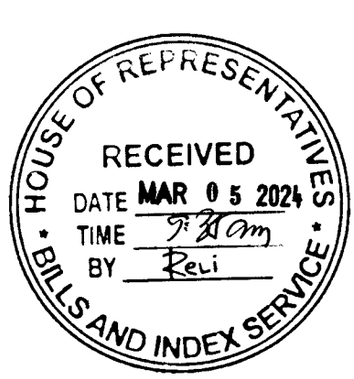
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 10033



Introduced by: Hon. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
DECLARING A PARCEL OF LAND LOCATED IN THE LOPEZ WATERSHED FOREST RESERVE (LWFR) IN THE MUNICIPALITIES OF CALAUAG, GUINAYANGAN, AND LOPEZ IN THE PROVINCE OF QUEZON, A PROTECTED AREA WITH THE CATEGORY OF PROTECTED LANDSCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREA SYSTEM, TO BE REFERRED TO AS THE AMUGUIS PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to declare a parcel of land situated within and adjacent to the Lopez Watershed Forest Reserve (LWFR) in the municipalities of Calauag, Guinayangan, and Lopez, Province of Quezon, a protected area with the category of protected landscape to be known as the Amuguis Protected Landscape (APL). It shall serve as additional area situated within barangays Yaganak, Dungawan Paalyunan and Pisipis in the aforesaid municipalities.

In 2022, in compliance with one of the provisions of the E-NIPAS, initial components of the NIPAS have undergone the Protected Area Suitability Assessment (PASA). Among the targets for PASA within the jurisdiction of CENRO Calauag, Quezon is the Lopez Watershed Forest Reserve (LWFR).

The PASA Team discovered an adjacent area in the forested portion of the 418-hectare LWFR and subjected the 221.9-hectare in a PASA, covering an approximate 19.47-hectare forested portion of the 418-hectare LWFR and a 202.43-hectare additional stretch adjacent to the LWFR.

Said additional extent adjacent to the forested area of LWFR has unique physical features, anthropological significance, and high biological diversity; that resulted in a passing rating of 84% and a proposal to establish the same as a protected landscape under ENIPAS.

Moreover, upon the conduct of public consultation and hearing on 31 August 2022, the stakeholders from Barangay Dungawan Paalyunan, Guinayangan, Quezon headed by Barangay Captain Virgilio Cantos, requested verification of the titled lots owned by residents of the barangay allegedly located within the proposed PA. The PASA Team resurveyed the area and excluded the titled lots in the map of the proposed PA. The necessary alterations on the land area of the proposed PA were incorporated in the PASA Report attached in the CSW that was submitted on 21 October 2022.

The proposed Amuguis Protected Landscape (APL) shows some very encouraging results in terms of flora and fauna abundance. Out of the ninety-seven (97) species of plants/trees recorded, sixteen (16) are included in the IUCN Red List and DAO 2017-11, namely, Narra, Apitong, and Molave (Endangered); Bolong-eta, Dao, Kalantas, Makaasim, Malabayabas, Pahutan, Rattan (limuran), Red lauan and White lauan (Vulnerable); and Amugis, Anahaw, Pili, Rattan (palasan), and Piling liitan (Other/Near Threatened). Among the 100 species of animals recorded, twelve (12) are included in the IUCN Red List and DAO 2019-09, such as Colasisi and Tarictic hornbill (Critically endangered); Southeast Asian box

turtle (Endangered); Philippine duck, Gray's monitor lizard bayuko, and King cobra, (Vulnerable); Tokay gecko, Green-crested lizard, Philippine cobra, Reticulated python, and Luzon fanged frog (Near/Other Threatened).

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

Keith Micah "Atty. Mike" D.L. Tan
4th District, Quezon

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. *Short Title.* — This Act shall be known as the "Amuguis Protected Landscape Act".

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, 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, it is hereby declared the policy of the State to secure for the Filipino people of present and future generation, the perpetual existence of all native plants and animals through the establishment of comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution.

In recognition of the richness and diversity of the biological resources, both flora and fauna, that are distinct to the Quezon Province specifically in the 4th District and its aesthetic and ecological importance, a parcel of land located in the municipalities of Calauag, Guinayangan, and Lopez in the Province of Quezon, and covering the Lopez Watershed Forest Reserve (LWFR), is hereby declared as a Protected Area with the category of Protected Landscape, and shall hereinafter be referred to as the Amuguis Protected Landscape (APL). As such, the state shall ensure the conservation, protection, management and rehabilitation of the area. It is likewise recognized that the effective administration of this area is possibly only through cooperation among national government, local government units (LGUs), concerned non-government 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.

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

SEC. 3. *Declaration of Policy.* — As used in this Act:

(a) *Buffer zones* refer to identified areas outside the boundaries and immediately adjacent to the designated protected areas that need special development control to avoid or minimize harm to the protected area;

(b) *Conservation* refers to any act or acts of preservation and sustainable utilization of wildlife or maintenance, restoration and enhancement of habitats;

(c) *Indigenous cultural communities (ICCs)/ Indigenous peoples (IPs)* refer to groups 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;

(d) *National park* refers to land of the public domain classified as such in the Constitution which includes all areas under the NIPAS, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;

(e) *Protected area* refers to an identified portion of land and water set aside because of its unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;

(f) *Protected landscape* refers to an area of national significance, which is characterized by the harmonious interaction of humans, land, and water while providing opportunities for public enjoyment through recreation, tourism, and other economic activities; and

(g) *Tenured migrants* refer to protected area occupants who have been actually, continuously and presently occupying a portion of the protected area for five (5) years before the proclamation or law establishing the same as a protected area and are solely dependent therein for subsistence;

SEC. 4. *Classification as a National Park.* — The Amuguis Protected Landscape (APL) is comprised of land of the public domain located in the municipalities of Calauag, Guinayangan, and Lopez in the Province of Quezon. All lands of the public domain within the coverage and scope of the APL, shall fall under the classification of national park as provided in Article XII, Section 3 of the Constitution.

SEC. 5. *Scope and Coverage.* — The boundaries of Amuguis Protected Landscape are more particularly described as the area beginning at a point marked "1" on the Map, being S 31°46'E, 4,638.68 meters from BLBM No.2, Barangay Yaganak, Calauag, Quezon,

Thence S 78° 54' E	479.75 m. to corner 2;
Thence S 56° 23' E	509.68 m to corner 3;
Thence S 60° 27' E	493.47 m to corner 4;
Thence S 19° 06' W	714.22 m to corner 5;
Thence N 87° 37' W	930.08 m to corner 6;
Thence S 57° 13' E	185.28 m to corner 7;
Thence S 53° 14' E	153.97 m to corner 8;
Thence S 35° 16' E	205.07 m to corner 9;
Thence S 00° 02' E	104.56 m to corner 10;
Thence S 40° 54' E	126.79 m to corner 11;
Thence S 23° 48' E	219.66 m to corner 12;
Thence N 69° 57' E	282.14 m to corner 13;
Thence S 58° 02' E	118.32 m to corner 14;
Thence N 80° 54' E	303.18 m to corner 15;
Thence S 04° 44' E	172.48 m to corner 16;
Thence S 71° 11' E	103.27 m to corner 16;
Thence S 47° 42' E	46.02 m to corner 17;

Thence S 31° 52' W Thence S 08° 38' E	181.72 m to corner 18; 171.87 m to corner 19;
Thence S 20° 55' E	143.92 m to corner 20;
Thence N 75° 54' W	703.54 m to corner 21;
Thence N 26° 00' E	150.91 m to corner 22;
Thence N 09° 40' W	72.46 m to corner 23;
Thence N 16° 32' W	64.75 m to corner 24;
Thence S 73° 03' W	64.94 m to corner 25;
Thence N 73° 27' W	86.48 m to corner 26;
Thence N 22° 34' W	113.93 m to corner 27;
Thence N 48° 25' W	152.56 m to corner 28;
Thence N 33° 30' W	168.55 m to corner 29;
Thence N 35° 38' W	184.60 m to corner 30;
Thence N 28° 19' W	235.80 m to corner 31;
Thence N 16° 06' W	111.67 m to corner 32;
Thence N 65° 49' W	161.48 m to corner 33;
Thence N 13° 40' W	118.16 m to corner 34;
Thence N 55° 08' W	873.86 m to corner 35;
Thence S 75° 07' W	178.23 m to corner 36;
Thence N 64° 55' W	322.07 m to corner 37;
Thence N 27° 15' E	100.34 m to corner 38;
Thence N 85° 09' E	863.12 m to corner 39;
Thence N 53° 13' E	248.16 m to corner 40;
Thence N 29° 23' W	251.22 m to corner 41;
Thence N.64°32'E	160.43 m to corner 1.

the point of beginning containing an area of TWO HUNDRED TWENTY-ONE AND 90/100 (221.90) hectares.

SEC. 6. *Establishment of Buffer Zones.* — The Department of Environment and Natural Resources (DENR) Secretary, upon the recommendation of the key informants and other stakeholders during the public consultations, may designate areas surrounding the Amuguis Protected Landscape (APL) as buffer zones to provide 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 designate their development with due consideration to the protected area management plan.

ARTICLE II
MANAGEMENT MECHANISMS

SEC. 7. *Establishment of Buffer Zones.* — Within ninety (90) days from the effectivity of this Act, a Protected Management Board (PAMB) shall be created to oversee the management of APL. The PAMB shall be composed of the following:

(a) DENR Regional Executive Director for Region IV-A as Chairperson;

(b) Governor of the Quezon Province or the duly authorized representative;

(c) Senators of the Republic of the Philippines who are duly registered residents of Quezon, or their duly designated representative, unless the Senators decline the membership in the PAMB;

(d) District Representative of the Congressional District where the CPL is located or the duly designated representative, unless the district representative declines the membership in the PAMB;

(e) Mayors of the municipality of Calauag, Guinayangan, and Lopez, Quezon or the duly authorized representatives;

(f) Chairperson(s) of the barangay(s) within the territorial jurisdiction of the CPL;

(g) Regional Directors of the following government agencies, namely: the Department of Agriculture (DA), the National Economic and Development Authority (NEDA), the Department of Science and Technology (DOST), the Philippine National Police (PNP), the Department of National Defense (DND), the Department of Tourism (DOT), and National Historical Commission of the Philippines (NHCP);

(h) Three (3) representatives from NGOs or people's organizations (POs) based in the Province of Quezon, duly accredited both by the DENR and the provincial government. The NGOs or POs representatives should have been in existence for at least five (5) years with track record in or related to protected area management;

(i) One (1) representative from the academe, preferably from a university or college in the Province of Quezon with proven track record in or related to protected area management; and

(k) One (1) representative from the private sector, preferably a resident of the Province of Quezon, who is distinguished in a profession or field of interest to the protected area management.

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

SEC. 8. *Powers and Functions of the PAMB.* — The PAMB shall have the following powers and functions:

(a) Oversee the management of the APL;

(b) Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the APL;

(c) Approve the management plan of APL and ensure its harmonization and integration with the Ancestral Domain Sustainable Development and Protection Plan, land use plan and other development plans, public or private, and its implementation;

(d) Adopt a manual of operations to include rules of procedure in the conduct of business, and the creation of committees and their respective terms of reference;

(e) Recommend the deputation of appropriate agencies and individuals for the enforcement of laws, rules and regulations governing the management of the APL;

(f) Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account and other funds in accordance with the accounting and budgeting rules and regulations;

(g) Set fees and charges in accordance with existing guidelines;

(h) Issue rules and regulations for the resolution of conflicts through appropriate and effective means;

(i) Recommend appropriate policy changes to the DENR and other government authorities with respect to the management of the APL;

(j) Monitor and assess the performance of the Protected Areas Superintendent (PASu) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract and agreement;

(k) Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASu; and

(l) Assess the effectiveness of the management of the APL: Provided, That the members of the PAMB representing the LGUs and national agencies shall inform their respective constituents, offices or sectors, of PAMB-approved or other relevant policies, rules and regulations, programs, and projects and shall ensure that the provisions of this Act and the rules and regulations issued to implement it comply with and used as reference and framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be a basis for disciplinary action against such member according to the basis for disciplinary action against such member according to administrative rules and regulations and such penalties as the PAMB may provide: *Provided, further,* That the DENR, through the Regional Director, shall ensure the that PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and existing administrative orders of national application, the latter shall prevail.

SEC. 9. *Protected Area Management Office (PAMO).* — There is hereby established a Protected Area Management Office (PAMO) to be headed by a Protected Area Superintendent (PASu) who shall supervise the day-to-day management, protection, and administration of the APL. The PASu shall hold a permanent plantilla position and shall be appointed by the DENR Secretary. A sufficient number of support staff with permanent plantilla positions shall likewise be appointed by the DENR Secretary to assist the PASu in the management of the APL.

The PASu shall be primarily accountable to the PAMB and the DENR for the management and operations of the APL. Pursuant thereto, the PASu shall have the following duties and responsibilities:

(a) Prepare management plan, in consultation with the stakeholders, including the annual work and financial plans and ensure its implementation;

(b) Ensure the integration of the protected area management plans, programs, projects, and policies with relevant national and LGUs' plans and programs;

(c) Provide secretariat services to the PAMB and its committees and ensure the availability of relevant and timely information for decision-making;

(d) Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;

(e) Establish, operate, and maintain a database management system which shall be an important basis for decision-making;

(f) Enforce the laws, rules and regulations relevant to the area, commence and institute administrative and legal actions in collaboration with other government agencies;

(g) Monitor, evaluate, and report the implementation of management activities of the protected area;

(h) Request and receive any technical assistance, support or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, and the private sector, as may be necessary for the effective management, protection and administration of the protected area;

(i) Issue permits and clearances for activities that implement the management plan and other permitted activities following terms, conditions, and criteria established by the PAMB: Provided. That all permits for extraction activities, including collection for research purposes, shall also continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASU, in accordance with the specific acts to be covered;

(j) Collect and/or receive pertinent fees, charges, donations, and other income for the protected area: Provided, that such fees, charges, donations, and other income collected/ received shall reported regularly to the PAMB and the DENR in accordance with existing guidelines;

(k) Prepare and recommend to the PAMB the approval of the annual work and financial plans of protected area based on the management plan; and

(l) Perform such other functions as the PAMB and other DENR assign.

ARTICLE III
PROCEEDS AND FEES

SEC. 10. *Amuguis Protected Landscape Integrated Area Fund.* — There is hereby established a trust fund to be known as the Amuguis Protected Landscape Integrated Protected Area Fund (APL-IPAF) for purposes of financing the projects of the Amuguis Protected Landscape and the NIPAS. All income generated from the operation and management of wild flora and fauna in the CPL shall accrue to the APL-IPAF. The income shall be derived from fees of permitted sale and export of flora and fauna and other resources from APL, proceeds from lease of multiple-use areas, contributions from industries and facilities directly benefiting from APL, and such other fees and income derived from the operation of the APL.

The PAMB shall retain seventy-five percent (75%) of all revenues raised through the above means, which shall be deposited to the Protected Area-Retained Income Account (PA-RIA) in any authorized government depository bank within the locality: Provided, That disbursements of such deposits shall be used solely for the protection, maintenance, administration, and management of the APL and implementation of duly approved projects of the PAMB. The remaining 25% of revenues shall be deposited as a special account in the general fund in the National Treasury for purposes of financing the programs and projects of the NIPAS.

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

The LGUs shall continue to impose and collect all other fees not enumerated herein which they have traditionally collected, such as property business permits, property tax and rental of LGUs' facilities.

ARTICLE IV
TRANSITORY AND MISCELLANEOUS PROVISIONS

SEC. 11. *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 Appropriate Act.

SEC. 12. *Suppletory Application of NIPAS Law.* — The provisions of Republic Act No. 7586, otherwise known as the "National Integrated Protected Area System Act of 1992", as amended by Republic Act No. 11038, or the "Expanded National Integrated Protected Area System Act of 2018" shall have suppletory applications to this Act.

SEC. 13. *Implementing Rules and Regulations.* — Within ninety (90) days from the effectivity of this Act, the Secretary of the DENR shall, in consultation with municipalities of Calauag, Guinayangan, and Lopez, the provincial government of Quezon, and concerned national government agencies, issue the corresponding rules and regulations for the effective implementation of this Act.

SEC. 14. *Separability Clause.* — If any section or provision of this Act is held unconstitutional or invalid, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

SEC. 15. *Repealing Clause.* — All laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 16. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,