

Given the richness of the natural beauty and the importance of the Peñablanca Protected Landscape to the ecological and socio-economic development of the local communities, it is therefore necessary to give primary consideration and protection of this area.

The participation of all the stakeholders of the PPLS, especially the local communities headed by the concerned local government agencies, shall be also maximized to ensure efficient and effective management and protected of the area.

In view of the foregoing, the immediate passage of this bill is earnestly requested.



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Province of Cagayan

1 REPUBLIC OF THE PHILIPPINES
2 HOUSE OF REPRESENTATIVES
3 Quezon City, Metro Manila

4 SIXTEENTH CONGRESS
5 Second Regular Session

6 House Bill No. 5375

7 INTRODUCED BY HON. RANDOLPH S. TING

8 AN ACT

9 ESTABLISHING THE PEÑABLANCA PROTECTED LANDSCAPE AND SEASCAPE
10 LOCATED IN THE MUNICIPALITY OF PEÑABLANCA, PROVINCE OF CAGAYAN,
11 AS A PROTECTED AREA AND ITS PERIPHERAL AREAS AS BUFFER ZONE.

12 *Be it enacted by the Senate and House of Representative of the Philippines in*
13 *Congress assembled:*

14 **SECTION 1. Title.** – This Act shall be known as “Peñablanca Protected Landscape and
15 Seascape (PPLS) Act of 2015.”

16 **SEC. 2. Declaration of Policy.** – Cognizant to the remarkable ecological and biological
17 importance of the Peñablanca Protected Landscape and Seascape as part of the
18 remaining tropical rainforest in the country; owing to its rich and diverse ecosystems
19 comprising coastal, riverine, agricultural and forest; existence of the famous multi-
20 chambered caves, waterfalls and deep canyons; for having been home to numerous
21 plants and animals like the rare Philippine Eagle, endangered Isabella Oriole, Mottled-
22 Wing Flying Fox, threatened Luzon Bleeding Heart Pigeon and millions of Insect Bats
23 that display their awesome circadian flight at dusk; and due to its aesthetic, historical,
24 archeological, cultural and economic significance to the country, it is hereby declared
25 the policy of the State to secure the protection, preservation and rehabilitation of the
26 PPLS, its communities, their culture and way of life provided they are in harmony with
27 nature and not detrimental to the ecological ecosystems and biodiversity of the area. As
28 such, the State shall ensure biodiversity protection and conservation of the PPLS
29 through participatory and sustainable development, to promote and protect the interest
30 of the inhabitants and recognize the customary laws consistent with Republic Act No.
31 7586 or the National Integrated Protected Areas System (NIPAS) Act of 1992 and
32 Republic Act No. 8371 or the Indigenous Peoples Rights Act (IPRA) of 1997, including
33 international Convention Agreements to which the Philippines is a signatory.

34 **SEC 3. Category** – The area is categorized as protected landscape and seascapes
35 based on the result of the resource basic inventory and protected area suitability
36 assessment undertaken in the area.

37 Upholding the categories are the several deep-seated multi-chambered caves of
38 pristine stalactites and stalagmites. These caves, which include the famous Callao, and
39 Sierra caves offer wonderful caving experiences to tourist serious/professional cavers/
40 spelunkers. Other significant features sustaining the said category are rock formations;
41 water falls; bat cave where millions of insect bats abound and display their circadian
42 flight at dusk; rich biodiversity spanning coastal, freshwater, agricultural/grassland and
43 forest ecosystems teemed with multitudes of plants and animals, some of which are
44 rare and endangered species.

45 **SEC. 4. Definition of Terms.** – For purposes of this Act the following terms shall be
46 defined as follows.

- (a) "Biodiversity" shall refer to the variety and variability among all living organisms and the ecological complexes in which they occur.
- (b) "Buffer zone" shall refer to identified areas outside the boundaries of and immediately adjacent to the PPLS pursuant to the management plan.
- (c) "Collection" shall refer to the act of gathering, harvesting or catching wildlife, or the taking of any of its parts, derivatives or by-products.
- (d) "Commercial" shall refer to market sale in volume in excess of that required to maintain a basic subsistence for workers and their dependents.
- (e) "Commercial Fishing" the taking of fishery species by passive or active gear or trade, business or profit beyond subsistence or sports fishing, to be further classified as;
- Small scale commercial fishing – fishing with passive or active gear utilizing fishing vessels of 3.1 gross tons (GT) up to twenty (20) GT;
- Medium scale commercial fishing – fishing utilizing active gears and vessels of 20.1 GT up to One Hundred Fifty (150) GT; and
- Large scale commercial fishing – fishing utilizing active gears and vessels of more than One Hundred Fifty (150) GT.
- (f) "DENR" shall refer to the Department of Environment and Natural Resources.
- (g) "Endangered species" shall refer to species or subspecies of plants or animals whose populations are in danger of extinction and whose survival is unlikely if the causal factors continue operating.
- (h) "Endemic species" shall refer to species or subspecies of plants or animals which has limited distribution, often within the geographic limits of the State.
- (i) "Exotic species" shall refer to species or subspecies which do not naturally occur within the biogeography region of the PPLS at present or in historical time.
- (j) "Exploration" shall refer to searching or prospecting for mineral resources, as defined by law, by geological, geochemical or geophysical surveys, remote sensing, test pitting, trenching, drilling, shaft sinking, tunneling or any other means for the purpose of determining the existence, extent, quantity and quality thereof and the feasibility of mining them for profit.
- (k) "Exploitation" shall refer to any mode of use, extraction, development, utilization or disposition of resources, for whatever purpose, whether commercial or otherwise.
- (l) "FARMC" shall refer to the Fisheries and Aquatic Resources Management Council.
- (m) "Fishing with Explosive" the use of dynamite, other explosives or other chemical compounds that contains combustible elements or ingredients, which upon ignition by friction, concussion, percussion or detonation of all or parts of species. It also refers to the use of any other substance and/or device which causes an explosion that is capable of producing the said harmful effects on

- 88 any fishery species and aquatic resources and capable of damaging and
89 altering the natural habitat.
- 90 (n) "Fishing with noxious or poisonous substance" is the use of any substance,
91 plant extracts or juice thereof, sodium cyanide and/or cyanide compounds or
92 other chemicals either in raw or processed form, harmful or harmless to human
93 beings, which will kill, stupefy, disable or render unconscious any fishery
94 species and aquatic resources and capable of damaging and altering the
95 natural habitat.
- 96 (o) "General Management Plan (GMP)" is the basic long-term framework plan in
97 the management of the protected area and as guide in the preparation of the
98 annual operations plan and budget.
- 99 (p) "General Management Plan and Strategy "(GMPS)" is the guide in the
100 formulation of site specific management plans including buffer zones.
- 101 (q) "Habitats" shall refer to an inhabited by wildlife in the natural state.
- 102 (r) "Indigenous Peoples or IPs shall refer to People sharing common bonds of
103 language, customs, traditions, and other distinctive cultural traits and who have
104 since time immemorial occupied, proceeds and utilize the PPL's territory
- 105 (s) "Indigenous species" shall refer to native Philippine species and/or subspecies
106 with an existing or historical natural occurrence and distribution within the PPLS
107 and its buffer zones.
- 108 (t) "IPRA" shall refer to the Indigenous Peoples Right Act of Republic Act No. 8371
109 and its pertinent rules and regulations.
- 110 (u) "Integrated Protected Area Fund" is a trust fund established for the purpose of
111 financing projects of the system.
- 112 (v) "Large-scale infrastructure projects" shall refer to major port facilities, major
113 highways, tall edifices, major dams, and the like.
- 114 (w) "Management Manual" is an individual management plan, continuing basic
115 background information, field inventory of the resources area, assessment of
116 assets and limitations regional interrelationships objectives for managing the
117 area, appropriate division of the area into management zones, boundaries and
118 design of the management programs.
- 119 (x) "NIPAS Act" shall refer to the National Integrated Protected Areas System Act
120 of 1992 or Republic Act No. 7586, and its pertinent rules and regulations.
- 121 (y) "Non-government organization (NGO)" shall refer to any civic, development,
122 conservation or philanthropic, non-stock, non-profit organization, duly
123 registered, having constitution and by-laws, a democratically elected
124 representation and multi-sectoral in character.
- 125 (z) "Non-renewable resources" shall refer to those resources within the PPLS and
126 its buffer zones, the natural replenishment rate of which is not known.
- 127 (aa) Protected Area Superintendent (PASU) - is the chief operating DENR officer of
128 the PPLS.
- 129 (bb) "Protected Area Management Board (PAMB)" shall refer to the site-based
130 decision making body responsible in the planning, resource protection and

131 general administration of the area in accordance with the grouped management
132 plan.

133 (cc) "People's organization (PO)" shall refer to any organized group of people
134 residing the PPLS and its buffer zones formed to advance the interests of the
135 sector they represent which does not necessarily have by-laws.

136 (dd) "Protected Area (PA)" shall refer to identified portions of land and water set
137 aside by reason of their unique physical and biological significance, managed
138 to enhance biological diversity and protected against destructive human
139 exploitation, and unless the context otherwise provides shall refer to the PPLS.

140 (ee) "Protected species" shall refer to any plant or animal that is declared protected
141 under Philippine laws, rules and regulations. This shall also include all plants
142 and animals listed under CITIES, the Bonn Convention on Migratory Animals,
143 those specified under the red-list categories of the International Union for the
144 Conservation of Nature (IUCN), and those species which may not be
145 considered threatened elsewhere but are in danger of extinction within the
146 PPLS as determined by the PAMB.

147 (ff) "Quarrying" shall refer to the process of extracting, removing and disposing
148 quarry resources, as defined by law, found on or underneath the surface of
149 private or public land.

150 (gg) "Recreation zones" shall refer to areas of high recreational, tourism,
151 educational or environmental awareness values where sustainable eco-tourism,
152 recreational, conservation, education or public awareness activities may be
153 allowed as prescribed in the management plan.

154 (hh) "Sustainable use" shall refer to the use of components of biological diversity in
155 a way and at a rate that does not lead to the decline of the species and not
156 causing permanent or long-term diminishment or qualitative degradation of
157 biological species, ecological functions or of other resources extracted or
158 disturbed, thereby maintaining its potential to meet the needs and aspirations of
159 the present and future Filipino generations.

160 (ii) "Tenured migrants" shall refer to any person within, who has actually and
161 continuously occupied an area of the PPLS for five (5) years prior to June 29,
162 1994 and are solely dependent therein for subsistence.

163 (jj) "Traditional" shall refer to using no power machinery resource in extraction
164 process and consistent with historically customary techniques of production.

165 (kk) "Wildlife" shall refer to wild forms and varieties of flora and fauna, including
166 captive-bred or propagated individuals, parts, derivatives and by-products
167 thereof.

168 (ll) "Zones" shall refer to the divisions within the PPLS established into levels of
169 protection and permitted use of natural resources such as strict protection
170 zone, sustainable use zone, cultural zone, recreational zone and special use
171 zone, as provided under existing rules and regulations and appropriate land
172 uses.

173 **SEC. 5. Scope.** – The Peñablanca Protected Landscape and Seascape (PPLS) is
174 hereby declared as part of the NIPAS under the category of Protected Landscapes and
175 Seascape as defined herein. The PPLS area includes the good forest cover, the
176 seascape in the eastern side, and a buffer zone of not more than one (1) kilometer of

177 Baggao and the province of Isabela, respectively. The protected area boundaries shall
178 be as follows:

179 Beginning at a point marked 1 in the map with geographical coordinates 17°34'59.18"
180 North Latitude and 121°49'13.43" East Longitude.

181 thence N 05°E, 370 metes to corner 2;

182 thence N 08°W, 190 meters to corner 3;

183 thence N 18°E, 200 meters to corner 4;

184 thence N 07°E, 200 meters to corner 5;

185 thence N 78°E, 240 meters to corner 6;

186 thence N 02°W, 180 meters to corner 7;

187 thence N 08°E, 160 meters to corner 8;

188 thence N 41°W, 169 meters to corner 9;

189 thence N 12°E, 740 meters to corner 10;

190 thence N 72°E, 240 meters to corner 11;

191 thence N 39°E, 240 meters to corner 12;

192 thence N 15°W, 280 meters to corner 13;

193 thence N 28°E, 180 meters to corner 14;

194 thence N 84°E, 280 meters to corner 15;

195 thence N 05°W, 230 meters to corner 16;

196 thence N 42°E, 45 meters to corner 17;

197 thence N 22°E, 230 meters to corner 18;

198 thence N 42°E, 280 meters to corner 19;

199 thence N 19°W, 175 meters to corner 20;

200 thence N 25°E, 150 meters to corner 21;

201 thence N 55°E, 195 meters to corner 22;

202 thence N 12°E, 270 meters to corner 23;

203 thence N 19°W, 250 meters to corner 24;

204 thence N 29°E, 145 meters to corner 25;

205 thence N 43°W, 170 meters to corner 26;

206 thence N 08°W, 205 meters to corner 27;

207 thence N 30°W, 190 meters to corner 28;
208 thence N 28°E, 270 meters to corner 29;
209 thence N 46°E, 240 meters to corner 30;
210 thence N 10°W, 195 meters to corner 31;
211 thence N 25°W, 225 meters to corner 32;
212 thence N 51°E, 240 meters to corner 33;
213 thence N 62°E, 325 meters to corner 34;
214 thence N 11°W, 225 meters to corner 35;
215 thence N 36°W, 225 meters to corner 36;
216 thence N 53°E, 60 meters to corner 37;
217 thence N 34°E, 115 meters to corner 38;
218 thence N 20°W, 240 meters to corner 39;
219 thence N 75°E, 70 meters to corner 40;
220 thence N 04°E, 120 meters to corner 41;
221 thence N 07°E, 160 meters to corner 42;
222 thence N 18°E, 180 meters to corner 43;
223 thence N 59°E, 205 meters to corner 44;
224 thence N 75°E, 190 meters to corner 45;
225 thence N 61°E, 200 meters to corner 46;
226 thence N 46°E, 130 meters to corner 47;
227 thence N 81°E, 130 meters to corner 48;
228 thence N 74°E, 300 meters to corner 49;
229 thence N 70°E, 205 meters to corner 50;
230 thence N 35°E, 190 meters to corner 51;
231 thence N 13°E, 160 meters to corner 52;
232 thence N 09°E, 185 meters to corner 53;
233 thence N 11°W, 100 meters to corner 54;
234 thence N 81°E, 120 meters to corner 55;
235 thence N 89°E, 145 meters to corner 56;

236 thence N 83°E, 250 meters to corner 57;
237 thence N 83°E, 185 meters to corner 58;
238 thence N 56°E, 170 meters to corner 59;
239 thence N 48°E, 360 meters to corner 60;
240 thence N 42°E, 315 meters to corner 61;
241 thence N 40°E, 145 meters to corner 62;
242 thence N 46°E, 195 meters to corner 63;
243 thence N 71°E, 225 meters to corner 64;
244 thence N 10°E, 210 meters to corner 65;
245 thence N 34°E, 190 meters to corner 66;
246 thence N 11°E, 250 meters to corner 67;
247 thence N 84°E, 185 meters to corner 68;
248 thence N 40°E, 210 meters to corner 69;
249 thence N 21°E, 80 meters to corner 70;
250 thence N 76°E, 110 meters to corner 71;
251 thence DUE N, 150 meters to corner 72;
252 thence N 60°E, 185 meters to corner 73;
253 thence N 49°E, 210 meters to corner 74;
254 thence N 84°E, 230 meters to corner 75;
255 thence N 57°E, 210 meters to corner 76;
256 thence N 33°E, 275 meters to corner 77;
257 thence N 33°E, 225 meters to corner 78;
258 thence S 35°E, 250 meters to corner 79;
259 thence N 39°E, 200 meters to corner 80;
260 thence N 76°E, 200 meters to corner 81;
261 thence N 81°E, 435 meters to corner 82;
262 thence S 79°E, 235 meters to corner 83;
263 thence S 82°E, 250 meters to corner 84;
264 thence N 80°E, 200 meters to corner 85;

265 thence S 69°E, 195 meters to corner 86;
266 thence S 25°E, 360 meters to corner 87;
267 thence S 53°E, 290 meters to corner 88;
268 thence S 36°E, 240 meters to corner 89;
269 thence S 55°E, 200 meters to corner 90;
270 thence S 27°E, 170 meters to corner 91;
271 thence N 23°E, 230 meters to corner 92;
272 thence S 47°E, 280 meters to corner 93;
273 thence N 05°W, 300 meters to corner 94;
274 thence N 35°W, 200 meters to corner 95;
275 thence N 37°E, 120 meters to corner 96;
276 thence S 47°E, 190 meters to corner 98;
277 thence S 40°E, 240 meters to corner 99;
278 thence DUE, 180 meters to corner 100;
279 thence N 02°E, 160 meters to corner 101;
280 thence N 18°W, 240 meters to corner 102;
281 thence N 32°E, meters to corner 103;
282 thence N 20°W, 240 meters to corner 104;
283 thence N 17°E, 200 meters to corner 105;
284 thence N 03°E, 220 meters to corner 106;
285 thence N 61°E, 180 meters to corner 107;
286 thence N 39°E, 235 meters to corner 108;
287 thence N 49°W, 300 meters to corner 109;
288 thence N 65°E, 190 meters to corner 110;
289 thence N 37°W, 145 meters to corner 111;
290 thence N 57°W, 235 meters to corner 112;
291 thence N 68°W, 115 meters to corner 113;
292 thence N 38°W, 240 meters to corner 114;
293 thence N 39°W, 150 meters to corner 115;

294 thence N 67°W, 200 meters to corner 116;
295 thence N 57°W, 260 meters to corner 117;
296 thence N 52°W, 230meters to corner 118;
297 thence N 22°E, 200 meters to corner 119;
298 thence N 42°E, 260 meters to corner 120;
299 thence N 30°E, 781 meters to corner 121;
300 thence D - E, 2,388 meters to corner 122;
301 thence D - E, 22,658 meters to corner 123;
302 thence S 02°W, 274 meters to corner 124;
303 thence S 71°W, 359.29 meters to corner 125;
304 thence S 14°E, 691 meters to corner 126;
305 thence N 69°E, 498 meters to corner 127;
306 thence S 31°E, 708 meters to corner 128;
307 thence S 33°W, 956meters to corner 129;
308 thence S 50°W, 494.29 meters to corner 130;
309 thence S 74°W, 546meters to corner 1131;
310 thence S 28°W, 507 meters to corner 132;
311 thence S 20°E, 342 meters to corner 133;
312 thence S 37°W, 656 meters to corner 134;
313 thence S 02°W, 621 meters to corner 135;
314 thence S 35°E, 300 meters to corner 136;
315 thence S 08°W, 804 meters to corner 137;
316 thence S 34°E, 1,010 meters to corner 138;
317 thence S 05°E, 402 meters to corner 139;
318 thence S 46°W, 260.98 meters to corner 140;
319 thence S 35°E, 357meters to corner 141;
320 thence S 08°E, 486meters to corner 142;
321 thence S 24°E, 659 meters to corner 143;
322 thence S 25°W, 806 meters to corner 144;

323 thence S 03°W, 862 meters to corner 145;
324 thence S 25°E, 701 meters to corner 146;
325 thence S 54°E, 459.15 meters to corner 147;
326 thence S 09°W, 451 meters to corner 148;
327 thence S 18°E, 1,021 meters to corner 149;
328 thence S 55°E, 570 meters to corner 150;
329 thence S 23°W, 952 meters to corner 151;
330 thence S 44°W, 364 meters to corner 152;
331 thence S 15°E, 451 meters to corner 153;
332 thence N 71°E, 358 meters to corner 154;
333 thence S 34°E, 826 meters to corner 155;
334 thence S 46°W, 904meters to corner 156;
335 thence S 21°W, 918 meters to corner 157;
336 thence S 02°E, 611 meters to corner 158;
337 thence S 36°E, 550 meters to corner 159;
338 thence S 59°E, 431 meters to corner 160;
339 thence S 08°W, 368 meters to corner 161;
340 thence S 41°E, 349 meters to corner 162;
341 thence S 14°W, 653 meters to corner 163;
342 thence S 12°W, 788 meters to corner 164;
343 thence S 14°E, 1,071 meters to corner 165;
344 thence S 08°W, 834meters to corner 166;
345 thence S 23°E, 556 meters to corner 167;
346 thence S 15°W, 406 meters to corner 168;
347 thence S 14°W, 1,168 meters to corner 169;
348 thence S 05°E, 1,110 meters to corner 170;
349 thence S 16°E, 1,756 meters to corner 171;
350 thence S 22°E, 1,432 meters to corner 172;
351 thence S 53°E, 615 meters to corner 173;

352 thence S 10°E, 460 meters to corner 174;
353 thence S 08°W, 776 meters to corner 175;
354 thence S 58°E, 302 meters to corner 176;
355 thence S 02°E, 431 meters to corner 177;
356 thence N 82°E, 300 meters to corner 178;
357 thence S 33°E, 348 meters to corner 179;
358 thence S 11°E, 401 meters to corner 180;
359 thence S 10°W, 375 meters to corner 181;
360 thence S 31°E, 400 meters to corner 182;
361 thence S 60°E, 412 meters to corner 183;
362 thence S 10°W, 540 meters to corner 184;
363 thence S 89°23'W, 30,430 meters to corner 185;
364 thence N 26°W, 1,371 meters to corner 186;
365 thence N 18°E, 968 meters to corner 187;
366 thence N 33°W, 701 meters to corner 188;
367 thence D - W, 253 meters to corner 189;
368 thence N 21°E, 432meters to corner 190;
369 thence N 62°W, 1,112meters to corner 191;
370 thence N 05°E, 878meters to corner 192;
371 thence N 28°E, 479 meters to corner 193;
372 thence N 32°E, 618 meters to corner 194;
373 thence N 77°E, 631 meters to corner 195;
374 thence N 86°E, 498 meters to corner 196;
375 thence N 30°E, 881 meters to corner 197;
376 thence N 17°E, 631 meters to corner 198;
377 thence N 25°E, 872 meters to corner 199;
378 thence N 35°E, 459 meters to corner 200;
379 thence N 46°E, 1,616 meters to corner 201;
380 thence N 28°E, 878 meters to corner 202;

381 thence N 28°E, 638 meters to corner 203;
382 thence N 08°E, 1,423 meters to corner 204;
383 thence N 80°W, 590 meters to corner 205;
384 thence S 50°W, 1,002 meters to corner 206;
385 thence D - W, 710 meters to corner 207;
386 thence S 04°E, 1,007 meters to corner 208;
387 thence S 24°W, 701 meters to corner 209;
388 thence S 24°W, 1,240 meters to corner 210;
389 thence S 24°W, 1,040 meters to corner 211;
390 thence S 85°W, 2,008 meters to corner 212;
391 thence N 70°08'W, 310 meters to corner 213;
392 thence S 77°29'W, 550 meters to corner 214;
393 thence S 65°20'W, 1,122 meters to corner 215;
394 thence N 53°W, 180 meters to corner 216;
395 thence N 07°W, 310 meters to corner 217;
396 thence N 20°W, 410 meters to corner 218;
397 thence N 20°W, 330 meters to corner 219;
398 thence N 51°E, 140 meters to corner 220;
399 thence N 25°E, 140 meters to corner 221;
400 thence N 18°E, 350 meters to corner 222;
401 thence N 30°W, 370 meters to corner 223;
402 thence N 30°W, 130 meters to corner 224;
403 thence N 58°E, 110 meters to corner 225;
404 thence N 29°W, 220 meters to corner 226;
405 thence N 22°E, 510 meters to corner 227;
406 thence S 79°W, 240 meters to corner 228;
407 thence N 20°W, 140 meters to corner 229;
408 thence N 27°E, 200 meters to corner 230;
409 thence N 18°E, 240 meters to corner 231;

410 thence N 15°W, 360 meters to corner 232;
 411 thence N 37°E, 130 meters to corner 233;
 412 thence N 18°41'W, 471 meters to corner 234;
 413 thence N 09°E, 50 meters to corner 235;
 414 thence N 30°E, 180 meters to corner 236;
 415 thence D - N, 160 meters to corner 237;
 416 thence D - N, 300 meters to corner 238;
 417 thence N 30°W, 60 meters to corner 239;
 418 thence N 40°E, 50 meters to corner 240;
 419 thence N 07°W, 100 meters to corner 241;
 420 thence N 02°W, 160 meters to corner 242;
 421 thence N 37°W, 440 meters to corner 243;
 422 thence N 01°W, 1,060 meters to corner 244;
 423 thence D - N, 800 meters to corner 245;
 424 thence N 02°W, 3,060 meters to corner 246;
 425 thence N 09°W, 915 meters to corner 247;
 426 thence N 41°E, 210 meters to corner 248;
 427 thence N 26°W, 190 meters to corner 249;
 428 thence N 07°W, 210 meters to corner 250;
 429 thence N 05°E, 270 meters to corner 251;
 430 thence N 20°E, 250 meters to corner 252;
 431 thence N 20°E, 210 meters to corner 253;
 432 thence N 16°E, 350 meters to corner 254;
 433 thence N 18°E, 220 meters to corner 255;
 434 thence N 31°E, 180 meters to corner 256;
 435 thence N 31°E, 190 meters to corner 257;
 436 thence N 31°E, 230 meters to corner 01, which is the point of beginning comprising an
 437 approximate total area of One Hundred Eighteen Thousand Seven Hundred Eighty One
 438 and 582/100 hectares (118,781.582 has.) of which 87% or One Hundred Three
 439 Thousand Two Hundred Eighteen and 582/100 hectares (103, 218.582 has.) is the land

440 area and 13% or Fifteen Thousand Five Hundred Sixty Three hectares (15,563 has.) is
441 the coastline water area.

442 All existing land-use and resource use permits within the PPLS and its buffer zones as
443 provided herein, shall be reviewed and shall not be renewed upon the expiration, unless
444 in conformity with the management plan as provided herein and upon recommendation
445 of the PAMB to the DENR Secretary for approval; Provided that all Alienable and
446 Disposable lands enclosed is subject to prior rights.

447 **SEC. 6. Control and Supervision.** The PPLS shall be managed through co-
448 management scheme with other government agencies such as the Local Government
449 Unit, Department of Agriculture, Department of Education, Department of Tourism and
450 Development of Health, etc, with the DENR as the lead implementing agency in
451 implementing developmental projects and other basic services.

452 **SEC. 7. Management of the PPLS.** The management and administration of the PPLS
453 shall be vested with the DENR through the PAMB. There is hereby created a Protected
454 Area Management Board (PAMB) which shall be the sole policy-making and governing
455 body of the PPLS and its buffer zones.

456 The PAMB shall by consensus or majority vote, approve or take the necessary action
457 to:

458 (a) Decide matters relating to planning, resource protection and general
459 administration of the area in accordance with the General Management Planning
460 Strategy (GMPS)

461 (b) Approve proposals, work plans, action plans, and guidelines, for management
462 of the protected area in accordance with the approved Management Plan.

463 (c) Delineate and demarcate protected area boundaries buffer zones, ancestral
464 domains, and recognize the rights and privileges of indigenous communities
465 under the provisions of the Act.

466 (d) Promulgate rules and regulations to promote development programs and
467 projects on biodiversity conservation and sustainable development consistent
468 with the Management Manual of the protected area.

469 (e) Ensure the implementation of programs as prescribed in the Management
470 Plan in order to provide employment to the people dwelling in and around the
471 protected area.

472 (f) Control and regulate the construction, operation and maintenance of roads,
473 trails, waterworks, sewerage, fire protection and sanitation systems and other
474 public utilities within the protected area.

475 (g) Monitor and evaluate the performance of protected area personnel, NGOs
476 and the communities in providing for the biodiversity conservation and socio-
477 cultural and economic development (NPPSC) and the IPAF Governing Board.

478 (h) Issue rules and regulations in accordance with the management plan to
479 prohibit and regulate acts that may be prejudicial to the PPLS and its buffer
480 zones pursuant to the policy declarations herein set forth

481 (i) Adopt rules of procedures for the conduct of business, including the creation of
482 committees to which the PAMB's powers may be delegated;

483 (j) Recommended to the Regional Executive Director (RED) the deputation of
 484 individuals for the enforcement of the laws, rules and regulations governing
 485 conduct within the PPLS and its buffer zones and prescribe the necessary
 486 qualifications;

487 (k) Accept donations, approve proposals for funding, budget allocations, and
 488 exercise accountability over all funds that may accrue to the PPLS;

489 (l) Coordinate with the appropriate agencies of the Government; and

490 (m) Retain legal counsel and deputized officer to defend cases against the PAMB
 491 and the Office of PASU whenever they are sued in connection with the
 492 performance of their duties under this Act.

493 The DENR, through the RED, shall ensure that the PAMB shall act within the scope of
 494 its powers and functions. In case of conflict between administrative orders issued by the
 495 DENR pursuant to the NIPAS Act and the resolutions issued by the PAMB, the DENR
 496 Secretary shall decide whether to apply the rule withdraw its application within the
 497 PPLS.

498 The PAMB shall be composed of the following;

499 (a) The RED of the DENR Region 02 and LGU as Chairperson;

500 (b) The Provincial Environment and Natural Resources Offices (PENRO) of
 501 Cagayan;

502 (c) One (1) representative from the Local Government Unit of Peñablanca to be
 503 appointed by the Sangguniang Bayan

504 (d) One (1) representative from the Local Government Unit of Tuguegarao City to
 505 be appointed by the Sangguniang Panglungsod..

506 (e) The Provincial Planning and Development Officer (PPDO) of Cagayan; Chief
 507 Executive of the Local Government Unit

508 (f) Barangay captains of the following barangay: Lapi, Minanga, Mangga, Cabbo,
 509 Bical, Baliuag, Nanguilatan, Callao, San Roque, Nabbabalayan, Nannarian,
 510 Malibagbag, Sisim, Bugatay, Quibal, Aggugaddan, Cabasan and Buyun to be
 511 appointed by the respective Barangay Council.

512 (g) One (1) representative from the Sangguniang Kabataan not chosen from
 513 among the chairpersons of each of the barangays within PPLS;

514 (h) Three (3) representatives from NGOs based in the area or with recognized
 515 interest within the PPLS, chosen from among themselves;

516 (i) Two (2) representatives from Pos from within the PPLS, chosen from among
 517 themselves;

518 (j) Two (2) ICC/IP representatives, chosen directly from among the ICCs/IPs;

519 (k) One (1) representative from the women's sector to be chosen from among the
 520 accredited women's organizations;

521 (m) Two (2) representatives from national government agencies, particularly DOT
 522 and BFAR;

523 (n) One (1) representative from the federation of irrigators association benefiting
524 from the water resources of PPLS.

525 Each PAMB member shall serve for a term of five (5) years; *Provided*, That said
526 member remains connected with the sector being represented. Whenever a vacancy
527 occurs during the term of a member, a new member shall be appointed in the same
528 manner as the original selection process; *Provided*, That said new member shall only
529 serve the remaining term.

530 A PAMB member may be removed for cause and upon majority vote on the following
531 grounds:

532 (a) More than three (3) consecutive unexcused absences in regular PAMB
533 meetings;

534 (b) Commission of any of the prohibited acts as provided in this Act, the NIPAS
535 Act or other rules and regulations governing protected areas and protected
536 species;

537 (c) Graft and corruption; and

538 (d) Conviction of any criminal offense.

539 Within one (1) year from the effectivity of this Act and in consonance with the General
540 Management Planning Strategy as provided for in the NIPAS Act, the office of the
541 PASU shall prepare a site specific management plan and management manual in
542 coordination with the local communities, IPs, LGUs' NGOs' other government agencies
543 and individuals experts. The PAMB shall review and approve the management plan
544 which shall be certified by the DENR Secretary that it conforms to all laws, rules and
545 regulations issued by the DENR. The management plan shall not be revised nor
546 modified without prior consultation with the PAMB. The plan shall contain, among
547 others, the following:

548 (a) A period of applicability for twenty five (25) years subject to periodic review
549 every three (3) years.

550 (b) Management goals and objectives supporting Section 2 hereof;

551 (c) Key management issues such as but not limited to issuance of tenurial
552 instruments, screening, approval and issuance of all developmental and land-
553 use activities within the PPLS and its buffer zones, and adequate restoration,
554 maintenance and protection of wildlife species and fragile ecosystems.

555 (d) Site Management Strategy consistent with the NIPAS Act and this Act shall
556 be allowed within the zones. Strategies shall include but not limited to clear
557 and simplified guidelines on activities.

558 (e) Major management activities such as but not limited to law enforcement,
559 habitat and wildlife resources management, sustainable use management,
560 infrastructure development and maintenance, fire, pest and disease
561 prevention and control;

562 (f) Management zones of the area and its buffer zones in consonance with its
563 appropriate use and in consultation with the primary communities, local
564 government units and other stakeholders. Zoning shall give prime
565 consideration to the preservation and conservation of the biodiversity and
566 with due respect to the traditional areas used by the Indigenous Cultural
567 Communities provided such use is not adverse to the features of the area.

568 The zoning shall also take into account the tenorial and livelihood concerns of
569 the other communities.

570 (g) Mechanisms for the protection of the rights of the occupants therein;

571 (h) Regulation for the sustainable use of abundant or common species of flora
572 and fauna and their habitats;

573 (i) Sustainable livelihood activities; and

574 (j) Visitor management programs.

575 The management plan shall be made available to the public review/study at the office of
576 PASU and DENR Provincial offices.

577 **SEC. 8. Special Prosecutor.** – Within thirty (30) days from the effectivity of this Act, the
578 Department of Justice (DOJ) shall designate the prosecutor to whom all cases of
579 violation of protected area laws, rules and regulation within the PPLS and its buffer
580 zones shall be assigned. The special prosecutor shall coordinate with the PAMB and
581 the PASU in the performance of his/her duties and assists in the training of warden and
582 rangers in arresting and filing criminal procedures.

583 The PAMB may appoint a private prosecutor on case-to-case basis to assist the public
584 prosecutor in the enforcement of protected areas laws.

585 **SEC. 9. Integrated Protected Areas Fund (IPAF).** This is hereby established a trust
586 fund to be known as the Integrated Protected Areas Fund (IPAF) for purposes of
587 financing projects of the system. All incomes generated from the operations of the
588 system or management of wild flora and fauna as well as the caves within the PPLS
589 shall accrue to the fund. These incomes shall be derived from fees from permitted sales
590 and export of flora and fauna and other resources from the protected area and its buffer
591 zones as may be set by the DENR and PAMB, proceeds from the multiple-use areas,
592 contributions from industries and facilities directly benefiting from the protected area and
593 such other fees and incomes derived from the operation of the protected area, including
594 fines from violators found guilty of the herein prohibited acts as may be promulgated by
595 the PAMB (if possible) or appropriate Court of Justice.

596 A PA sub-fund shall be established as special trust fund and shall be disbursed solely
597 for the protection, maintenance, administration and management of Peñablanca
598 Protected Landscape and Seascape and the system. At least (75%) of the fund
599 collected shall form part of the Peñablanca Protected Landscape and Seascape sub-
600 fund which shall be solely disbursed for its use. The Peñablanca Protected Landscape
601 and Seascape shall likewise be exempted from being deposited in the National
602 Treasury and shall be made readily available for disbursement upon proper approval of
603 Peñablanca Protected Landscape and Seascape and PAMB, subject to the usual
604 accounting and auditing rules and regulations.

605 **SEC. 10. Prohibited Acts.** – The following acts shall be prohibited within the PPLS and
606 its buffer zones, in addition to the acts prohibited acts provided for in the NIPAS Act of
607 1992 and its pertinent rules and regulations:

608 a. Cutting, gathering, collecting or removal forest products without prior permit from
609 the DENR: *Provided*, That any permit issued shall be valid for any one (1) year at
610 a time given only to: (i) tenured migrants within sustainable, monitored and
611 controlled quotas, and (ii) for scientific purposes necessary for protected area
612 management in accordance with existing guidelines;

- b. Exploring, exploiting or extracting, drilling, or prospecting for mineral resources.
- c. Quarrying without the necessary permit;
- d. Hunting, collecting, catching, capturing, wounding, killing, destroying or possessing any protected plant or animal species or their by-products or derivatives without prior PAMB approval;
- e. Hunting, collecting, catching, capturing, wounding, killing or destroying any other species of plant or animal or their by-products or derivatives the trade of which is regulated by the PAMB, without prior PAMB approval;
- f. Bio-prospecting without obtaining prior PAMB approval and the prior informed consent of ICCs/IPs in accordance with existing guidelines;
- g. Transporting within or outside the protected area or its buffer zones any protected species of plant or animal or their by-products or derivatives from the PPLS and its buffer zones without the necessary transport permit from the PAMB.
- h. The deliberate disturbance of protected species or their habitats, reproductive cycle, roosting and feeding grounds, and migratory paths;
- i. Introducing exotic species with allelopathic or detrimental effect to the endemic species or without PAMB approval;
- j. Destroying, excavating, defacing, vandalizing, or in any manner damaging any natural formations, burial or religious/spiritual sites, artifacts, and objects belonging to ICCs/IPs and other objects of natural and scenic value;
- k. Possession or use of blasting caps, explosives or cyanide;
- l. Possession or use of chainsaws and band saws without a prior permit from the PAMB: *Provided*, That permits may only be issued for use within the multiple-use and buffer zones and will be subject in accordance with the Chainsaw Law;
- m. Use of mechanized motorized equipment anywhere within the strict protection zone without a prior permit from the PAMB;
- n. Construction or maintaining any kind of road, edifice, facility, or any infrastructure project without a prior clearance permit from the PAMB: *Provided*, That no PAMB clearance permit can be issued unless:
 - i. The PAMB has been fully informed of the project or undertaking and its environmental consequences through consultative process;
 - ii. All other legal requirements have been complied with; and
 - iii. The project is consistent with the nature of the PPLS as a protected area.
 - iv. Passes the ECC requirement of public acceptability.
- o. Occupying any portion of land without a permit from PAMB: *Provided*, that, land clearing, construction of residence, or any introduction of improvements on any portion of land shall constitute *prima facie* evidence of occupation or settlement;
- p. Alteration, removal, or destruction of boundary marks or signs;
- q. Engaging in slash and burn agriculture or “kaingin” or causing a forest fire inside the protected area or its buffer zones;
- r. Commercial fishing without a prior permit from BFAR through the recommendation of the PAMB;
- s. Introduction, disposal, dumping or causing to be dumped any waste material, including but not limited to, non-biodegradable, toxic, nuclear, hazardous and other prohibited substances; and

- t. Violation of any rules and regulations provided in the management plan of any resolution reached by the PAMB in the exercise of its adjudicative functions.

SECTION 11. Penalties. – Whoever violates this Act or any rules and regulations issued by the DENR pursuant to this Act or whoever is found guilty by a competent court of justice of any offenses in the herein prohibited acts shall suffer the following penalties:

- a. Fine of not less the Five Thousand Pesos (5,000.00) but not more the Five Hundred Thousand Pesos (500,000.00) exclusive of the value of the thing damaged or imprisonment of not less than one (1) year but not more than six (6) years or both as determined by the court.
- b. If the area requires rehabilitation or restoration as determined by the Court, the offender shall also be required to restore or compensate for the restoration of the damaged.
- c. The Court shall order the eviction of the offender from the Protected Area or its buffer zones, and the forfeiture in favor of the government of all minerals, timber or any species collected or removed including equipment, devices, weapons or any other instruments used in the commission of the offense or any construction or improvements made thereon by the offender. Pending the outcome of the case, any resource confiscated shall be turned over to the PAMB immediately for proper disposal and the proceeds thereof deposited in a trust fund. However, confiscated or rescued animal species shall not be sold or disposed of but shall be turned over to the PASU Office immediately for release in its natural habitat. Valuation of the damage shall take into account biodiversity and conservation considerations, aesthetic and socio-economic values, and rehabilitation and restorations costs.
- d. If the offender is an association or corporation, the president or manager shall be directly responsible for the act of his employees and laborers.
- e. The DENR may impose additional administrative fines and penalties consistent with this Act, the Caves and Cave Resources Management and Protection Act, and the Wildlife Resources Conservation and Protection Act.
- f. Penalties for illegal fishing shall be in consonance with Republic Act 8550.

SECTION 12. Exemptions. – Members of ICCs/IPs who commit any of the abovementioned acts in the exercise of their certified customary laws, traditional rights, and traditional economic, cultural, and spiritual practices without having been adequately informed by the PAMB of restricting rules and regulations for the PPLS shall be exempted from any liability provided herein. Except for the protected species, the certified customs and traditional practices of ICCs/ IPs when sustainable and carried out with traditional tools and equipment allowable activities over which the above prohibitions shall not apply.

All activities contained in management plan and such other measures as are necessary for protection, preservation and protected area management as certified by the PAMB and the DENR Secretary and those undertaken by the PASU or those deputized by the PAMB shall likewise be exempted.

SECTION 13. Existing Facilities within the PPLS. – within the ninety (90) days from the affectivity of this Act, all existing commercial facilities within the PPLS or its buffer zones with the total capitalization in excess of Fifty Thousand Pesos (50,000) shall submit to the PAMB through the PASU the following information:

- 706 (a) Potential for disturbance of protected species and their habitat, reproductive
707 cycle, nesting and feeding grounds and migratory paths;
708 (b) Noise levels at all stages of operation;
709 (c) Emission and effluent at all stages of operation;
710 (d) Energy requirement and source of energy; and
711 (e) Requirements of water supply and sources of water.

712 Based on these submission, the PAMB with the assistance of the DENR, shall
713 determine whether the existence of such facility/ies and its future plans and operation
714 will be determine or not to the PPLS and its buffer zones.

715 Failure to submit the required information shall constitute a violation of this Act
716 punishable by a fine and ejection from the PPLS. The PAMB may prescribe further
717 conditions for the operation of the facility to ensure that it does not conflict with the
718 management objectives of the PPLS. If any of such conditions are violated, a fine shall
719 be imposed to be determined by the PAMB based on fines imposed in existing rules
720 and regulations.

721 Existing facilities allowed to continue operating within the PPLS or its buffer zones shall
722 be charged a fee by the PAMB in consonance with the existing laws, rules regulations
723 and recent scientific studies.

724 **SEC. 14. Utilization of Energy and Non-renewable Resources.** – Except for
725 protected species or whenever detrimental to the ecosystem, the use of resources
726 derived from the PPLS by tenured migrants and ICCs/IPs for their domestic needs or for
727 their subsistence shall not be restricted: *Provided, however,* That livelihood activities
728 requiring the use of these resources shall be allowed only when sustainable and
729 protected with the management plan, and after prior PAMB approval. Only non-timber
730 protected area resources can be used for livelihood purposes.

731 The PAMB is authorized to impose regulatory measures such as hunting moratoriums,
732 closed hunting seasons and other restrictions on the use of resources within the PPLS
733 and its buffer zones to ensure the sustainability of species and ecosystems, *provided,*
734 that these will not pose a threat to the food security of the ICCs/IPs or other tenured
735 migrants.

736 Any exploration, exploitation or utilization of non-renewable resources within the PPLS
737 for commercial purposes or by non-tenured migrants or non ICCs/IPs may be allowed,
738 provided that it shall be endorsed by the PAMB to the concerned government agency
739 and shall undergo the Environmental Impact Statement (EIS) System.

740 Energy projects within the PPLS shall be allowed only through an act of Congress
741 except energy from wind, sun, waves and water sources, *provided,* that in all instances,
742 the primary beneficiaries shall be residents of the PPLS and its buffer zones. *Provided,*
743 *further,* that it shall undergo the Environmental Impact Assessment (EIA) as provided by
744 law and, that the PAMB has endorsed the project.

745 Commercial exploitation of water resources within the PPLS shall required prior PAMB
746 approval, must be in accordance with the management plan, and should undergo the
747 EIA System.

748 Any exploitation and utilization of energy and other non-renewable resources within the
749 protected area shall be allowed only through PAMB approval, in consultation with the
750 Department of Energy. *Provided,* that it shall undergo the Environmental impact

751 assessment for energy and non-renewable resource exploitation projects within
752 protected areas.

753 **SEC. 15. Indigenous People's Rights.** – The rights of ICCs/IPs in the PPLS to their
754 lands shall be fully recognized. Traditional property regimes exercised by ICCs/IPs in
755 accordance with their customary laws shall govern the relationship of all individuals
756 within their communities with respect to all land and other resources found within the
757 ancestral lands and domains traditionally used by them.

758 The provisions of this Act shall be construed liberally in favor of the ICCs/IPs in
759 accordance with the preservation and conservation objectives of the PPLS and its
760 resources. Nothing herein shall be construed to impair or diminish prior and existing
761 rights currently enjoyed by the ICCs/IPs as provided by existing laws.

762 **SEC. 16. Tenured Migrants.** – Whenever practicable, tenured migrant communities of
763 more than five (5) households occupying contiguous lots shall be provided tenurial
764 rights over their current habitation sites. However, if despite the foregoing, these areas
765 are subsequently identified as crucial for conservation, tenured migrants shall, after due
766 consultation, be offered alternative sites within the appropriate zones or buffer zones
767 shall be undertaken using humanitarian considerations including payment of
768 compensation, providing tenure to alternative land and facilities of equivalent standard,
769 and other measures to reach agreement with the affected tenured migrants.

770 In all other cases, the grant to tenurial rights must take into account the need to promote
771 clustering and to avoid unnecessary displacement. In areas where tenurial instruments
772 are granted, appropriate use zones shall be established for the purpose of maintaining
773 non-commercial livelihood activities.

774 Lands used as home lots of farm lots shall preferably be held by individual household.
775 Lands currently used on a communal basis shall not be held individually.

776 Tenurial instruments shall not be issued solely on the basis of tax declaration receipts
777 but must be supported by indisputable evidence of permanent land-use from five (5)
778 years before 10 March 1997, such as:

- 779 (a) Cultivated trees at their fruit-bearing stage;
780 (b) Physical structures in the area indicating prolonged occupancy;
781 (c) Certification from the barangay captain or any two (2) respected members of the
782 nearest community attesting to occupancy; and
783 (d) Other relevant data (e.g. previous census reports) that may be accepted by the
784 PAMB.

785 All persons who fail to qualify as tenured migrants including transient farmers shall be
786 allowed to gather and collect whatever they have planted within five (5) years from the
787 effectivity of this Act. Any transfer of non-tenured migrants from the PPLS shall be
788 undertaken using humanitarian considerations.

789 **SEC 17. Appropriations.** The Secretary of the DENR shall include in its program the
790 implementations the funding of this act including creation of PA positions. The funding
791 of which shall be charged against the appropriations authorized in the annual General
792 Appropriations Act. The LGU of Peñablanca shall allocate 5% of its IRA for protection
793 and development of the PPLS.

SEC. 18. Reporting Responsibility. – There shall be an office of the Protected Area Superintendent (PASU) within the DENR to be headed by the PASU who shall serve as the chief operating DENR officer of the entire PPLS and its buffer zones. The PASU and his/her staff shall be visible within the protected area and establish an office, or if necessary, sub-offices within the PPLS and its buffer zones in order to implement this Act.

The PASU shall have full responsibility for the protection of land, water, wildlife and other resources within the PPLS. As such, he/she shall have the following duties and responsibilities in addition to those provided under the existing laws and regulations:

- (a) Prepare the management plan and its successor plans as herein provided;
- (b) Serve as secretariat to the PAMB with the duty to provide the PAMB with all the information necessary to make appropriate decisions for the implementation of this Act;
- (c) Hire and supervise the necessary personnel to support operations as the budget may allow;
- (d) Establish a productive partnership with local communities, including groups supporting the achievements of the goals and objectives of this Act;
- (e) Develop and implement park information, education and visitor programs;
- (f) Enforce the laws, rules and regulations and PAMB resolutions relevant to the protected area and its buffer zones, and assist in the prosecution of offenses;
- (g) Monitor all activities within the PPLS and its buffer zones in conformity with the management plan; and
- (h) Prepare accomplishment reports on the activities undertaken in the area for submission to the Secretary.

SEC. 19. Repealing Clause – Any law, presidential decree, issuance, executive order, letter of instruction, administrative order, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 20. Separability Clause – If any provision of this Act is declared unconstitutional or invalid, the provisions not affected thereby shall remain valid and shall continue to be in full force and effect.

SEC. 21. Effectivity Clause – This Act shall take after fifteen (15) days from its publication in at least two (2) papers of general circulation in the locality or in the Official Gazette.

Approved.