1-2	N. 08° 38' 00" W.	1,407.26
2-3	N. 70° 03' 05" E.	268.03
3-4	N. 08° 00' 24" W.	177.34
4-5	N. 83° 43' 35" E.	121.06
5-6	S. 32° 36' 46" E.	71.05
6-7	N. 44° 38' 40" E.	377.27
7-8	S. 82° 13' 29" E.	269.89
8-9	S. 50° 43' 30" E.	254.09
9-10	S. 73° 33' 42" E.	215.25
10-11	N. 63° 34' 13" E.	132.93
11-12	S. 63° 58' 16" E.	225.71
12-13	N. 65° 08' 04" E.	260.13
13-14	S. 15° 42' 29" E.	233.55
14-15	S. 27° 08' 23" E.	280.78
15-16	S. 19° 17' 22" W.	356.70
16-17	S. 00° 27' 36" W.	237.86
17-1	S. 69° 44' 22" W.	1,854.48

PARCEL 3**AREA = 1,563.278 HECTARES**

Beginning at a point marked "1" which is identical to BLLM No. 7, Juban CAD No. 223, BLLM No. 7 of Juban CAD No. 223, Sorsogon with geographic coordinates of 12° 46' 41.73" North and 124° 02' 46.45" East

LINE	BEARING	DISTANCE (meters)
1-2	N. 83° 12' 15" E.	2,702.76
2-3	N. 69° 44' 22" E.	1,854.48
3-4	S. 05° 45' 26" W.	254.69
4-5	S. 23° 31' 23" E.	254.26
5-6	S. 11° 55' 14" W.	252.28
6-7	S. 09° 08' 29" E.	241.68
7-8	S. 14° 58' 22" W.	244.16
8-9	S. 40° 16' 47" E.	212.11
9-10	S. 21° 08' 45" W.	311.71
10-11	S. 42° 08' 15" W.	233.02
11-12	S. 69° 41' 54" E.	505.91
12-13	N. 75° 06' 04" E.	309.35
13-14	S. 38° 27' 13" E.	119.08
14-15	S. 82° 07' 00" E.	179.98
15-16	S. 35° 13' 03" E.	171.21
16-17	S. 82° 05' 34" W.	99.68
17-18	S. 05° 58' 15" E.	218.71
18-19	S. 80° 47' 20" E.	224.90
19-20	S. 84° 44' 46" E.	174.73
20-21	S. 22° 59' 19" E.	250.93
21-22	S. 08° 18' 44" W.	311.27
22-23	S. 32° 08' 14" W.	184.23
23-24	N. 89° 09' 04" W.	135.01
24-25	S. 65° 19' 00" W.	217.91
25-26	N. 68° 22' 51" W.	233.42
26-27	S. 25° 53' 37" E.	114.49
27-28	S. 73° 31' 23" E.	74.04
28-29	S. 63° 50' 18" E.	63.51
29-30	S. 18° 26' 05" W.	139.14
30-31	S. 36° 42' 51" E.	73.60
31-32	N. 52° 25' 53" E.	196.81
32-33	N. 43° 07' 19" E.	172.63
33-34	S. 59° 18' 31" E.	180.25
34-35	S. 23° 55' 30" W.	155.35
35-36	S. 21° 58' 56" E.	117.55
36-37	S. 50° 48' 44" W.	118.70
37-38	S. 73° 55' 25" W.	361.12
38-39	S. 01° 42' 17" E.	168.07
39-40	S. 64° 39' 43" E.	334.15
40-41	S. 80° 18' 40" E.	207.97
41-42	S. 70° 58' 05" E.	303.60
42-43	N. 88° 53' 28" E.	155.03
43-44	S. 58° 58' 30" E.	161.04
44-45	S. 31° 55' 15" W.	143.74
45-46	S. 15° 19' 17" E.	151.38
46-47	S. 56° 51' 21" W.	320.08
47-48	S. 81° 49' 57" W.	436.43
48-49	S. 88° 46' 52" W.	141.03
49-50	N. 37° 18' 14" W.	184.81

50-51	S. 87° 43' 10" W.	226.18
51-52	N. 42° 29' 37" W.	210.21
52-53	S. 48° 02' 54" W.	239.34
53-54	N. 89° 19' 26" W.	339.02
54-55	N. 46° 23' 12" W.	379.83
55-56	N. 73° 10' 57" W.	324.90
56-57	N. 01° 33' 54" W.	183.07
57-58	N. 53° 30' 08" W.	492.61
58-59	N. 08° 51' 42" W.	188.25
59-60	N. 88° 15' 27" W.	263.12
60-61	S. 45° 56' 43" W.	214.28
61-62	N. 62° 30' 16" W.	192.77
62-63	S. 86° 36' 04" W.	296.50
63-64	S. 15° 02' 24" W.	257.51
64-65	S. 40° 36' 47" W.	169.04
65-66	N. 43° 16' 15" W.	304.76
66-67	N. 37° 25' 19" W.	275.79
67-68	S. 55° 38' 23" W.	395.72
68-1	N. 30° 32' 18" W.	3,399.83

PARCEL 4

AREA = 1,031.166 HECTARES

Beginning at a point marked "1" which is identical to BLLM No. 7, Juban CAD No. 223, BLLM No. 7 of Juban CAD No. 223, Sorsogon with geographic coordinates of 12° 46' 41.73" North and 124° 02' 46.45" East

LINE	BEARING	DISTANCE (meters)
1-2	S. 30° 32' 18" E.	3,399.8267
2-3	S. 61° 00' 40" W.	169.1981
3-4	S. 14° 40' 15" W.	240.8527
4-5	S. 82° 48' 02" W.	191.5098
5-6	N. 09° 57' 40" E.	283.2702
6-7	N. 35° 11' 51" W.	137.0584
7-8	S. 77° 28' 16" W.	82.9759
8-9	N. 70° 13' 08" W.	121.1487
9-10	S. 48° 14' 56" W.	162.1882
10-11	S. 24° 01' 35" E.	90.8735
11-12	N. 81° 15' 13" E.	65.7647
12-13	S. 65° 51' 16" E.	31.7805
13-14	S. 11° 51' 10" E.	165.5295
14-15	S. 43° 04' 40" W.	210.8364
15-16	S. 12° 47' 00" E.	244.0492
16-17	N. 80° 40' 58" W.	389.1337
17-18	S. 77° 37' 09" W.	251.8571
18-19	N. 65° 14' 47" W.	183.8967
19-20	N. 58° 47' 49" W.	287.6056
20-21	N. 79° 50' 32" W.	243.8217
21-22	N. 87° 45' 15" W.	306.2352
22-23	N. 74° 20' 33" W.	437.2242
23-24	N. 36° 32' 41" E.	211.6034
24-25	N. 40° 54' 17" E.	306.9609
25-26	N. 80° 11' 06" W.	240.5203
26-27	N. 86° 38' 00" W.	323.5583
27-28	N. 68° 07' 25" W.	142.2428
28-29	S. 67° 35' 46" W.	265.0019
29-30	S. 24° 16' 59" W.	235.8686

30-31	S. 33° 24' 17" W.	334.2110
31-32	S. 39° 57' 27" W.	193.0803
32-33	S. 35° 14' 07" W.	308.5255
33-34	S. 86° 18' 14" W.	171.6134
34-35	S. 77° 27' 16" W.	354.2004
35-36	S. 76° 02' 23" W.	182.3870
36-37	N. 73° 34' 24" W.	261.6811
37-38	N. 19° 35' 55" W.	140.1178
38-39	N. 52° 46' 13" W.	350.4069
39-40	N. 26° 33' 54" E.	156.5248
40-41	N. 77° 51' 47" E.	285.3787
41-42	S. 82° 15' 45" E.	185.6906
42-43	N. 71° 43' 55" E.	216.9332
43-44	N. 64° 13' 50" E.	322.0248
44-45	N. 34° 58' 00" E.	186.7030
45-46	N. 30° 14' 44" E.	383.1579
46-47	N. 22° 11' 19" E.	439.5509
47-48	N. 13° 54' 15" W.	316.2673
48-49	N. 30° 22' 44" W.	268.9238
49-50	N. 53° 25' 37" W.	77.2010
50-51	S. 36° 36' 43" W.	266.6027
51-52	N. 86° 29' 31" W.	261.4900
52-53	N. 70° 20' 46" W.	178.3928
53-54	N. 68° 16' 03" E.	153.9415
54-55	N. 20° 16' 57" E.	147.1224
55-56	N. 16° 02' 23" E.	166.4812
56-57	N. 13° 05' 49" E.	251.5432
57-58	N. 32° 49' 57" W.	235.3904
58-59	N. 38° 28' 00" W.	181.3728
59-1	N. 75° 05' 00" E.	2,822.040

The BVNP shall cover a total land area of three thousand three hundred sixty-three and four hundred twenty-three (3,363.423) hectares.

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

SEC. 4. Land Classification. – All lands comprising the BVNP shall fall under the classification of National Park as provided for in the 1987 Philippine Constitution.

SEC. 5. Definition of Terms. – For purposes of this Act, the following terms are hereby defined:

(a) Biodiversity shall refer to variety and variability among living organisms and the ecological complexes in which said organisms occur.

(b) Conservation shall refer to the sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat.

(c) Ecosystem shall refer to the dynamic complex of plant, animal and microorganism communities and their nonliving environment interacting as a functional unit.

(d) Endangered species shall refer to species or subspecies that are not critically endangered but whose survival in the wild are unlikely if the causal factors continue operating.

(e) Endemic species shall refer to species or subspecies of flora and fauna which are naturally occurring and found only within specific areas in the country.

(f) Exotic species shall refer to species or subspecies of flora and fauna which do not naturally occur within the protected area at present or in historical time.

(g) Genetically Modified Organism or GMO shall refer to any living organism that possesses a novel combination of genetic material obtained through the use of modern biotechnology through in vitro nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles, or fusion of cells beyond the taxonomic family, that overcome natural physiological reproductive or recombination barriers that are not used in traditional breeding and selection.

(h) Habitat shall refer to a place or type of environment where species or subspecies naturally occur or has naturally established its population.

(i) Management Board shall refer to the management board of the BVNP.

(j) Management Plan shall refer to the fundamental plan, strategy and/or scheme which shall guide all activities relating to the BVNP in order to attain the objectives of this Act.

(k) National Integrated Protected Areas System (NIPAS) shall refer to 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.

(l) National Park shall refer to the land of the public domain classified as such in the 1987 Constitution which includes all areas under the NIPAS pursuant to Republic Act No. 7586 primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity.

(m) Nongovernmental organization (NGO) shall refer to an agency, institution, foundation or a group of persons whose purpose is to assist people's organizations/associations in various ways including, but not limited to, organizing, educating, training, research and/or resource accessing.

(n) People's organization (PO) shall refer to a group of organized migrant communities and/or interested indigenous peoples which may be an association, cooperative, federation, or other legal entity, established to undertake collective action to address community concerns and needs, and mutually share the benefits of the endeavor.

(o) Protected area shall refer to identified portions of land and/or water set aside by reasons of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation.

(p) Protected Area Management Board (PAMB) shall refer to a multisectoral policy-making body created in accordance with Republic Act No. 7586 or the NIPAS Act of 1992.

(q) Protected Area Superintendent (PASu) shall refer to the chief operating DENR officer of the BVNP.

(r) Protected landscape shall refer to an area of national significance, which is 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 the area.

(s) Protected species shall refer to any plant or animal declared protected under Philippine laws and international conventions, including species listed under the Convention on International Trade of Endangered Species (CITES) and all its annexes, the Bonn Convention on Migratory Species, the Red-list Categories of the World Conservation Union (IUCN), or any plant or animal which the PAMB may deem critical for the conservation and preservation of the BVNP.

(t) Tenured migrants shall refer to forest occupants who have actually and continuously occupied a portion of the protected area for at least five (5) years, and are solely dependent therein for subsistence, as of the passage of this Act. A protected area occupant is understood to be "solely dependent for subsistence" when everything indispensable for survival for the household including food, clothing, shelter and health, comes only from the utilization of resources from the protected area.

(u) Wildlife shall refer to wild forms and varieties of flora and fauna in all developmental stages, including those which are in captivity or are being bred or propagated.

CHAPTER II **MANAGEMENT**

SEC. 6. Management of the BVNP. – The management and administration of the BVNP shall be vested with the PAMB: Provided, That the management of zones to be established within the BVNP shall be conducted on a consultative and participatory approach.

The PAMB shall be responsible for the planning, resource protection and general administration of the BVNP in accordance with the approved Management Plan.

SEC. 7. Management Plan. – There shall be a Management Plan which shall serve as the long-term basic framework for the management of the BVNP, govern all activities within the BVNP, and guide the preparation of the annual operations plan and budget. The Management Plan shall be consistent with this Act and the nature of the BVNP as a protected area under the category of a natural park. A management manual containing the Management Plan and other supporting data shall be prepared in accordance with the implementing rules of the NIPAS Act. Within one (1) year from the effectivity of this Act, the Protected Area Superintendent's Office (PASO) shall prepare the Management Plan in accordance with the General Management Planning Strategy as provided for in the implementing rules of the NIPAS Act. It shall contain, among others, the following:

- (a) A period of applicability for ten (10) years subject to review every five (5) years;
- (b) Key management issues;
- (c) Goals and objectives of management in support of Section 2 hereof;
- (d) Zoning in accordance with Section 8 hereof;

- (e) Management programs to include enforcement of laws, habitat and wildlife management, ecotourism, sustainable use, management, infrastructure development and maintenance, fire prevention and pest control;
- (f) Sustainable and nondestructive livelihood activities;
- (g) Regulations in furtherance of the preservation and conservation aims of the BVNP such as allowable activities, resource-use restrictions, among others; and
- (h) Other relevant conservation matters.

The Management Plan shall be reviewed and adopted by the PAMB and certified to by the DENR Secretary. The Management Plan shall not be revised or modified without prior consultation with the PAMB. It shall be reviewed and updated every five (5) years.

Two (2) years prior to the expiration of the current Management Plan, the PASO shall cause the publication of notices for comments and suggestions on the new Management Plan that will succeed the old one in a newspaper of general circulation and the posting thereof in the provincial, municipality/city and barangay halls of the local government units (LGUs) comprising the BVNP, and in three (3) other conspicuous areas frequented by the public within the BVNP. At least two (2) public hearings shall be conducted on the proposed successor plan and shall be made available for the perusal of the public at the PASO.

The Management Plan and all its successor plans shall be prepared in English, Filipino and Bicol, plainly written and made accessible to the public at the PASO.

SEC. 8. Zoning. – Strict protection zone and multi-use zone shall be established within the BVNP giving primary consideration to its protection and conservation. Zoning shall also take into account the tenurial and livelihood concerns of communities to ensure the efficient protection of habitats, fragile ecosystems and unique areas.

The establishment and management of zones must involve the community concerned by undertaking such steps as dialogues, consultations and land- and resource-use mapping. Zones shall be demarcated on the ground and indicated on maps with the participation of communities, LGUs and other stakeholders. Buffer zone shall also be established within the peripheral areas of the BVNP in accordance with the Management Plan to serve as a social fence where tenurial and sustainable resource-use rights may be granted to qualified groups and individuals.

CHAPTER III *INSTITUTIONAL MECHANISM, ROLES AND FUNCTIONS*

SEC. 9. Protected Area Management Board (PAMB). – (a) There shall be a Protected Area Management Board (PAMB) which shall serve as the highest policy-making body of the BVNP. It shall be composed of the following:

- (1) The Regional Executive Director (RED) of Region V as PAMB Chair;
- (2) The Provincial Planning and Development Officer (PPDO) of the Province of Sorsogon;
- (3) The Environment and Natural Resources Officer (ENRO) of the Province of Sorsogon (PENRO-LGU);

(4) One (1) regular representative from each municipality/city with territory within the BVNP;

(5) One (1) regular representative from each barangay with territory within the BVNP;

(6) One (1) representative from every NGO, PO, church or civic organization but not to exceed five (5), all of whom must be based in or near the BVNP;

(7) One (1) representative from other government agencies with direct interest or involvement in protected area management; and

(8) One (1) representative from academic institutions with direct interest or involvement in protected area management.

(b) Every member of the PAMB shall serve for a term of five (5) years, renewable for another five (5) years: Provided, That the member remains connected with the office or sector being represented: Provided, further, That elective officials shall serve on a coterminous basis.

Except for the Chairman and the PPDO, all other members of the PAMB shall present necessary endorsement from their respective head of office and from the sanggunians, in case of elective officials. Whenever a vacancy occurs during the term of a nongovernment PAMB member, a new member shall be chosen in the same manner as the original selection process and shall only serve for the remaining term.

SEC. 10. Powers and Functions of the PAMB. – The PAMB shall have the following powers and functions:

(a) Issue rules and regulations to control, prohibit and regulate all acts that may be prejudicial to the BVNP pursuant to the policy declarations herein set forth, including the imposition of fines to a maximum of Twenty thousand pesos (P20,000.00) and issuance of cease and desist orders, whenever justified;

(b) Regulate, control and issue permits in accordance with the Management Plan and pertinent environmental laws and regulations particularly with regard to infrastructure activities, public utilities, waste management, business enterprises and research activities within the BVNP, including the power to prescribe appropriate fees and charges;

(c) Review, approve and adopt a Management Plan for the BVNP;

(d) Recommend the deputation through the PASu of individuals or groups to augment the protection personnel of the BVNP for the enforcement of laws, rules and regulations therein, and prescribe qualifications thereof;

(e) Approve contracts and agreements consistent with the purpose of this Act;

(f) Accept donations and grants;

(g) Review and approve proposals for funding, financial and work plans, and exercise accountability over all funds that may accrue to the BVNP;

(h) Promulgate rules and regulations on the conduct of its business;

(i) Monitor and evaluate the performance of all PASO personnel;

(j) Retain legal counsel to defend cases against the PAMB, the PASO staff and deputized individuals whenever they are sued in connection with the performance of their duties and functions under this Act, and to assist in other PAMB legal matters; and

(k) Initiate and file suits against persons or entities whose business or activities are detrimental to the protected area.

SEC. 11. Protected Area Superintendent's Office (PASO). – There is hereby created a PASO which shall perform the day-to-day management, protection and administration of the BVNP. It shall be headed by the PASu as its chief operating officer who shall be directly accountable to the PAMB and the Provincial Environment and Natural Resources Officer of the DENR (PENRO-DENR) in the Province of Sorsogon. The PASu shall coordinate the activities with the City Environment and Natural Resources Officer with regard to DENR programs that are related to protected area management.

The PASu shall be supported by the existing personnel of the DENR. The PASu shall prepare an annual accomplishment report on all activities undertaken in the protected area for PAMB review and submission to the DENR Secretary.

SEC. 12. Local Government Units (LGUs). – LGUs shall be represented in the PAMB and shall have the following functions:

(a) Apprise their respective constituents, office and sector on activities and programs for the protected area;

(b) Ensure consistency in the implementation of all activities in the protected area;

(c) Retain their ordinance-making powers over the protected area: Provided, That on matters relating to biodiversity conservation, protection and sustainable development, the ordinances shall be consistent with the Management Plan;

(d) Consider the BVNP Management Plan in the formulation of their development plan;

(e) Assist the PAMB in the implementation of the overall park programs including, but not limited to, the imposition, collection and utilization of park fees, enforcement of policies, rules and regulations and other similar park activities;

(f) Accredite POs, NGOs and other entities and groups involved in activities within the BVNP; and

(g) Provide the PAMB with relevant information and data for the effective management of the protected area.

CHAPTER IV *UTILIZATION OF RESOURCES*

SEC. 13. Existing Facilities Within the BVNP. – Within a year from approval of this Act, all existing commercial facilities with capitalization of not less than One hundred thousand pesos (P100,000.00) within the BVNP or which rely heavily from resources within the BVNP, shall submit to the PASO a sworn statement containing the following information:

- (a) Potential for disturbance of protected species and their habitats;
- (b) Emissions and effluents at all stages of the operation;
- (c) Energy requirements and sources of energy;

- (d) Water supply requirements and sources of water;
- (e) Volume of resources extracted from the BVNP;
- (f) Future plans for the next five (5) years; and
- (g) Other data they may deem relevant to the conservation objectives of the BVNP.

Based on this submission, the PAMB shall determine whether the continued operation and future plans of these facilities are detrimental to the BVNP or to further undergo the Environmental Impact Statement (EIS) system and secure Environmental Compliance Certificate (ECC) from the Environmental Management Bureau. The PAMB may prescribe conditions or charge reasonable fees for the continued operation of facilities that rely heavily on resources within the BVNP to ensure that these do not impair the conservation objectives of the BVNP. Without prejudice to the filing of the necessary criminal charges, in case of violation of PAMB conditions or nonpayment of charges, the PAMB may impose an administrative fine of Five thousand pesos (P5,000.00) for every day of violation upon the owners of the erring facilities but not to exceed a total of Five hundred thousand pesos (P500,000.00). At any time whenever necessary, the PAMB, through the PASu and other government entities, shall cause the cessation and demolition of said facility at owner's cost. Failure to submit the required information shall constitute a violation of this Act and shall be subject to the penalties imposed under Section 17(b) hereof.

SEC. 14. Utilization of Resources. – Except upon prior approval of the PAMB and consistent with the Management Plan, the use of natural resources within the BVNP shall not be allowed. However, the sustainable use of resources by qualified tenured migrants for their domestic needs or for subsistence shall not be restricted except protected species and whenever highly detrimental to the ecosystem.

SEC. 15. Public Lands. – Upon passage of this Act, no land within the BVNP shall be released from the public domain as alienable and disposable and any sale, transfer, alienation or disposition thereof shall be null and void.

CHAPTER V **PROHIBITED ACTS**

SEC. 16. Prohibited Acts. – The following acts are prohibited within the BVNP with their respective penalties:

(a) A fine of not less than Five thousand pesos (P5,000.00) to not more than Five hundred thousand pesos (P500,000.00) and imprisonment of not less than six (6) years and one (1) day to not more than twelve (12) years shall be imposed upon any person who:

(1) Hunts, collects, takes, destroys, traps, disturbs or otherwise possesses any wild plant, animal or product, including genetic resources, derived from the BVNP without prior PAMB permit: Provided, That such permit can only be given for scientific purposes and necessary for protected area management;

(2) Cuts, gathers, collects, removes or otherwise possesses timber or other forest products within the BVNP without prior PAMB permit: Provided, That such permit can only be given for scientific purposes and necessary for protected area management: Provided, further, That no permit shall issue for timber or other forest products within strict protection zones;

(3) Engages in kaingin or otherwise intentionally or negligently causes a forest fire inside the BVNP;

(4) Engages in mineral or energy exploration activities within the BVNP;

- (5) Engages in treasure-hunting within the BVNP;
- (6) Introduces exotic species or genetically modified organisms within the BVNP;
and

(7) Discharges, leaves or dumps any waste product or substance deleterious to the BVNP ecosystem or to any of the flora and fauna therein.

(b) A fine of not less than Five thousand pesos (P5,000.00), to not more than Two hundred fifty thousand pesos (P250,000.00) and imprisonment of not less than six (6) months and one (1) day to not more than six (6) years shall be imposed upon any person who:

(1) Occupies, settles or possesses any portion of land inside the BVNP without the necessary permit. Clearing, construction of residence or introduction of improvements shall constitute prima facie evidence of such occupation or settlement;

(2) Vandalizes, mutilates, destroys, excavates, defaces or otherwise intentionally damages any natural formation or object of natural beauty inside the BVNP;

(3) Uses or possesses motorized equipment, explosives or any noxious substance anywhere within the strict protection zones of the BVNP as delineated by the PAMB;

(4) Constructs or maintains any kind of road, structure, fence or enclosure without prior PAMB permit; and

(5) Obstructs or hinders the enforcement of this Act, the Management Plan and its pertinent rules and regulations.

(c) A fine of not less than Five thousand pesos (P5,000.00) to not more than Fifty thousand pesos (P50,000.00) or imprisonment of not less than one (1) month and one (1) day to not more than six (6) months, or both, shall be imposed upon any person who:

(1) Except as otherwise provided, violates the Management Plan or any rule or resolution promulgated by the PAMB;

(2) Alters, removes, destroys or deface boundaries, marks or signs;

(3) Enters the BVNP without prior PAMB permit for purposes of trekking, mountain climbing, spelunking and other recreational activities; and

(4) Dumps, litters or otherwise leaves debris, refuse or garbage within the BVNP.

(d) Any provision to the contrary notwithstanding, the commission of any unlawful act under Section 17(a) hereof shall carry the penalty of imprisonment of not less than twelve (12) years and one (1) day to not more than twenty (20) years and a fine of not less than Five hundred thousand pesos (P500,000.00) to not more than One million pesos (P1,000,000.00), whenever the species involved is a protected species as provided herein. Any citizen may institute the necessary charge against an offender for the commission of the acts enumerated under this section;

(e) A conviction under this section shall carry the accessory penalties of eviction from the BVNP, payment of damages for rehabilitation and restoration, and the forfeiture of all conveyances, equipment, device, instrument, tool or weapon used in the commission of the offense as well as the flora, fauna and resources caught in the possession of the accused. In case the offender is an association, partnership or corporation, the president or manager of the said corporation shall be held liable for the act of the employees or workers;

(f) The DENR, through the PASu, may impose administrative sanctions against the offender for violations committed under this Act. The PASu may confiscate all conveyances, equipment, device, instrument, tool or weapon used in the commission of the offense caught en flagrante including the animals, plants and other resources from the BVNP found in the possession of the offender; and

(g) In case of conviction, the penalty consisting of fines and damages shall directly accrue to the Integrated Protected Areas Fund as herein provided.

CHAPTER VI **PROCEEDS AND FEES**

SEC. 17. The Bulusan Volcano Natural Park Protected Areas Fund. – There is hereby established a trust fund to be known as the "Bulusan Volcano Natural Park Protected Areas Fund" for purposes of financing projects of the system. All income generated from the operation of the system or management of wild flora and fauna in the protected area, shall accrue to the fund. These income shall be derived from fees from permitted sale and export of flora and fauna and other resources from the protected area; proceeds from lease of multiple-use areas; contributions from industries and facilities directly benefiting from the protected area; and such other fees and income derived from the operation of the protected area.

The fund may be augmented by grants, donations, endowment from various sources, domestic or foreign: Provided, That the fund shall be deposited as a special account in the National Treasury and disbursements therefrom shall be made solely for the protection, maintenance, administration and management of the system, and duly approved projects endorsed by the PAMB in accordance with existing accounting and budgeting rules and regulations: Provided further, That the fund shall not be used to cover personal services expenditures.

SEC. 18. **Appropriations.** – The Secretary of the DENR shall immediately include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

CHAPTER VII **MISCELLANEOUS PROVISIONS**

SEC. 19. **Separability Clause.** – If any part or section of this Act is declared unconstitutional, such declaration shall not affect in any manner the other parts or sections hereof.

SEC. 20. **Repealing Clause.** – All laws, proclamations, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 21. **Effectivity Clause.** – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,