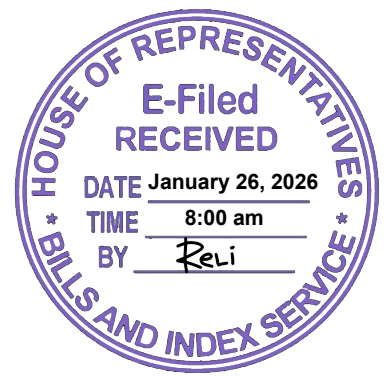


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 7254

EXPLANATORY NOTE

The National Integrated Protected Areas System (NIPAS) Act of the Philippines aims to establish a comprehensive system of protected areas in the country to ensure the sustainable use of natural resources, biodiversity conservation, and environmental protection. Designating certain areas as protected under the NIPAS Act serves several important purposes including biodiversity conservation, and providing critical ecosystem services, such as clean air and water, soil stability, and climate regulation.

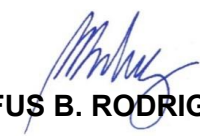
Protected areas also assist in scientific research as they act as living laboratories, and they are also popular tourist destinations. These areas also play a role in climate change mitigation by sequestering carbon and helping to regulate climate patterns.

The Cugman-Catanico Protected Landscape (CuCaPL) was supposed to be part of the protected areas covered by Republic Act No. 11038 or the Expanded NIPAS Act.

Last 2019, the DENR in collaboration with the Cagayan de Oro City local government, local communities, and other government agencies endorsed the designation of the CuCaPL, which covers a total area of 946 hectares, as Protected Area through Presidential Proclamation. Unfortunately, the CuCaPL was never designated as a protected area under the Expanded NIPAS Act.

Hence this bill which seeks to designate CuCaPL as protected area. There is a need to designate it as such to preserve and strengthen the protection of CuCaPL. We need to designate the CuCaPL as protected area to ensure the holistic conservation and sustainable use of the natural resources there, to promote environmental resilience, and to support the well-being of present and future generations.

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


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

TWENTIETH CONGRESS)
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HOUSE OF REPRESENTATIVES

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House Bill No. 7254

AN ACT

DECLARING A PARCEL OF LAND LOCATED IN THE CITY OF CAGAYAN DE ORO, IN THE PROVINCE OF MISAMIS ORIENTAL, A PROTECTED AREA WITH THE CATEGORY OF PROTECTED LANDSCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREA SYSTEM, TO BE REFERRED TO AS THE CUGMAN-CATANICO PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. Title. - This Act shall be known as the "Cugman-Catanico Protected Landscape Act".

SECTION 2. Declaration of Policy. - Cognizant of the profound impact of human activity on all components of the natural environment, 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 declaration of protected areas under the National Integrated Protected Areas System (NIPAS) within the classification of national park as provided for in the Constitution.

In recognition of the richness of the biological resources, both flora and fauna, that are native and distinct to Cugman-Catanico, as well as their aesthetic and ecological importance, the area is hereby declared a protected area under the category of protected landscape and shall hereinafter be referred to as the Cugman-Catanico Protected Landscape Protected Landscape (CuCaPL). As such, the State shall ensure the conservation, protection, management and rehabilitation of the area. It is likewise recognized that effective administration of this area is possible only through cooperation among the National Government, 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.

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 needed for the conservation of biodiversity and the integrity of the ecosystems, and cultural and indigenous practices.

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

"(a) Biological diversity or biodiversity refers to the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the

ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;

"(b) Bioprospecting refers to the research collection, and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes;

"(e) Buffer zones refer to identified areas outside the boundaries of and immediately adjacent to designated protected areas that need special development control in order to avoid or minimize harm to the protected area;

(d) By-products or Derivatives refer to parts taken or substances extracted from wildlife, in raw or in processed form:

"(e) Collecting refers to the act of gathering or harvesting wildlife and its by-products or derivatives;

"(f) Conveyance refers to every kind of vessel including motorized or non motorized vehicles. nondisplacement crafts and seaplanes that are used or may be used as a means of transportation on land or water. It shall include everything found therein, except personal effects;

"(g) Delineation refers to the actual ground survey of the boundaries of protected areas and their buffer zones and management and management zones using the global positioning system (GPS) or other applicable survey instruments and technologies, with the intention of producing a map of the area;

"(h) Demarcation refers to the establishment of the boundaries of protected areas and their buffer zones using visible markers, monuments, buoys in case of marine areas, and known natural features and landmarks, among others, as a result of the actual ground delineation;

"(i) Ecosystem goods and services refer to the multitude of material and nonmaterial provisions and benefits from healthy ecosystems necessary for human sustenance, well-being, and survival including support processes, provisioning and environment regulating services, and cultural resource preservation services;

"(j) Endemic species refer to the species or subspecies of flora and fauna which are naturally occurring and found within specific areas in the country;

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

"(l) Exploration refers to the act of 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 of resources in an area, and the feasibility of utilizing these resources for profit;

"(m) Gear refers to any instrument or device and its accessories utilized in taking, catching, gathering, killing, hunting, destroying, disturbing, removing, or possessing resources within the protected area;

"(n) Genetically modified organism (GMO) refers to any living organism that possesses a novel combination of genetic material through the use of modern biotechnology;

"(o) Hunting refers to the killing or catching of wild fauna for food and recreational purposes, with the use of weapons such as guns, bow and arrow, spears, traps and snares, and the like;

"(p) Indigenous Cultural Community (ICC)/Indigenous People (IP) 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;

"(q) Integrated Protected Area Fund (IPAF) refers to the special account established for the purpose of financing projects of the NIPAS and individual protected areas;

"(r) Invasive alien species refer to species introduced deliberately or unintentionally outside their natural habitats where they have the ability to establish themselves, invade, outcompete native species, and take over the new environment;

"(s) Kaingin refers to the slash-and-burn cultivation of vegetated land in a protected area, whether occupied or not, shifting and permanent with little or no provision to prevent soil erosion;

"(t) Multiple-use zone refers to the area where settlement, traditional and sustainable land use including agriculture, agroforestry, extraction activities, and income generating or livelihood activities may be allowed to the extent prescribed in the protected area management plan;

"(u) National Integrated Protected Areas System (NIPAS) refers to the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;

"(v) National park refers to the lands of the public domain classified as such in the Constitution which include all areas under the NIPAS pursuant to this Act, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;

"(w) Natural biotic area refers to an area set aside to allow the way of life of societies living in harmony with the environment to adapt to modern technology at their pace;

"(x) Natural monument refers to a relatively small area focused on the protection of small features to protect or preserve nationally significant natural features on account of their special interest or unique characteristics;

"(y) Natural park refers to a relatively large area not materially altered by human activity where extractive resource uses are not allowed and is maintained to protect outstanding natural and scenic areas of national or international significance for scientific, educational, and recreational use;

"(z) Occupying refers to a continuous stay of individuals or groups within a protected area, whether residing or engaging in the cultivation of land or fishing for more than twenty-four (24) hours;

"(aa) Poaching refers to gathering, collecting, or possessing products or natural resources from the protected area by any individual person, corporation or entity whether local or foreign; in the case of marine protected areas, operating any foreign fishing vessels by any person, corporation, or entity without a permit;

"(bb) Protected area refers to identified portions of land and/or water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;

(cc) Protected area occupants refer to persons who are residing, utilizing, and cultivating areas within the protected area. These include private owners, IPs, tenured migrants and informal settlers;

"(dd) Protected Area Retained Income Account refers to the trust fund maintained by any protected area and administered by the respective Protected Area Management Boards (PAMB) created pursuant to this Act representing the seventy-five percent (75%) of revenues generated from the protected area to support its operation and management;

"(ee) Protected landscapes and/or seascapes refer to areas of national significance which are characterized by the harmonious interaction of man and land and water while providing opportunities for public enjoyment through recreation, tourism, and other economic activities:

"(ff) Protected species refer to plants or animals declared protected under Philippine laws, rules, and regulations. These shall include all species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and all its Annexes, the Convention on the Conservation of Migratory Species (CMS), those specified under the redlist categories of the International Union for Conservation of Nature and Natural Resources UCN), or any plant or animal which the Department of Environment and Natural Resources (DENR), PAMB or any government agency may deem necessary for conservation and preservation in the protected area;

(gg) Quarrying refers to the process of extracting, removing, and disposing sand, gravel, guano, limestone, and all other resources used as building and construction materials that are found within the protected area;

"(hh) Resource reserve refers to an extensive, relatively isolated, and uninhabited area which is difficult to access and is designated to protect the natural resources of the area for future use and prevent or contain development activities that could affect the resources, pending the establishment of sustainable resource utilization goals which are based upon appropriate information and planning;

"(ii) Special Account in the General Fund (SAGF) refers to the trust fund deposited in the national treasury representing the twenty-five percent (25%) of the revenues generated from the operation of individual protected area and earmarked to support the NTPAS;

"(jj) Strict nature reserve refers to an area possessing some outstanding ecosystem, features, and species of flora and fauna of national scientific importance that should be maintained to protect and preserve nature in its undisturbed state and to preserve ecologically representative examples of the natural environment to ensure their availability for scientific study, environmental monitoring, education, and for the maintenance of genetic resources in a dynamic and evolutionary state;

(kk) 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;

"(ll) Threatened species refer to species or subspecies considered critically endangered, vulnerable, or other accepted categories of wildlife whose population is at risk of extinction;

"(mm) Wetlands refer to a wide variety of inland habitats such as marshes, peatlands, floodplains, rivers and lakes, and coastal areas such as saltmarshes, mangroves, intertidal mudflats and seagrass beds, and also coral reefs and other marine areas no deeper than six

(6) meters at low tide, as well as human-made wetlands such as dams, reservoirs, rice paddies and wastewater treatment ponds and lagoons;

"(nn) Wildlife refers to the wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred, fed, or propagated; and

"(oo) Wildlife Sanctuary refers to an area which assures the natural conditions necessary to protect nationally significant species, groups of species, biotic communities or physical features of the environment which may require specific human manipulations for their perpetuation."

SECTION 4. Classification as a National Park. - City of Cagayan de Oro in the Province of Misamis Oriental, the metes and bounds of which are described in Section 4 of this Act. All lands of the public domain within the coverage and scope of the CuCaPL shall fall under the classification of national park as provided for in Article XII, Section 3 of the Constitution.

SECTION 5. Scope and Coverage. - The boundaries of the Cugman-Catanico Protected Landscape are more particularly described as the area beginning at a point marked "1" on the Map being S 29°41' W., 743.766 meters from PRS 92 MSE-3339 with geographic coordinates of 8°27' 36.1756" N, 124°43'12.1921" E located within the boundary of the Barangay Cugman and Barangay F.S.Catanico in City of Cagayan de Oro,

thence	S 71°59' 46"E445.60	meters to corner	2;
thence	N 02°23' 19"W209.79	meters to corner	3;
thence	S 88°12' 36"E71.15	meters to corner	4;
thence	N 68°33' 48"E200.56	meters to corner	5;
thence	S 36°47' 48"E159.13	meters to corner	6;
thence	S 58°31' 21"E199.28	meters to corner	7;
thence	N 52°35' 19"E186.02	meters to corner	8;
thence	N 37°08' 34"E303.86	meters to corner	9;
thence	N 24°26' 39"E397.98	meters to corner	10;
thence	S 70°35' 43"E150.52	meters to corner	11;
thence	S 06°55' 44"W503.43	meters to corner	12;
thence	S 70°7' 04"W429.42	meters to corner	13;
thence	S 50°48' 52"E271.17	meters to corner	14;
thence	N 41°30' 33"E182.60	meters to corner	15;
thence	S 02°13' 24"W387.80	meters to corner	16;
thence	S 00°38' 37"E427.10	meters to corner	17;
thence	S 01°57' 01"W377.69	meters to corner	18;
thence	S 71°19' 27"W460.13	meters to corner	19;
thence	S 57°33' 43"W60.00	meters to corner	20;
thence	S 51°03' 23"W178.61	meters to corner	21;
thence	S 42°44' 57"W169.31	meters to corner	22;
thence	S 19°19' 09"W137.69	meters to corner	23;
thence	S 11°01' 23"E176.34	meters to corner	24;
thence	S 09°39' 16"W93.52	meters to corner	25;
thence	S 07°26' 41"W40.77	meters to corner	26;
thence	N 71°03' 29"W639.39	meters to corner	27;
thence	N 65°50' 32"W362.22	meters to corner	28;
thence	N 78°00' 44"W1079.06	meters to corner	29;
thence	S 30°36' 26"W26.26	meters to corner	30;

thence	S 38'22' 12"W	28.09	meters to corner	31;
thence	S 68'01' 10"W	33.81	meters to corner	32;
thence	S 86°26' 05"W	56.34	meters to corner	33i
thence	S 74'39' 17"W	25.05	meters to corner	34;
thence	S 54'55'49"W	32.28	meters to corner	35;
thence	S 41'31' 53"W	31.86	meters to corner	36;
thence	S 39'46' 07"W	51.67	meters to corner	37;
thence	S 45'48'28"W	28.97	meters to corner	38;
thence	S 52'35' 52"W	28.12	meters to corner	39;
thence	S 53'33' 11"W	56.96	meters to corner	40;
thence	S 49'22' 59"W	52.47	meters to corner	41;
thence	N 88'55' 28"W	28.23	meters to corner	42;
thence	N 89'20' 59"W	58.38	meters to corner	43;
thence	S 83'13' 56"W	210.11	meters to corner	44;
thence	S 46'45' 18"W	202.54	meters to corner	45;
thence	S 56'58' 51"W	178.19	meters to corner	46;
thence	S 08'57' 01"W	434.60	meters to corner	47;
thence	S 44'59' 53"W	38.94	meters to corner	48;
thence	S 51'58' 10"W	38.19	meters to corner	49;
thence	S 59'31' 16"W	59.12	meters to corner	50;
thence	S 65'32' 59"W	76.35	meters to corner	51;
thence	S 67'09' 20"W	36.31	meters to corner	52;
thence	S 55'55' 56"W	40.44	meters to corner	53;
thence	S 35'08' 09"W	35.46	meters to corner	54;
thence	S 24'44' 20"W	41.37	meters to corner	55;
thence	S 31'29'24"W	36.36	meters to corner	56;
thence	S 45'00' 55"W	28.20	meters to corner	57;
thence	S 45'00' 56"W	13.16	meters to corner	58;
thence	S 52'07' 13"W	52.63	meters to corner	59;
thence	S 63'01' 31"W	31.14	meters to corner	60;
thence	S 72'13' 24"W	33.02	meters to corner	61;
thence	S 70'38' 28"W	34.24	meters to corner	62;
thence	S 84'35'3"W	30.11	meters to corner	63;
thence	N 87'26' 41"W	32.56	meters to corner	64;
thence	N 86'38' 34"W	34.72	meters to corner	65;
thence	N 89'30' 15"W	40.66	meters to corner	66;
thence	S 86'07' 49"W	29.47	meters to corner	67;
thence	S 76'21'06"W	21.32	meters to corner	68;
thence	S 67'58' 32"W	29.30	meters to corner	69;
thence	S 72'18' 15"W	68.20	meters to corner	70;
thence	S 71'16'27"W	52.97	meters to corner	Al;
thence	S 75'24' 13"W	39.42	meters to corner	72;
thence	S 77'18' 37"W	30.16	meters to corner	73;
thence	S 85'18' 20"W	36.09	meters to corner	74;
thence	N 86'54' 45"W	35.14	meters to corner	75;
thence	N 74'50' 48"W	28.93	meters to corner	76;
thence	N 76'08' 05"W	34.05	meters to corner	'77;
thence	N 67'43' 50"W	52.62	meters to corner	78;
thence	N 58'50' 18"W	28.92	meters to corner	79;
thence	N 56'58' 12"W	28.49	meters to corner	80;
thence	N 72'36' 09"W	19.41	meters to corner	81;
thence	S 89'19' 26"W	16.84	meters to corner	82;
thence	N 86'34' 45"W	49.60	meters to corner	83;
thence	N 40'58' 52"W	184.88	meters to corner	84;

thence	N 41'27' 50"W	75.77	meters to corner	85;
thence	N 66'27' 39"W	57.16	meters to corner	86;
thence	S 67'13' 8"W	79.42	meters to corner	87;
thence	N 87'51' 27"W	90.43	meters to corner	88;
thence	N 55'43' 43"W	32.34	meters to corner	89;
thence	N 18'17' 57"E	24.52	meters to corner	90;
thence	N 05'20' 44"W	47.46	meters to corner	91;
thence	N 16'24' 47"W	53.33	meters to corner	92;
thence	N 23'15' 50"E	46.94	meters to corner	93;
thence	N 39'18' 24"W	35.78	meters to corner	94;
thence	N 12'25' 46"W	37.06	meters to corner	95;
thence	N 12'42' 09"E	29.85	meters to corner	96;
thence	N 10'00' 35"W	19.56	meters to corner	97;
thence	N 23'29' 37"E	17.76	meters to corner	98;
thence	N 07'21' 39"W	28.88	meters to corner	99;
thence	N 13'13' 15"W	35.93	meters to corner	100;
thence	N 24'54' 22"W	21.91	meters to corner	101;
thence	N 75'40' 07"W	28.85	meters to corner	102;
thence	N 50'24' 56"W	24.86	meters to corner	103;
thence	N 63'45' 46"W	23.99	meters to corner	104;
thence	N 35'14' 33"W	20.06	meters to corner	105;
thence	N 63'08' 24"W	36.51	meters to corner	106;
thence	N 20'44' 33"W	32.49	meters to corner	107;
thence	N 48'39' 41"E	14.04	meters to corner	108;
thence	N 07'50' 06"W	20.62	meters to corner	109;
thence	N 18'08' 24"W	18.44	meters to corner	110;
thence	N 40'04' 10"W	15.31	meters to corner	111;
thence	N 06'49' 48"W	14.10	meters to corner	112;
thence	N 29'46' 15"E	15.41	meters to corner	113;
thence	N 17'09' 13"E	20.11	meters to corner	114;
thence	N 30'16' 36"E	8.76	meters to corner	115;
thence	N 74'52' 23"E	8.77	meters to corner	116;
thence	S 89'42' 18"E	44.90	meters to corner	117;
thence	N 68'45' 15"E	47.64	meters to corner	118;
thence	N 70'47' 34"E	59.38	meters to corner	119;
thence	N 38'8' 05"E	190.77	meters to corner	120;
thence	S 66'57' 02"E	534.67	meters to corner	121;
thence	N60'1016"E	156.98	meters to corner	122;
thence	N 40'00' 29"E	143.58	meters to corner	123;
thence	N 34'42' 17"W	120.00	meters to corner	124;
thence	N 24'42' 17"W	260.00	meters to corner	125;
thence	N 03'42' 17"W	100.00	meters to corner	126;
thence	N 52'17' 43"E	320.00	meters to corner	127;
thence	N 35'32'39"E	129.17	meters to corner	128;
thence	N 74'10' 59"E	244.92	meters to corner	129;
thence	N 21'22'08"E	50.70	meters to corner	130;
thence	N 85'15' 32"E	129.29	meters to corner	131;
thence	S 47'12' 09"E	247.63	meters to corner	132;
thence	N 29'57' 43"E	68.35	meters to corner	133;
thence	N 83'25' 55"E	47.11	meters to corner	134;
thence	S 01'59' 8"W	104.87	meters to corner	135;
thence	N 67'51' 58"E	177.91	meters to corner	136;
thence	N 06'22' 6"W	315.12	meters to corner	137;
thence	N 67'18' 51"E	64.35	meters to corner	138;
thence	S 58'40' 56"E	121.66	meters to corner	139;

thence	N 73°45' 56"E	95.21	meters to corner	140;
thence	N 57°26' 31"E	97.73	meters to corner	141;
thence	S 52°59' 19"E	229.84	meters to corner	142;
thence	N 26°55' 25"E	329.68	meters to corner	143;
thence	N 26°46' 00"W	255.58	meters to corner	144;
thence	S 66°50' 43"W	277.51	meters to corner	145;
thence	N 51°51' 36"W	212.72	meters to corner	146;
thence	N 58°31' 32"W	475.70	meters to corner	147;
thence	N 68°30' 59"W	203.62	meters to corner	148;
thence	N 19°51' 21"W	156.92	meters to corner	149;
thence	N 45°14' 42"W	164.08	meters to corner	150;
thence	N 34°03'33"E	80.91	meters to corner	151;
thence	N 80°04' 05"E	168.81	meters to corner	152;
thence	N 57°52' 04"E	327.58	meters to corner	153;
thence	N 87°24' 49"E	190.69	meters to corner	154;
thence	N 16°50' 63"E	230.07	meters to corner	155;
thence	S 81°59' 12"E	217.06	meters to corner	156;
thence	S 06°35' 15"W	200.99	meters to corner	157;
thence	S 80°38' 23"E	51.60	meters to corner	158;
thence	N 64°04' 03"E	71.51	meters to corner	159;
thence	S 11°41' 14"W	80.54	meters to corner	160;
thence	S 81°49' 56"E	165.60	meters to corner	161;
thence	N 01°44' 48"W	91.45	meters to corner	162;
thence	S 83°18' 13"E	118.39	meters to corner	163;
thence	S 83°44' 40"E	85.66	meters to corner	164;
thence	S 29°33' 45"W	76.00	meters to corner	165;
thence	N 88°34' 53"E	315.91	meters to corner	166;
thence	N 77°02' 35"E	122.28	meters to corner	167;
thence	S 88°23' 54"E	48.36	meters to corner	168;
thence	N 27°30' 28"E	73.54	meters to corner	169;
thence	S 87°33' 14"E	200.96	meters to corner	170;
thence	S 65°30' 47"E	101.54	meters to corner	171;
thence	N 76°10' 40"E	113.26	meters to corner	172;
thence	S 61°41' 11"E	303.17	meters to corner	173;
thence	S 18°25' 54"E	136.38	meters to corner	174;
thence	S 79°15' 44"E	217.11	meters to corner	175;
thence	S 01°47' 05"E	135.69	meters to corner	1;

the point of beginning, containing an area of NINE HUNDRED FORTY SIX (946) hectares more or less. Bearings and Distances of lines were derived using the PRS 92 Philippines Zone V coordinate system, subject to actual ground demarcation.

SECTION 6. Establishment of Buffer Zones. - The Secretary of the Department of Environment and Natural Resources (DENR), upon the recommendation of the Protected Area Management Board created under Section 6 of this Act, may designate areas surrounding the CuCaPL 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.

SECTION 7. Restoration Program. - As part of the PA Management Plan and in view of the existing reforestation area in CuCaPL, there shall be a restoration program promoting indigenous species of plants within the area.

ARTICLE II MANAGEMENT MECHANISMS

SECTION 8. Protected Area Management Board. - Within ninety (90) days from the effectivity of this Act, a Protected Area Management Board (PAMB) shall be created to oversee the management of the CuCaPL. The PAMB shall be composed of the following:

- a. DENR Regional Executive Director for Region X, as Chairperson;
- b. Governor of the Province of Misamis Oriental or a duly authorized representative;
- c. Senators of the Republic of the Philippines who are duly registered residents of the Province of Misamis Oriental or their duly designated representatives, unless the Senators decline the membership in the PAMB;
- d. District Representative of the 2nd Congressional District where the CuCaPL is located, or a duly designated representative, unless the District Representative declines the membership in the PAMB;
- e. Mayor of the City of Cagayan de Oro, or a duly authorized representative;
- f. Chairpersons of all the barangays with territorial jurisdiction over the CuCaPL;
- g. Regional Directors of the following government agencies, namely: Department of Agriculture, National Economic and Development Authority, Department of Science and Technology, Philippine National Police, Office of Civil Defense, and Department of Tourism;
- h. Three (3) representatives from either NGOs, or people's organizations (POs) based in Cagayan de Oro City, duly accredited both by the DENR and the City government. The NGOs or POs represented should have been in existence for at least five (5) years and with track record in or related to protected area management;
- i. Two (2) representatives from the indigenous cultural communities / indigenous peoples with Indigenous Political Structure present in the area and recognized by the National Commission on Indigenous Peoples;
- j. One (1) representative from an academic institution, preferably from a university or college in the City of Cagayan de Oro, 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 Cagayan de Oro City who is distinguished in a profession or field of interest relevant to protected area management, biodiversity conservation, and socio-cultural.

The terms of office of 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 Act of 1992" as amended by Republic Act No. 11038, otherwise known as the "Expanded National Integrated Protected Areas System Act of 2018".

SECTION 9. Functions of the PAMB. - The PAMB shall have the following powers and functions:

- a. Oversee the management of the CuCaPL;
- b. Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the CuCaPL;
- c. Approve the management plan of the CuCaPL and ensure its harmonization with and integration into the Ancestral Domain Sustainable Development and Protection Plan, land use plan and other development plans, public or private, and their implementation;
- d. Adopt a manual of operations to include rules of procedures 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 the laws, rules and regulations governing the management of the CuCaPL;

- 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 government accounting, budgeting, and auditing 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 DENIR and other government authorities with respect to the management of the CuCaPL;
- j. Monitor and assess the performance of the Protected Area Superintendent and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or agreement relative to any project or activity within the CuCaPL;
- k. Recommend from among a shortlist of qualified candidates, the designation or appointment of the Protected Area Superintendent; and
- 1. Assess the effectiveness of the management of the CuCaPL: 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, regulations, programs, and projects and shall ensure that the provisions of this Act and the rules and regulations issued to implement it are complied with and used as reference and framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be 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 that the PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and the existing administrative orders of national application, the latter shall prevail.

SECTION 10. The Protected Area Management Office. - 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 CuCaPL. The PASu shall hold a permanent plantilla position with a Salary Grade of 18 and shall be appointed by the DENR. A sufficient number of support staff with permanent plantilla positions shall likewise be appointed by the DENR to assist the PASu in the management of the protected area.

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

- a. Prepare the management plan, (in consultation with the stakeholders, including the annual work and financial plan and ensure its implementation;
- b. Ensure the integration of relevant national and LGU plans and programs into CuCaPL management plans, programs, projects, and policies;
- c. Provide secretariat services to the PAMB and its committees, serve as resource person 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 CuCaPL, commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the prosecution of offenses committed in violation of the provisions of this Act;
- g. Monitor, evaluate, and report the implementation of management activities of the CuCaPL;
- h. Request for 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 CuCaPL;

i. Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with terms, conditions, and criteria established by the PAMB: Provided, That all permits for extraction of natural resources for research purposes, including the collection of wildlife and its by-products or derivatives, shall specify the acts to be authorized, and shall continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASu;

j. Collect and receive pertinent fees, charges, donations, and other income for the CuCaPL: Provided, That such fees, charges, donations, and other income collected and received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;

k. Prepare and recommend to the PAMB, approval of the annual work and financial plans of the CuCaPL based on the management plan; and 1. Perform such other functions as the PAMB and the DENR may assign.

The PAMO may be augmented by the deputized local environment and natural resources officers upon the recommendation of the PAMB and approval of the DENR.

ARTICLE III PROCEEDS AND FEES

SECTION 11. The Cugman-Catanico Protected Landscape and Seascape Integrated Protected Area Fund. - There is hereby established a trust fund to be known as the Cugman-Catanico Protected Landscape Integrated Protected Area Fund (CuCaPL-IPAF) for purposes of financing projects of the CuCaPL and the NIPAS. All income generated from the operation and management of wild flora and fauna in the CuCaPL shall accrue to the CuCaPL-IPAF. The income shall be derived from fees from permitted sale and export of flora and fauna and other resources from the CuCaPL, proceeds from the lease of multiple-use areas, contributions from industries and facilities directly benefiting from the CuCaPL, and such other fees and income derived from the operation of the CuCaPL.

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

The fund may be augmented by grants, donations, and endowments 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 NIIPAS and 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 personal services expenditures.

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

ARTICLE IV TRANSITORY AND MISCELLANEOUS PROVISIONS

SECTION 12. 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 13. Suppletory Application of the NIPAS Act, as amended. - The provisions of Republic Act No. 7586, as amended by Republic Act No. 11038, shall have suppletory application to this Act.

SECTION 14. 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 Cagayan de Oro City and concerned national government agencies, issue rules and regulations for the effective implementation of this Act.

SECTION 15. 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.

SECTION 16. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, issuance or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 17. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation

Approved,