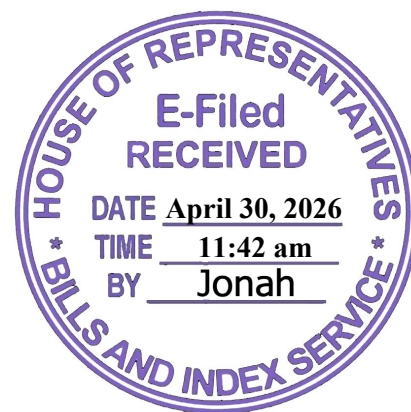


**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**TWENTIETH CONGRESS
First Regular Session**

House Bill No. 9020



Introduced by **HON. TERRY L. RIDON**

EXPLANATORY NOTE

“Investing in forests is an insurance policy for the planet.”

Thus said UN Secretary General Ban Ki Moon in his message for the International Day of Forests last 21 March 2016. He stressed that the protection of our forests is fundamental to our vision for a “shared people and planet.”

The United Nations Forum on Forests underscores this reality: forests provide 75% of the world’s accessible freshwater, serve as our most efficient carbon capture systems against climate change, and act as a natural shield against landslides and erosion. For the 1.6 billion people who rely on forests for their livelihoods, and for every human who breathes clean air, the conservation of these ecosystems is not a luxury—it is a necessity.

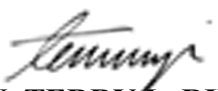
The Province of Camarines Sur especially in the Second District where the municipality of Libmanan is located, is known to be endowed with rich biological diversity, a critical watershed for the Bicol River Basin. Located therein is the 19.4-hectare Libmanan Caves National Park (LCNP) which is one of the oldest national parks in the Philippines and the oldest cave system proclaimed as a national park through Presidential Proclamation No. 654 on February 6, 1934. This karst system landscape is composed of stalactites and stalagmites, underwater systems and chambers which took millions of years to develop. This feature of the cave may provide a geological imprint of the history of how caves and probably the Philippine land mass evolved.

Furthermore, the cave system and the surrounding areas of the LCNP serve as a critical sanctuary for biodiversity. This site is home to a vast array of endemic species, including 138 plant species—one of which is the Endangered Jade Vine—as well as various mammals, 41 species of birds, and numerous reptiles and invertebrates (35 insects, 11 arachnids, 6 mollusks, and 2 annelids) endemic in the Philippines. Notably, several of these species are found exclusively within the LCNP, and many are currently classified as threatened, vulnerable, or endangered.

The national park has the potential to become one of Bicol regions's important ecotourism sites and haven for biodiversity, ecology, and speleology for researchers and enthusiasts. Furthermore, the LCPL serves as a natural buffer against typhoons while fueling economic growth through sustainable tourism.

We are at a crossroads. We can choose to let this landscape succumb to the pressures of time and neglect, or we can choose to be the architects of its preservation. By legislating the Libmanan Caves Protected Landscape, we are not just passing a law; we are signing a pact with nature and securing a clean, sustainable future for our children.

To protect our heritage and sustain our common future, the immediate passage of this bill is earnestly sought.


HON. TERRY L. RIDON

**Republic of the Philippines
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House Bill No. 9020

Introduced by Hon. Terry L. Ridon

**AN ACT ESTABLISHING THE LIBMANAN CAVES PROTECTED LANDSCAPE
IN THE PROVINCE OF CAMARINES SUR AS A PROTECTED AREA UNDER THE
CATEGORY OF PROTECTED LANDSCAPE, PROVIDING FOR ITS
MANAGEMENT AND FOR OTHER PURPOSES**

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

**ARTICLE 1
GENERAL PROVISION**

SECTION 1. *Title.* – This Act shall be known as the “*Libmanan Caves Protected Landscape Act*”.

SECTION 2. *Declaration of Policy.* – Mindful of the significant effect of human intervention on all components of the natural ecosystem, it is hereby declared the policy of the State to secure for the Filipino people of the present and future generations, the perpetual existence of biological diversity through the establishment of protected areas under the National Integrated Protected Areas System (NIPAS) within the classification of national park as provided for in the Constitution.

Considering the rich biodiversity of both flora and fauna, that are native and unique in the Libmanan Caves National Park and adjacent highland ecosystem, as well as the series of natural caves, its aesthetic, educational, socio-cultural, paleontological, archaeological, economic and ecological importance, there is a need to declare the 274.5776 hectares protected area with the category of protected landscape and shall be referred to as the Libmanan Caves Protected Landscape.

In doing so, 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 these natural resources and the integrity of the ecosystems and socio- cultural 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) *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;

(c) *Caves* means any naturally occurring void, cavity, recess or system of interconnected passages beneath the surface of the earth or within a cliff or ledge and which is large enough to permit an individual to enter, whether or not the entrance, located either in private or public land, is naturally formed or man-made. It shall include any natural pit, sinkhole or other feature which is an extension of the entrance. The term also includes cave resources therein, but not any vug, mine tunnel, aqueduct or man-made excavation;

(d) *Cave resources* include any material or substance occurring naturally in caves, such as animal life, plant life, including paleontological and archaeological deposits, cultural artifacts or products of human activities, sediments, minerals, speleogems and speleothems;

(e) *Conservation* refers to any act or acts of preservation and sustainable utilization of natural resources or maintenance, restoration and development of related habitats;

(f) *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;

(g) *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;

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

(i) *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;

(j) *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;

(k) *Protected landscapes* refer to areas of national significance which are characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation, tourism and other economic activities;

(l) *Tenured migrants* 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; and

(m) *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

SECTION 4. Scope and Coverage. – The boundaries of the Libmanan Caves Protected Landscape, which falls under the category of Protected Landscape as defined herein, within the Municipality of Libmanan in the Province of Camarines Sur, are as follows:

Beginning at a point marked "1" on the map being, S 18° 16' W, 2,520.58 M. from CMS-3997, Libmanan, Camarines Sur to Corner 1, thence:

Thence S 49°32' E	261.28 m. to corner 2
Thence S 64°16' E	125.28 m. to corner 3
Thence N 87°11' E	131.94 m. to corner 4
Thence S 29°20' E	229.53 m. to corner 5
Thence S 70°30' W	273.33 m. to corner 6
Thence N 61°42' W	19.81 m. to corner 7
Thence S 70°15' W	72.86 m. to corner 8
Thence S 76°05' E	10.72 m. to corner 9
Thence S 25°06' E	907.57 m. to corner 10
Thence S 66°21' W	2,296.53 m. to corner 11
Thence N 70°15' W	307.86 m. to corner 12
Thence N 13°24' W	320.77 m. to corner 13
Thence N 26°49' E	378.78 m. to corner 14
Thence N 67°58' E	168.32 m. to corner 15
Thence N 15°02' E	515.43 m. to corner 16

Thence N 66°53' E	736.19 m. to corner 17
Thence N 31°26' E	167.5 m. to corner 18
Thence N 59°32' E	156.61 m. to corner 19
Thence N 84°12' E	275.35 m. to corner 20
Thence S 76°05' E	325.05 m. to corner 21
Thence N 13°48' W	70.04 m. to corner 22
Thence N 38°07' W	110.87 m. to corner 23
Thence N 66°48' W	40.88 m. to corner 24
Thence N 87°08' W	80.62 m. to corner 25
Thence S 79°13' W	57.37 m. to corner 26
Thence N 27°14' E	370.38 m. to corner 1

the point of beginning, comprising an area of two hundred seventy-four and 57.76/100 (274.5776) hectares, more or less.

The Department of Environment and Natural Resources (DENR), with the assistance from other government agencies, if necessary, shall delineate and demarcate on the ground the boundaries of the protected area. Any modification of the coverage of this Act due to such factors as changing ecological situations, new scientific or archeological findings, or discovery of traditional boundaries not previously taken into account shall be made through an act of Congress, after consultation with the affected public and concerned government agencies.

SECTION 5. *Classification as National Park.* – All lands comprising the Libmanan Caves Protected Landscape shall fall under the classification of National Park as provided for under the 1987 Philippine Constitution.

SECTION 6. *Establishment of Buffer Zone.* – When necessary, the DENR Secretary, upon the recommendation of the PAMB, may designate areas surrounding the protected areas as buffer zones for the purpose of providing 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. *Management Plan.* – Within one (1) year from the establishment of the protected area, there shall be a management plan formulated for each protected area that shall serve as the basic long-term framework plan for the management of the protected area and guide in the preparation of its annual operations plan and budget.

“The management plan shall, at the minimum, promote the adoption and implementation of innovative management techniques including, when necessary, zoning, buffer zone management, habitat conservation and rehabilitation, diversity management, community organizing and development, socioeconomic and scientific researches, site-specific policy development, climate change adaptation and mitigation, disaster risk reduction and

management, waste sewerage and septic management, and gender and development, among others.

The plan shall be harmonized with the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) required under Republic Act No. 8371, or ‘The Indigenous People’s Rights Act of 1997’, the respective Comprehensive Land Use Plans (CLUPs) of local governments required under Republic Act No. 7160 or the ‘Local Government Code of 1991’ and other local plans.”

ARTICLE II

MANAGEMENT MECHANISMS

SECTION 8. *Management of the Libmanan Caves Protected Landscape.* The management and administration of the protected area shall be vested with the Protected Area Management Board (PAMB), and placed under the control and administration of the DENR through the Biodiversity Management Bureau (BMB) through National Integrated Protected Areas System (NIPAS).

SECTION 9. *Protected Area Management Board (PAMB).* – Within three (3) months after the effectivity of this Act, a PAMB shall be created to oversee the management of the LCPL. The PAMB shall be composed of the following:

- (a) DENR Regional Executive Director (RED) of Region V, as Chairperson;
- (b) Governor of the province of Camarines Sur or his/her duly designated/authorized representative;
- (c) Senator/s of the Republic of the Philippines who is/are duly registered resident/s of Camarines Sur or his/her/their a duly authorized representative/s, unless the Senator/s decline/s membership in the PAMB;
- (d) District Representative/s of the 2nd Congressional district of Camarines Sur or his/her/their duly designated representative/s, unless the District Representative/s decline/s membership in the PAMB;
- (e) Mayor of Libmanan, Camarines Sur or his/her duly designated representative;
- (f) Chairperson/s of Barangays Sigamot and Bikal, Libmanan, Camarines Sur;
- (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), and the Department of National Defense (DND);

(h) Three (3) representatives from either an NGO or PO, duly accredited both by the DENR and the provincial government. The NGO or PO represented should have been in existence for at least five (5) years and with track record in or related to the protected area management;

(i) At least one (1) but not more than three (3) representatives from all the IPs/ICCs present in the area and recognized by the National Commission on Indigenous Peoples (NCIP);

(j) One (1) representative from an academic institution, preferably from a university or college in the province where the protected area is located, with proven track record in or related to the protected area management;

(k) One (1) representative from the private sector, preferably a resident of the province where the protected area is located, who is distinguished in a profession or field of interest relevant to the protected area management;

The terms of office of the PAMB members, as well as the grounds for their removal, compensation, etc., shall be in accordance with the provisions of Republic Act No. 7586 (NIPAS Act of 1992) as amended by Republic Act No. 11038 (ENIPAS Act of 2018);

Further, least forty percent (40%) of the PAMB members shall be women, pursuant to Republic Act No. 9710 or ‘The Magna Carta of Women’.

SECTION. 10. Powers and Functions of the PAMB. – The PAMB shall have the following powers and functions:

(a) Oversee the management of the protected area;

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

(c) Approve the management plan of the protected area and ensure its harmonization and integration with the ADSDPP, land use plan and other development plan, public or private, and its 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 protected area;

(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;
- (j) Monitor and assess the performance of the Protected Area Superintendent (PASU) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or 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 protected area: Provided, That the members of the management board representing the LGUs and national agencies in the PAMB 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 its implementing rules and regulations 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.” (n)

SECTION. 11. The Protected Area Management Office (PAMO). – There is hereby established a Protected Area Management Office (PAMO) to be headed by a Protected Area Superintendent (PASu) with a permanent plantilla position who shall supervise the day to day management, protection and administration of the protected area. A sufficient number of support staff with permanent plantilla position shall 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 protected area. 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 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 database management system which shall be an important basis for decision-making;

(f) Enforce the laws, rules and regulations relevant to the protected area, 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 this Act;

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

(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 protected area;

(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 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 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 protected area based on the management plan; and

(l) 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 12. *Libmanan Caves Protected Landscapes Integrated Protected Area Fund.* – There shall be established trust fund to be known as Libmanan Caves Protected Landscapes Integrated Protected Area Fund (LCPL-IPAF) for purpose of sustainably financing the projects of the PA and the activities under NIPAS. The income shall be derived from fees and charges from the use of resources and facilities of protected areas; contributions from industries and facilities directly benefiting from the protected area: and such other fees and income derived from the operation of the protected area. The use of the IPAF shall be in accordance with existing accounting, budgeting, and auditing rules and regulations: Provided, further, That the IPAF shall not be used to cover personal services expenditures.

ARTICLE IV

TRANSITORY AND MISCELLANEOUS PROVISIONS

SECTION. 13. *Appropriations.* – The Secretary of the DENR shall immediately include in the DENR’s program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act annually.

SECTION. 14. *Implementing Rules and Regulations (IRR).* – Within three (3) months from the effectivity of this Act, the DENR shall, in consultation with all concerned stakeholders of LCPL, issue the corresponding rules and regulations for the effective implementation of this Act.

SECTION 15. *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 16. *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 17. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.