

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4385



Introduced by **HONORABLE ALLEN JESSE C. MANGAOANG**

EXPLANATORY NOTE

This bill seeks the reclassification of a certain parcel of land in Sitio Gaang in Barangay Talalang, Municipality of Balbalan in the Province of Kalinga as a Mineral land in order to be segregated from the National Park and the Tourism Development Area of the Province of Kalinga.

Balbalan is a municipality located in the upper part of the Province of Kalinga bestowed by nature with beautiful forests, subterranean rivers and caves. The Balbalasang-Talalang Area was in fact declared as a National Park by virtue of Republic Act No. 6463 on June 17, 1972. In the late 1970's however, mineralization for gold was discovered by hunters in Sitio Gaang, Talalang which resulted into a gold rush. In a parallel geological verification, samples taken from the adits indicated the area viable for Minahang Bayan after laboratory analysis. To date, eleven gold veins were discovered and identified. Small scale miners, mostly members of the Banao Bonong Association who are the indigenous people of the Banao Tribe and residents of Barangays Talalang, Balbalasang and Pantikian in the Municipality of Balbalan, swarmed and mined the area especially during summer months or dry season.

The place however cannot be declared as a people's small-scale mining area or a Minahang Bayan under Republic Act 7076 otherwise known as the Small-Scale Mining Act of 1991 due to its classification as a National Park, thus under the coverage of Republic Act No. 7586, the National Integrated Protected Areas System (NIPAS). Furthermore, in 2013 the Province of Kalinga was declared as a Tourism Development Area by virtue of RA 10561, making Balbalan's subterranean rivers and caves, a no-go mining zone.

It cannot be denied however that the small-scale mining operations have sustained the livelihood of the Banao Tribe in Talalang, Balbalasang and Pantikian and the residents of the eleven privileged barangays in the Municipality of Balbalan. With the influx of small-scale miners in the area, the operations need to be controlled and monitored, and the area delimited to prevent further encroachment to the National Park.

The conversion or reclassification therefore of the area in Sitio Gaang consisting of One Thousand Three Hundred (1,300) hectares from a National Park into a Mineral Land thereby segregating it from the National Park and from the Tourism Development Area must be the government's initiative to sustain the livelihood and economic development of the area and at the

same time prevent further degradation and encroachment of the National Park. Once reclassified and segregated as proposed, it will provide viable source of livelihood to our marginalized miners, opening up more opportunities for business and economic development. It will further encourage responsible mining in the area.

In view of the foregoing, the early passage of this bill is earnestly sought.


ALLEN JESSE C. MANGAOANG

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HOUSE BILL NO. 4385

Introduced by **HONORABLE ALLEN JESSE C. MANGAOANG**

AN ACT RECLASSIFYING A CERTAIN PARCEL OF LAND IN BARANGAY TALALANG IN THE MUNICIPALITY OF BALBALAN PROVINCE OF KALINGA AS A MINERAL LAND OPEN FOR DECLARATION AS A PEOPLE'S SMALL-SCALE MINING AREA, THEREBY SEGREGATING SUCH LAND FROM THE NATIONAL PARK AND FROM THE TOURISM DEVELOPMENT AREA, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6463, "DECLARING THE BARRIO OF BALBALASANG, BALBALAN, KALINGA-APAYAO AS A TOURIST RESORT, SETTING ASIDE CERTAIN PORTIONS OF THE PUBLIC DOMAIN THEREIN AS A NATIONAL PARK", AND EXCLUDING FURTHER SAID LAND UNDER THE COVERAGE OF REPUBLIC ACT 10561 "DECLARING THE PROVINCE OF KALINGA AS A TOURISM DEVELOPMENT AREA, AND FOR OTHER PURPOSES

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

SECTION 1. A parcel of land of the public domain located at Sitio Gaang in Barangay Talalang in the Municipality of Balbalan, Province of Kalinga, is hereby reclassified as a mineral land, thereby segregating such area from the National Park and as a Tourism Development Area.

SECTION 2. Said mineral land shall contain an area of One Thousand Three Hundred (1,300) hectares, more or less, with technical descriptions as follows;

AREA = 1,300.000 hectares

CORNER NO.	GEOGRAPHIC COORDINATES	
	LATITUDE	LONGITUDE
1	17° 27' 00"	121° 06' 00"
2	17° 29' 00"	121° 06' 00"
3	17° 29' 00"	121° 08' 00"
4	17° 27' 00"	121° 08' 00"
1	17° 27' 00"	121° 06' 00"

The Department of Environment and Natural Resources shall appropriately mark on the ground the technical descriptions provided in this Act with clearly visible markers and shall prepare appropriate maps therefor.

SECTION 3. The declaration of the mineral land as a People's Small-Scale Mining Area shall be in accordance with the provisions of Republic Act No. 7076 otherwise known as "People's Small-Scale Mining Act of 1991". Individuals or members of the cultural communities and tribal associations, who have continuously occupied, cultivated and mined either by themselves or

through their predecessors-in-interests the said land since 1970 shall be given priority in the awarding of people's small-scale mining contracts.

SECTION 4. The Department of Environment and Natural Resources shall issue the necessary rules and regulations for the effective implementation of this Act

SECTION 5. Republic Act No. 6463, Republic Act 10561 and all laws, decrees, orders, proclamations, rules and regulations or parts thereof which are inconsistent with this Act are hereby amended, repealed and/or modified accordingly.

SECTION 6. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,
