



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3392

Date Filed: **August**, 2022

Introduced by HON. GLONA G. LABADLABAD of the 2nd District of Zamboanga Del Norte

EXPLANATORY NOTE

Forests provide a range of ecosystem services and serve as significant carbon sink; hence, they are vital for biological conservation and environmental protection. One of the conservation strategies to help protect, preserve and conserve the remaining unexploited natural resources against resource depletion and overexploitation is the establishment of Protected Area (PA) under the National Integrated Protected Areas System (NIPAS Act of 1992) as amended by Republic Act 11038, otherwise known as the Expanded National Integrated Protected Areas System Act of 2018.

The proposed Mount Gutom Protected Landscape is one of the remaining natural forests, hosts the different species of flora and fauna and is one of the most important watersheds in the 2nd District of Zamboanga del Norte Province. It has a total land area of 5,464 hectares with the biggest portion encompassing the two barangays of President Manuel A. Roxas (Barangay Panampalay and Barangay Tantingon), a small portion of the Municipality of Katipunan (Barangay Malasay and Barangay Fimagas), and Barangay Dumugok of the Municipality of Siayan. It is dominated by dipterocarp forest which include old and secondary growth trees, and a mossy and Pine forest at the summit.

Based on the result of the Protected Area Suitability Assessment (PASA) conducted by the Department of Environment of Natural Resources in 2017, a total of 384 species of flora were documented in the area. Of these, 9 species are critically endangered, 3 endangered species, 14 threatened species, and 16 vulnerable species. The Philippine Tarsier (*Carlito syrichta*), Philippine Deer (*Rusa marianna*), Philippine Warty Pigs (*Sus philippensis*), Philippine Monkeys (*Macaca fascicularis philippensis*) were also documented. The proposed protected area also serves as a source for domestic water supply to various municipalities.

However, the rich and diverse biological resources of the proposed protected area are threatened as anthropogenic activities such as illegal logging/timber poaching, conversion of forest into agricultural area, continuous encroachment of upland dwellers, wildlife poaching/hunting were observed which resulted to deforestation and/or habitat degradation: hence, passage of this bill is earnestly sought.


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AN ACT DECLARING A PARCEL OF LAND LOCATED IN THE MUNICIPALITIES OF PRESIDENT MANUEL A. ROXAS, KATIPUNAN AND SIAYAN IN THE PROVINCE OF ZAMBOANGA DEL NORTE, A PROTECTED AREA WITH THE CATEGORY OF PROTECTED LANDSCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) TO BE REFERRED TO AS THE MT. GUTOM PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT AND APPROPRIATING FUNDS THEREFOR.

Be it enacted by the Senate and House of Representatives of the Philippine Congress Assembled:

Section 1. Title – This Act shall be known and referred to as the "Mt. Gutom Protected Landscape".

Section 2. Declaration of Policy – Cognizant of the profound impact of man's activities on all components of the natural environment particularly the effect of increasing population, resource exploitation and industrial advancement and recognizing the critical importance of protecting and maintaining the natural biological and physical diversities of the environment notably on areas with biologically unique features to sustain human life and development, as well as plant and animal life, it is hereby declared the policy of the State to secure for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of protected areas within the classification of national park as provided for in the Constitution.

To acknowledge the distinct, rich and diverse biological resources of both flora and fauna that are endemic and unique to Mt. Gutom, as well as their aesthetic and ecological importance, a parcel of land located in the municipalities of President Manuel A. Roxas, Katipunan and Siayan, is hereby declared a protected area with the category of protected landscape, and shall hereinafter be referred to as Mt. Gutom Protected Landscape (MGPL). As such, the State shall ensure the preservation, conservation, protection and sustainable management of the area. It is likewise recognized that effective administration of this area is possible only through cooperation among national government agencies, local government units (LGUs), concerned nongovernmental organizations (NGOs), private entities and local communities. The use and enjoyment of this area must be consistent with the principles of biological diversity and sustainable development.

To this end, the State shall ensure the full implementation of this Act, the mobilization of resources for the institutional mechanisms herein established, the full scientific and technical support needed for the conservation of biodiversity and the integrity of the ecosystems, culture and indigenous practices.

Section 3. Definition of Terms – For purposes of this Act, the following terms shall be defined as follows:

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

2. *"Conservation"* refers to any act or acts that conform to sustainable utilization of natural resources within the protected area;
3. *"Indigenous cultural community (ICCs)/Indigenous people (IPs)"* refers to a group of people sharing common bonds of language, customs, traditions and other distinctive cultural traits and who have since time immemorial, occupied, possessed and utilized a territory;
4. *"National park"* refers to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas;
6. *"Protected Area"* refers to an identified portion of land and water set aside by reason of its unique physical and ecological significance, managed to enhance biological diversity and protected against destructive anthropogenic activities;
7. *"Protected landscape"* refers to an area of national significance characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of these areas; and
8. *"Tenured migrant communities"* are communities within protected areas which have actually and continuously occupied such areas for atleast five (5) years before the designation of the same as protected areas in accordance with this Act and are solely dependent therein for subsistence;

Section 4. Classification as a National Park– The MGPL is comprised of a parcel of land of the public domain located in the Municipalities of President Manuel A. Roxas, Katipunan and Siayan in the Province of Zamboanga del Norte. All lands of the public domain within the coverage and scope of the MGPL shall fall under the classification of national park in accordance to Article XII, Section 3 of the Constitution.

Section 5. The boundaries of the Mt. Gutom Protected Landscape are more particularly described as the area beginning at a point marked (1) on the Map, being S 64-24-27 W, 5926.441 meters from ZDN 5852 with geographic coordinates of 08-22-40.2 Latitude and 123-10-15.5 longitude located in Barangay Situbo, Municipality of Manuel A. Roxas, Province of Zamboanga del Norte,

thence,	N 51-1-10 E	930.796	meters to corner	2	;
thence,	S 83-48-18 E	1981.471	meters to corner	3	;
thence,	N 27-27-21 E	532.381	meters to corner	4	;
thence,	N 47-19-9 W	930.866	meters to corner	5	;
thence,	N 4-0-45 E	572.114	meters to corner	6	;
thence,	S 71-47-34 E	661.961	meters to corner	7	;
thence,	S 18-54-17 E	528.43	meters to corner	8	;
thence,	N 63-45-57 E	869.008	meters to corner	9	;
thence,	N 65-38-25 E	612.774	meters to corner	10	;
thence,	S 22-43-53 E	651.5	meters to corner	11	;
thence,	S 68-13-51 W	790.646	meters to corner	12	;
thence,	S 63-24-8 E	1119.989	meters to corner	13	;
thence,	N 1-39-59 W	360.597	meters to corner	14	;
thence,	N 63-19-4 E	112.567	meters to corner	15	;
thence,	S 49-18-32 E	139.363	meters to corner	16	;
thence,	N 43-53-21 E	203.893	meters to corner	17	;
thence,	S 83-58-25 E	592.761	meters to corner	18	;
thence,	N 21-58-16 E	684.369	meters to corner	19	;
thence,	N 31-7-45 E	475.994	meters to corner	20	;
thence,	N 55-20-36 E	521.09	meters to corner	21	;
thence,	S 86-54-12 E	175.776	meters to corner	22	;
thence,	N 54-12-59 E	638.704	meters to corner	23	;
thence,	N 35-9-26 W	372.171	meters to corner	24	;
thence,	N 52-28-8 E	602.691	meters to corner	25	;
thence,	S 13-26-25 W	382.945	meters to corner	26	;
thence,	S 15-37-56 W	258.887	meters to corner	27	;

thence,	S 9-52-56 E	395.806	meters to corner	28	;
thence,	S 58-36-19 W	624.527	meters to corner	29	;
thence,	S 16-26-19 E	336.553	meters to corner	30	;
thence,	S 68-16-1 E	309.319	meters to corner	31	;
thence,	N 67-37-18 E	364.824	meters to corner	32	;
thence,	S 70-27-42 E	217.579	meters to corner	33	;
thence,	S 60-38-26 E	121.428	meters to corner	34	;
thence,	S 29-22-52 E	640.259	meters to corner	35	;
thence,	S 89-17-32 E	1353.516	meters to corner	36	;
thence,	N 16-52-48 E	1306.013	meters to corner	37	;
thence,	S 44-3-6 E	772.819	meters to corner	38	;
thence,	S 16-16-15 E	866.512	meters to corner	39	;
thence,	N 82-2-51 W	591.924	meters to corner	40	;
thence,	S 61-48-11 W	1194.895	meters to corner	41	;
thence,	S 6-47-59 E	580.882	meters to corner	42	;
thence,	S 36-8-46 E	748.27	meters to corner	43	;
thence,	S 49-22-8 E	575.484	meters to corner	44	;
thence,	S 81-22-8 E	393.282	meters to corner	45	;
thence,	S 4-45-55 W	637.203	meters to corner	46	;
thence,	N 66-42-29 W	314.078	meters to corner	47	;
thence,	S 56-1-14 W	843.99	meters to corner	48	;
thence,	S 20-49-6 W	516.162	meters to corner	49	;
thence,	S 20-35-26 W	335.766	meters to corner	50	;
thence,	S 24-20-42 W	1480.822	meters to corner	51	;
thence,	S 62-0-32 W	797.444	meters to corner	52	;
thence,	S 24-39-41 E	978.584	meters to corner	53	;
thence,	S 73-18-18 W	845.884	meters to corner	54	;
thence,	S 84-56-59 W	913.252	meters to corner	55	;
thence,	N 43-10-44 W	1274.954	meters to corner	56	;
thence,	N 53-24-38 W	663.31	meters to corner	57	;
thence,	S 8-23-45 E	374.352	meters to corner	58	;
thence,	N 68-50-40 W	256.271	meters to corner	59	;
thence,	S 45-43-8 W	199.013	meters to corner	60	;
thence,	N 57-55-5 W	237.56	meters to corner	61	;
thence,	S 28-4-41 W	462.801	meters to corner	62	;
thence,	N 87-35-37 W	688.492	meters to corner	63	;
thence,	N 2-34-11 E	115.857	meters to corner	64	;
thence,	N 62-40-35 W	194.689	meters to corner	65	;
thence,	N 26-29-54 W	152.808	meters to corner	66	;
thence,	N 66-30-43 W	171.442	meters to corner	67	;
thence,	N 41-53-53 W	353.269	meters to corner	68	;
thence,	S 30-15-34 W	176.669	meters to corner	69	;
thence,	N 79-58-32 W	90.473	meters to corner	70	;
thence,	N 0-1-18 W	120.999	meters to corner	71	;
thence,	N 53-37-3 E	97.609	meters to corner	72	;
thence,	N 5-9-9 E	58.106	meters to corner	73	;
thence,	N 62-31-21 W	159.51	meters to corner	74	;
thence,	N 40-23-48 W	283.131	meters to corner	75	;
thence,	N 43-39-49 W	341.678	meters to corner	76	;
thence,	N 58-57-28 W	152.937	meters to corner	77	;
thence,	N 35-49-25 W	188.111	meters to corner	78	;
thence,	N 16-18-28 E	93.193	meters to corner	79	;
thence,	N 34-21-17 W	222.98	meters to corner	80	;
thence,	N 62-2-15 W	484.68	meters to corner	81	;
thence,	N 5-51-12 W	197.991	meters to corner	82	;

thence,	N 40-30-34 W	139.454	meters to corner	83	;
thence,	S 62-28-48 W	153.125	meters to corner	84	;
thence,	N 15-5-13 W	193.518	meters to corner	85	;
thence,	N 55-32-1 W	115.957	meters to corner	86	;
thence,	N 40-20-51 W	582.98	meters to corner	87	;
thence,	N 8-4-45 E	178.545	meters to corner	88	;
thence,	N 58-57-17 W	499.169	meters to corner	89	;
thence,	N 55-42-56 E	170.431	meters to corner	90	;
thence,	N 19-36-2 W	150.092	meters to corner	91	;
thence,	N 49-16-2 E	92.912	meters to corner	92	;
thence,	N 35-26-55 W	173.548	meters to corner	93	;
thence,	S 84-31-10 W	106.118	meters to corner	94	;
thence,	N 68-8-17 W	189.728	meters to corner	95	;
thence,	N 66-44-12 W	191.667	meters to corner	96	;
thence,	N 3-22-16 W	86.004	meters to corner	97	;
thence,	N 53-24-12 E	144.073	meters to corner	98	;
thence,	N 0-1-6 W	65.655	meters to corner	99	;
thence,	N 85-4-17 W	292.846	meters to corner	100	;
thence,	N 4-49-7 E	522.051	meters to corner	101	;
thence,	N 13-54-0 W	530.968	meters to corner	1	,

Section 6. *Establishment of Buffer Zones.* – The Department of Environment and Natural Resources (DENR) Secretary, upon the recommendation of the Protected Area Management Board (PAMB) created under Section 7 of this Act, may designate areas surrounding the MGPL as buffer zones for the purpose of providing an extra layer of protection where restrictions may be applied: Provided, that in cases where the designated buffer zone would cover private lands, the owners thereof shall be required to design their development with due consideration to the protected area management plan.

ARTICLE II MANAGEMENT MECHANISMS

Section 7. *Protected Area Management Board.* – within ninety (90) days from the effectivity of this Act, a Protected Area Management Board shall be created which will serve as a body that will allocate budget, approve proposals for funding, decide matters related to planning, peripheral protection and general administration of MGPL in accordance with the general management strategy. The PAMB shall be composed of the following;

- a. DENR Regional Executive Director for Region IX as Chairperson;
- b. Governor of the Province of Zamboanga del Norte or his/her duly authorized representative;
- c. Senators of the Republic of the Philippines who are duly registered residents of Zamboanga del Norte, or their duly designated representatives, unless these Senators decline the membership in the PAMB;
- d. District Representative of the Congressional District where the MGPL is located, or his/her duly designated representative, unless the District Representative declines the membership in the PAMB;
- e. Mayors of the Municipalities of President Manuel A. Roxas, Katipunan and Siayan in the Province of Zamboanga del Norte or their duly authorized representatives;
- f. Chairpersons of all barangays with territorial jurisdiction over MGPL;
- g. Regional Director or their authorized representatives, of the following government agencies, namely: Department of Agriculture (DA), National Economic and Development Authority (NEDA), Department of Science and Technology, Philippine National Police (PNP), Department of National Defense (DND), and the Department of Tourism;
- h. Three (3) representatives from either Non-governmental Organizations (NGOs), or People's Organization (POs) based in the Province of Zamboanga del Norte, duly accredited both by the DENR and provincial government. The NGOs or POs represented should have been in existence for at least three (3) years and must have a record of accomplishments in the field of environmental conservation;
- i. At least one (1) but not more than three (3) representatives from all the ICCs/IPs present in the area and recognized by the National Commission on Indigenous People (NCIP);
- j. One (1) representative from an academic institution, preferably from a university or college in the Province of Zamboanga del Norte, with a record of accomplishments in or related to environmental management; and
- k. One (1) representative from the private sector, preferably a resident of the Province of Zamboanga del Norte, who is distinguished in a profession or field of interest relevant to environmental management.

The term of office of the members of the PAMB, as well as the grounds for their removal, shall be in accordance with the provisions of Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System of 1992" as amended by Republic Act No. 11038 or the "Expanded Integrated Protected Areas System of 2018".

Section 8. *Creation of Protected Area Management Office.* – there is hereby established a Protected Area Management Office to be headed by Protected Area Superintendent (PASu) with a permanent plantilla position who will serve as the chief operating officer that will supervise the management of the operations of the protected area, implement the rules and regulations and policies formulated by the Protected Area Management Board and perform functions enumerated under Section 11-b of the NIPAS Law. A sufficient number of technical support staff with permanent plantilla positions, subject to Department of Budget Management (DBM) approval and availability of funds, shall be appointed by the DENR to assist the PASu in the management of the protected area, to wit;

- a. Assistant Protected Area Superintendent/Head Protection Officer;
- b. Protected Area Wardens/Rangers;
- c. Community Relations Officers
- d. Biologists/Research Workers
- e. Administrative Officer;
- f. Field Maintenance Workers
- g. Other staff as deemed necessary and approved

ARTICLE III PROCEEDS AND FEES

Section 9. *The Mt. Gutom Protected Landscape Integrated Protected Area Fund.* – There is hereby established a trust fund to be known as the Mt. Gutom Protected Landscape Integrated Protected Area Fund for purposes of financing the projects of the MGPL in accordance with Republic Act 10629 amending Section 16 of Republic Act No. 7586. The IPAF may solicit and receive donations, endowments, and grants in the form of contributions, and such endowments shall be exempted from taxes, charges or fees imposed by the Government or any political subdivision or instrumentality thereof.

All incomes generated from the operation and management of wild flora and fauna in the MGPL shall accrue to the MGPL-IPAF subject to the retention by the Board of seventy-five percent (75%). The income shall be derived from permitted sale and export of flora and fauna and other resources, proceeds from lease of multiple-use areas, contributions from industries and facilities directly benefitting from MGPL, and such other income derived from its operations.

The fund, which includes all donations, grants, endowments from various sources and other contributions shall be deposited to the Protected Area-Retained Income Account in any authorized government depository bank within the locality where the protected area is located. *Provided*, That if there is no government bank available in the locality, an account shall be opened in a government bank nearest to the locality. *Provided further*, That disbursement of such deposits shall be used solely for the protection, maintenance, administration, and management of the -protected area and implementation of duly approved projects of the PAMB, in the amounts authorized by the DENR in accordance with existing accounting, budgeting and auditing rules and regulations and shall not be used to cover personal services expenditures.

The LGU shall continue to impose taxes and collect all other fees not enumerated herein which they have traditionally collected, such as fees for business permit applications, property taxes and result fees of LGUs facilities.

ARTICLE IV TRANSITORY AND MISCELLANEOUS PROVISIONS

Section 10. *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.

Section 11. *Suppletory Application of the NIPAS Law.* – the provisions of the Republic Act No. 7586, as amended by the Republic Act No. 11038, shall have suppletory application to this Act.

Section 12. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Secretary of the DENR shall, in consultation with the local governments of the municipalities of President Manuel A. Roxas, Siayan and Katipunan, the Provincial Government of Zamboanga del Norte and concerned national agencies, issue the corresponding rules and regulations for the effective implementation of this Act.

Section 13. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

Section 14. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations or parts thereof which are contrary to or inconsistent with this Act are hereby repealed, amended or modified accordingly.

Section 15. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,