



HOUSE OF REPRESENTATIVES

H. No. 6191

BY REPRESENTATIVES DAYANGHIRANG, ARROYO (I.), CUA (J.), AQUINO AND
ZAMORA (M.), PER COMMITTEE REPORT NO. 1924

AN ACT DECLARING THE ALIWAGWAG FALLS LOCATED IN THE MUNICIPALITIES OF BOSTON AND CATEEL, PROVINCE OF DAVAO ORIENTAL AND THE MUNICIPALITY OF COMPOSTELA, PROVINCE OF COMPOSTELA VALLEY AS A PROTECTED AREA, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES

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

1 SECTION 1. *Title.* – This Act shall be known as the “Aliwagwag Falls
2 Protected Landscape (AFPL) Act of 2009”.

3 SEC. 2. *Declaration of Policy.* – Considering its unique aesthetic
4 features, rich biodiversity and critical role as a water catchment area of Cateel
5 River, it is hereby declared the policy of the State to protect and conserve the
6 area where the Aliwagwag Falls is located, its resources and communities of
7 people and their way of life in accord with the rhythm and harmony of nature.
8 The State shall ensure the protection of biodiversity, promotion of sustainable
9 and participatory development and advancement of the interests of legitimate
10 inhabitants with due consideration to customary laws.

11 SEC. 3. *Scope and Coverage.* – The AFPL, which is situated in the
12 municipalities of Boston and Cateel, Province of Davao Oriental and the

1 Municipality of Compostela, Province of Compostela Valley is more
2 particularly described as follows:

3 Beginning at a point marked "1" on the map and on the ground being
4 identical to corner 8 of former TLA No. 201 of Eastcoast Development
5 Enterprises;

6	Thence	S. 58°33" E.	361.1 meters	to corner	2;
7	Thence	S. 58°33" E.	546.9 meters	to corner	3;
8	Thence	S. 58°33" E.	515.9 meters	to corner	4;
9	Thence	S. 58°33" E.	361.1 meters	to corner	5;
10	Thence	S. 23°50" W.	402.6 meters	to corner	6;
11	Thence	S. 23°50" W.	432.8 meters	to corner	7;
12	Thence	S. 23°50" W.	352.3 meters	to corner	8;
13	Thence	S. 23°50" W.	352.3 meters	to corner	9;
14	Thence	S. 23°50" W.	352.3 meters	to corner	10;
15	Thence	S. 23°50" W.	422.7 meters	to corner	11;
16	Thence	S. 23°50" W.	523.4 meters	to corner	12;
17	Thence	S. 23°50" W.	533.4 meters	to corner	13;
18	Thence	S. 23°50" W.	402.6 meters	to corner	14;
19	Thence	S. 23°50" W.	402.6 meters	to corner	15;
20	Thence	S. 45°37" E.	256.7 meters	to corner	16;
21	Thence	S. 45°37" E.	380.0 meters	to corner	17;
22	Thence	S. 45°37" E.	308.1 meters	to corner	18;
23	Thence	S. 45°37" E.	359.4 meters	to corner	19;
24	Thence	S. 45°37" E.	359.4 meters	to corner	20;
25	Thence	S. 45°37" E.	359.4 meters	to corner	21;
26	Thence	S. 45°37" E.	410.8 meters	to corner	22;
27	Thence	S. 45°37" E.	359.4 meters	to corner	23;

1	Thence	S. 18°22" E.	529.4 meters	to corner 24;
2	Thence	S. 45°26" W.	444.3 meters	to corner 25;
3	Thence	S. 37°29" W.	348.2 meters	to corner 26;
4	Thence	S. 19°59" W.	403.7 meters	to corner 27;
5	Thence	S. 32°34" W.	399.7 meters	to corner 28;
6	Thence	S. 25°45" W.	301.5 meters	to corner 29;
7	Thence	S. 72°06" W.	290.0 meters	to corner 30;
8	Thence	S. 57°36" W.	244.2 meters	to corner 31;
9	Thence	N. 71°37" W.	433.9 meters	to corner 32;
10	Thence	S. 32°34" W.	349.8 meters	to corner 33;
11	Thence	S. 32°34" W.	349.8 meters	to corner 34;
12	Thence	S. 32°34" W.	299.8 meters	to corner 35;
13	Thence	S. 22°52" W.	402.9 meters	to corner 36;
14	Thence	S. 34°32" W.	448.0 meters	to corner 37;
15	Thence	S. 26°44" W.	421.8 meters	to corner 38;
16	Thence	S. 39°28" W.	258.2 meters	to corner 39;
17	Thence	N. 35°23" W.	244.1 meters	to corner 40;
18	Thence	Due West	327.1 meters	to corner 41;
19	Thence	S. 37°29" W.	298.5 meters	to corner 42;
20	Thence	S. 59°39" W.	243.7 meters	to corner 43;
21	Thence	S. 79°47" W.	336.9 meters	to corner 44;
22	Thence	N. 57°25" W.	348.6 meters	to corner 45;
23	Thence	N. 60°27" W.	290.2 meters	to corner 46;
24	Thence	N. 61°43" W.	350.4 meters	to corner 47;
25	Thence	S. 61°43" W.	340.7 meters	to corner 48;
26	Thence	N. 66°32" W.	241.4 meters	to corner 49;
27	Thence	N. 80°48" W.	433.2 meters	to corner 50;

1	Thence	N. 70°01" W.	367.8 meters	to corner 51;
2	Thence	N. 73°29" W.	221.7 meters	to corner 52;
3	Thence	N. 15°47" E.	276.6 meters	to corner 53;
4	Thence	N. 52°29" E.	355.9 meters	to corner 54;
5	Thence	N. 52°29" E.	244.1 meters	to corner 55;
6	Thence	N. 29°17" E.	159.1 meters	to corner 56;
7	Thence	N. 51°22" W.	242.6 meters	to corner 57;
8	Thence	N. 84°53" W.	365.6 meters	to corner 58;
9	Thence	N. 40°21" W.	438.6 meters	to corner 59;
10	Thence	N. 19°35" W.	441.7 meters	to corner 60;
11	Thence	N. 57°25" W.	242.1 meters	to corner 61;
12	Thence	S. 65°51" W.	223.2 meters	to corner 62;
13	Thence	N. 18°36" W.	274.9 meters	to corner 63;
14	Thence	N. 63°29" W.	579.8 meters	to corner 64;
15	Thence	N. 61°27" W.	425.6 meters	to corner 65;
16	Thence	N. 56°24" W.	339.0 meters	to corner 66;
17	Thence	N. 61°27" W.	386.8 meters	to corner 67;
18	Thence	N. 82°50" W.	240.6 meters	to corner 68;
19	Thence	N. 59°26" W.	338.7 meters	to corner 69;
20	Thence	N. 58°25" W.	484.0 meters	to corner 70;
21	Thence	N. 06°51" W.	373.8 meters	to corner 71;
22	Thence	N. 06°51" W.	491.9 meters	to corner 72;
23	Thence	N. 06°51" W.	541.1 meters	to corner 73;
24	Thence	N. 31°25" W.	342.3 meters	to corner 74;
25	Thence	N. 31°25" W.	322.7 meters	to corner 75;
26	Thence	N. 31°25" W.	391.2 meters	to corner 76;
27	Thence	N. 15°40" W.	393.0 meters	to corner 77;

1	Thence	N. 15°40" W.	393.0 meters	to corner	78;
2	Thence	N. 15°40" W.	393.0 meters	to corner	79;
3	Thence	N. 66°32" W.	366.9 meters	to corner	80;
4	Thence	N. 17°37" W.	422.3 meters	to corner	81;
5	Thence	N. 17°37" W.	294.6 meters	to corner	82;
6	Thence	N. 17°37" W.	422.3 meters	to corner	83;
7	Thence	N. 40°30" E.	321.9 meters	to corner	84;
8	Thence	N. 16°38" W.	392.9 meters	to corner	85;
9	Thence	N. 16°38" W.	491.1 meters	to corner	86;
10	Thence	N. 16°38" W.	491.1 meters	to corner	87;
11	Thence	N. 44°31" E.	484.6 meters	to corner	88;
12	Thence	N. 44°31" E.	504.8 meters	to corner	89;
13	Thence	N. 44°31" E.	504.8 meters	to corner	90;
14	Thence	N. 24°30" W.	441.1 meters	to corner	91;
15	Thence	N. 07°49" W.	491.8 meters	to corner	92;
16	Thence	N. 33°23" E.	479.8 meters	to corner	93;
17	Thence	N. 33°23" E.	499.8 meters	to corner	94;
18	Thence	N. 33°23" E.	569.7 meters	to corner	95;
19	Thence	N. 66°09" E.	668.6 meters	to corner	96;
20	Thence	S. 88°03" E.	519.0 meters	to corner	97;
21	Thence	N. 78°36" E.	414.3 meters	to corner	98;
22	Thence	N. 78°36" E.	435.0 meters	to corner	99;
23	Thence	S. 45°37" E.	287.6 meters	to corner	100;
24	Thence	S. 61°31" E.	258.2 meters	to corner	101;
25	Thence	S. 33°33" W.	319.5 meters	to corner	102;
26	Thence	S. 70°24" E.	331.3 meters	to corner	103;
27	Thence	S. 70°24" E.	362.4 meters	to corner	104;

1	Thence	S. 70°24" E.	362.4 meters	to corner 105;
2	Thence	S. 70°24" E.	392.4 meters	to corner 106;
3	Thence	S. 70°24" E.	517.7 meters	to corner 107;
4	Thence	S. 70°24" E.	362.4 meters	to corner 108;
5	Thence	S. 48°37" E.	359.8 meters	to corner 109;
6	Thence	S. 81°11" E.	394.2 meters	to corner 110;
7	Thence	S. 81°11" E.	363.1 meters	to corner 111;
8	Thence	S. 81°11" E.	373.5 meters	to corner 112;
9	Thence	S. 81°11" E.	415.0 meters	to corner 113;
10	Thence	S. 81°11" E.	290.5 meters	to corner 114;
11	Thence	S. 81°11" E.	435.7 meters	to corner 115;
12	Thence	S. 81°11" E.	363.1 meters	to corner 116;
13	Thence	S. 81°11" E.	332.0 meters	to corner 117;
14	Thence	S. 81°11" E.	352.7 meters	to corner 118;
15	Thence	S. 81°11" E.	363.1 meters	to the point of
16	beginning, containing an approximate area of ten thousand four hundred			
17	ninety-one and 33/100 (10,491.33) hectares.			

18 The technical descriptions provided in this Act shall be subject to
19 ground survey and verification to be conducted by the Department of
20 Environment and Natural Resources (DENR). Any subsequent modification of
21 the technical description due to factors such as changing ecological situations,
22 new scientific or archeological findings or discovery of traditional boundaries
23 not previously taken into account shall be made through an act of Congress,
24 after consulting the affected public and concerned government agencies.

25 SEC. 4. *Land Classification.* – All lands of the public domain
26 comprising the AFPL shall fall under the classification of national park as
27 provided for in the Philippine Constitution: *Provided, That* public lands

1 already classified or declared by law as agricultural or alienable and disposable
 2 prior to the passage of this Act shall remain as such and may be disposed of
 3 pursuant to the provisions of Commonwealth Act No. 141 or the Public Land
 4 Act, as amended, and other public land laws.

5 The buffer zone shall retain its land classification.

6 SEC. 5. *Buffer Zone.* – The buffer zone for the AFPL is hereby
 7 established, and shall be given special development control, subject to existing
 8 rights, to serve as a protective belt around the AFPL. Its development shall be
 9 provided in the management plan.

10 The buffer zone is more particularly described as follows:

11 Bounded on the west and north directions by the remaining portion of
 12 TLA No. 43 of PICOP Resources Inc., on the east by the remaining portion of
 13 TLA No. 201 of Eastcoast Development Enterprises, on the east-southeast by
 14 the remaining portion of TLA No. 096 of Valderrama Lumber Manufacturers,
 15 Inc., and on the south by the road which connects the Municipality of
 16 Compostela, Compostela Valley Province to the Municipality of Cateel,
 17 Province of Davao Oriental.

18 Beginning at a point marked “1” on the map and on the ground being
 19 identical to corner 1 of the protected landscape and identical to corner 8 of
 20 former TLA No. 201 of Eastcoast Development Enterprises;

21	Thence	N. 81°00” W.	350.0 meters	to corner 2;
22	Thence	N. 81°00” W.	340.0 meters	to corner 3;
23	Thence	N. 81°00” W.	320.0 meters	to corner 4;
24	Thence	N. 81°00” W.	350.0 meters	to corner 5;
25	Thence	N. 81°00” W.	420.0 meters	to corner 6;
26	Thence	N. 81°00” W.	280.0 meters	to corner 7;
27	Thence	N. 81°00” W.	400.0 meters	to corner 8;
28	Thence	N. 81°00” W.	360.0 meters	to corner 9;

1	Thence	N. 81°00" W.	350.0 meters	to corner 10;
2	Thence	N. 81°00" W.	380.0 meters	to corner 11;
3	Thence	N. 48°00" W.	350.0 meters	to corner 12;
4	Thence	N. 70°00" W.	350.0 meters	to corner 13;
5	Thence	N. 70°00" W.	500.0 meters	to corner 14;
6	Thence	N. 70°00" W.	380.0 meters	to corner 15;
7	Thence	N. 70°00" W.	350.0 meters	to corner 16;
8	Thence	N. 70°00" W.	350.0 meters	to corner 17;
9	Thence	N. 70°00" W.	320.0 meters	to corner 18;
10	Thence	N. 35°00" E.	320.0 meters	to corner 19;
11	Thence	N. 61°00" W.	250.0 meters	to corner 20;
12	Thence	N. 45°00" W.	280.0 meters	to corner 21;
13	Thence	S. 78°00" W.	420.0 meters	to corner 22;
14	Thence	S. 78°00" W.	400.0 meters	to corner 23;
15	Thence	N. 88°00" W.	500.0 meters	to corner 24;
16	Thence	S. 65°00" W.	650.0 meters	to corner 25;
17	Thence	S. 32°00" W.	570.0 meters	to corner 26;
18	Thence	S. 32°00" W.	500.0 meters	to corner 27;
19	Thence	S. 32°00" W.	480.0 meters	to corner 28;
20	Thence	S. 08°00" E.	500.0 meters	to corner 29;
21	Thence	S. 25°00" E.	450.0 meters	to corner 30;
22	Thence	S. 43°00" W.	500.0 meters	to corner 31;
23	Thence	S. 43°00" W.	500.0 meters	to corner 32;
24	Thence	S. 43°00" W.	480.0 meters	to corner 33;
25	Thence	S. 17°00" E.	500.0 meters	to corner 34;
26	Thence	S. 17°00" E.	500.0 meters	to corner 35;
27	Thence	S. 17°00" E.	400.0 meters	to corner 36;

1	Thence	S. 39°00" W.	320.0 meters	to corner 37;
2	Thence	S. 18°00" E.	430.0 meters	to corner 38;
3	Thence	S. 18°00" E.	300.0 meters	to corner 39;
4	Thence	S. 18°00" E.	430.0 meters	to corner 40;
5	Thence	S. 67°00" E.	380.0 meters	to corner 41;
6	Thence	S. 16°00" E.	400.0 meters	to corner 42;
7	Thence	S. 16°00" E.	400.0 meters	to corner 43;
8	Thence	S. 16°00" E.	400.0 meters	to corner 44;
9	Thence	S. 32°00" E.	400.0 meters	to corner 45;
10	Thence	S. 32°00" E.	330.0 meters	to corner 46;
11	Thence	S. 32°00" E.	350.0 meters	to corner 47;
12	Thence	S. 07°00" E.	550.0 meters	to corner 48;
13	Thence	S. 07°00" E.	500.0 meters	to corner 49;
14	Thence	S. 07°00" E.	380.0 meters	to corner 50;
15	Thence	S. 59°00" E.	500.0 meters	to corner 51;
16	Thence	S. 60°00" E.	350.0 meters	to corner 52;
17	Thence	S. 83°00" E.	250.0 meters	to corner 53;
18	Thence	S. 62°00" E.	400.0 meters	to corner 54;
19	Thence	S. 57°00" E.	350.0 meters	to corner 55;
20	Thence	S. 61°00" E.	440.0 meters	to corner 56;
21	Thence	S. 64°00" E.	600.0 meters	to corner 57;
22	Thence	S. 19°00" E.	280.0 meters	to corner 58;
23	Thence	N. 67°00" E.	230.0 meters	to corner 59;
24	Thence	S. 58°00" E.	250.0 meters	to corner 60;
25	Thence	S. 20°00" E.	340.0 meters	to corner 61;
26	Thence	S. 41°00" E.	450.0 meters	to corner 62;
27	Thence	S. 85°00" E.	380.0 meters	to corner 63;

1	Thence	S. 52°00" E.	250.0 meters	to corner 64;
2	Thence	S. 28°00" W.	160.0 meters	to corner 65;
3	Thence	S. 51°00" W.	240.0 meters	to corner 66;
4	Thence	S. 51°00" W.	350.0 meters	to corner 67;
5	Thence	S. 15°00" W.	280.0 meters	to corner 68;
6	Thence	Follow the road generally	220.0 meters	to corner 69,
7		in a northwesterly direction or about;		
8	Thence	N. 02°00" E.	260.0 meters	to corner 70;
9	Thence	N. 57°30" E.	280.0 meters	to corner 71;
10	Thence	N. 57°30" E.	350.0 meters	to corner 72;
11	Thence	Follow the road generally	300.0 meters	to corner 73,
12		in a northeasterly direction or about;		
13	Thence	Follow the road generally	500.0 meters	to corner 74,
14		in a northwesterly direction or about;		
15	Thence	Follow the road generally	620.0 meters	to corner 75,
16		in a northwesterly direction or about;		
17	Thence	Follow the road generally	250.0 meters	to corner 76,
18		in a northwesterly direction or about;		
19	Thence	Follow the road generally	275.0 meters	to corner 77,
20		in a southwesterly direction or about;		
21	Thence	Follow the road generally	180.0 meters	to corner 78,
22		in a southwesterly direction or about;		
23	Thence	Follow the road generally	460.0 meters	to corner 79,
24		in a northwesterly direction or about;		
25	Thence	Follow the road generally	600.0 meters	to corner 80,
26		in a northwesterly direction or about;		
27	Thence	Follow the road generally	300.0 meters	to corner 81,
28		in a northwesterly direction or about;		

1	Thence	Follow the road generally 130.0 meters	to corner 82,
2		in a southwesterly direction or about;	
3	Thence	Follow the road generally 350.0 meters	to corner 83,
4		in a northwesterly direction or about;	
5	Thence	Follow the road generally 400.0 meters	to corner 84,
6		in a northwesterly direction or about;	
7	Thence	Follow the road generally 250.0 meters	to corner 85,
8		in a southwesterly direction or about;	
9	Thence	Follow the road generally 550.0 meters	to corner 86,
10		in a southwesterly direction or about;	
11	Thence	N. 63°00" W.	350.0 meters to corner 87;
12	Thence	N. 03°00" W.	500.0 meters to corner 88;
13	Thence	N. 03°00" W.	500.0 meters to corner 89;
14	Thence	N. 03°00" W.	500.0 meters to corner 90;
15	Thence	N. 28°30" W.	350.0 meters to corner 91;
16	Thence	N. 28°30" W.	375.0 meters to corner 92;
17	Thence	N. 28°30" W.	330.0 meters to corner 93;
18	Thence	N. 11°00" W.	500.0 meters to corner 94;
19	Thence	N. 11°00" W.	500.0 meters to corner 95;
20	Thence	N. 61°00" W.	400.0 meters to corner 96;
21	Thence	N. 13°00" W.	500.0 meters to corner 97;
22	Thence	N. 13°00" W.	500.0 meters to corner 98;
23	Thence	N. 13°00" W.	350.0 meters to corner 99;
24	Thence	N. 33°00" E.	300.0 meters to corner 100;
25	Thence	N. 14°00" W.	400.0 meters to corner 101;
26	Thence	N. 14°00" W.	480.0 meters to corner 102;
27	Thence	N. 14°00" W.	500.0 meters to corner 103;

1	Thence	N. 37°00" E.	500.0 meters	to corner 104;
2	Thence	N. 37°00" E.	500.0 meters	to corner 105;
3	Thence	N. 37°00" E.	500.0 meters	to corner 106;
4	Thence	N. 24°00" W.	330.0 meters	to corner 107;
5	Thence	N. 05°00" W.	320.0 meters	to corner 108;
6	Thence	N. 05°00" W.	350.0 meters	to corner 109;
7	Thence	N. 26°00" E.	400.0 meters	to corner 110;
8	Thence	N. 26°00" E.	400.0 meters	to corner 111;
9	Thence	N. 26°00" E.	400.0 meters	to corner 112;
10	Thence	N. 26°00" E.	500.0 meters	to corner 113;
11	Thence	N. 60°00" E.	350.0 meters	to corner 114;
12	Thence	N. 60°00" E.	380.0 meters	to corner 115;
13	Thence	S. 85°00" E.	480.0 meters	to corner 116;
14	Thence	N. 74°30" E.	500.0 meters	to corner 117;
15	Thence	N. 74°30" E.	500.0 meters	to corner 118;
16	Thence	S. 30°00" E.	300.0 meters	to corner 119;
17	Thence	S. 27°00" W.	350.0 meters	to corner 120;
18	Thence	S. 69°00" E.	500.0 meters	to corner 121;
19	Thence	S. 69°00" E.	500.0 meters	to corner 122;
20	Thence	S. 69°00" E.	500.0 meters	to corner 123;
21	Thence	S. 69°00" E.	400.0 meters	to corner 124;
22	Thence	S. 69°00" E.	350.0 meters	to corner 125;
23	Thence	S. 41°00" E.	210.0 meters	to corner 126;
24	Thence	S. 80°00" E.	500.0 meters	to corner 127;
25	Thence	S. 80°00" E.	500.0 meters	to corner 128;
26	Thence	S. 80°00" E.	500.0 meters	to corner 129;
27	Thence	S. 80°00" E.	500.0 meters	to corner 130;

1	Thence	S. 80°00" E.	500.0 meters	to corner 131;
2	Thence	S. 80°00" E.	500.0 meters	to corner 132;
3	Thence	S. 80°00" E.	500.0 meters	to corner 133;
4	Thence	S. 80°00" E.	500.0 meters	to corner 134;
5	Thence	S. 54°00" E.	500.0 meters	to corner 135;
6	Thence	S. 54°00" E.	500.0 meters	to corner 136;
7	Thence	S. 54°00" E.	650.0 meters	to corner 137;
8	Thence	S. 20°00" W.	500.0 meters	to corner 138;
9	Thence	S. 20°00" W.	500.0 meters	to corner 139;
10	Thence	S. 20°00" W.	500.0 meters	to corner 140;
11	Thence	S. 20°00" W.	500.0 meters	to corner 141;
12	Thence	S. 20°00" W.	500.0 meters	to corner 142;
13	Thence	S. 20°00" W.	550.0 meters	to corner 143;
14	Thence	S. 20°00" W.	550.0 meters	to corner 144;
15	Thence	Follow Aliwagwag, 450.0 meters to corner 145, creek		
16		downstream in a southeasterly direction or about;		
17	Thence	Follow Aliwagwag, 450.0 meters to corner 146, creek		
18		downstream in a southeasterly direction or about;		
19	Thence	Follow Aliwagwag, 410.0 meters to corner 147, creek		
20		downstream in a southeasterly direction or about;		
21	Thence	Follow Aliwagwag, 420.0 meters to corner 148, creek		
22		<i>downstream in a southeasterly direction or about;</i>		
23	Thence	Follow Aliwagwag, 550.0 meters to corner 149, creek		
24		downstream in a southeasterly direction or about;		
25	Thence	Follow Cateel, 230.0 meters to corner 150, creek		
26		upstream in a southwesterly direction or about;		

1	Thence	Follow Aliwagwag, 500.0 meters to corner 151, creek		
2		upstream in a northwesterly direction or about;		
3	Thence	Follow Aliwagwag, 500.0 meters to corner 152, creek		
4		upstream in a northwesterly direction or about;		
5	Thence	Follow Aliwagwag, 500.0 meters to corner 153, creek		
6		upstream in a northwesterly direction or about;		
7	Thence	Follow Aliwagwag, 670.0 meters to corner 154, creek		
8		upstream in a northwesterly direction or about;		
9	Thence	S. 20°00" W.	350.0 meters	to corner 155;
10	Thence	S. 38°00" E.	500.0 meters	to corner 156;
11	Thence	S. 38°00" E.	500.0 meters	to corner 157;
12	Thence	S. 38°00" E.	500.0 meters	to corner 158;
13	Thence	S. 38°00" E.	500.0 meters	to corner 159;
14	Thence	S. 38°00" E.	500.0 meters	to corner 160;
15	Thence	Follow the road generally 650.0 meters to corner 161, in		
16		a southwesterly direction or about;		
17	Thence	N. 18°00" W.	520.0 meters	to corner 162;
18	Thence	N. 45°00" W.	350.0 meters	to corner 163;
19	Thence	N. 45°00" W.	400.0 meters	to corner 164;
20	Thence	N. 45°00" W.	350.0 meters	to corner 165;
21	Thence	N. 45°00" W.	350.0 meters	to corner 166;
22	Thence	N. 45°00" W.	350.0 meters	to corner 167;
23	Thence	N. 45°00" W.	300.0 meters	to corner 168;
24	Thence	N. 45°00" W.	370.0 meters	to corner 169;
25	Thence	N. 45°00" W.	250.0 meters	to corner 170;
26	Thence	N. 25°00" E.	400.0 meters	to corner 171;
27	Thence	N. 25°00" E.	400.0 meters	to corner 172;

1	Thence	N. 25°00" E.	530.0 meters	to corner 173;
2	Thence	N. 25°00" E.	520.0 meters	to corner 174;
3	Thence	N. 25°00" E.	420.0 meters	to corner 175;
4	Thence	N. 25°00" E.	350.0 meters	to corner 176;
5	Thence	N. 25°00" E.	350.0 meters	to corner 177;
6	Thence	N. 25°00" E.	350.0 meters	to corner 178;
7	Thence	N. 25°00" E.	430.0 meters	to corner 179;
8	Thence	N. 25°00" E.	400.0 meters	to corner 180;
9	Thence	N. 58°00" W.	350.0 meters	to corner 181;
10	Thence	N. 58°00" W.	500.0 meters	to corner 182;
11	Thence	N. 58°00" W.	530.0 meters	to corner 183;
12	Thence	N. 58°00" W.	350.0 meters	to the point of
13	beginning, containing an approximate area of four hundred twenty and 60/100			
14	(420.60) hectares, more or less.			

15 SEC. 6. *Definition of Terms.* – The following terms are hereby defined
16 for the purpose of this Act:

17 (a) “Ancestral domain” shall refer to all areas generally belonging to
18 indigenous cultural communities or indigenous peoples (ICCs/IPs) comprising
19 lands, inland waters, coastal areas and natural resources held under a claim of
20 ownership, occupied or possessed by the ICCs/IPs, by themselves or through
21 their ancestors, communally or individually since time immemorial,
22 continuously to the present except if interrupted by war, *force majeure* or
23 displacement by force, deceit, stealth or as a consequence of government
24 projects or any other voluntary dealings entered into by government or public
25 individuals/corporations, and which are necessary to ensure their economic,
26 social and cultural welfare. It shall include ancestral lands, forests, pasture,
27 residential, agricultural and other lands individually-owned, whether alienable

1 and disposable or otherwise, hunting grounds, burial grounds, worship areas,
2 bodies of water, mineral and other natural resources, and lands which may no
3 longer be exclusively occupied by ICCs/IPs but from which they traditionally
4 had access to for their subsistence and traditional activities, particularly the
5 home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators.

6 (b) "Biodiversity" shall refer to the variety and variability among living
7 organisms and ecological complexes in which said organisms occur.

8 (c) "Buffer zone" shall refer to identified areas outside the boundaries
9 of and immediately adjacent to the AFPL that need special development
10 control in order to protect and/or minimize any harm to the AFPL.

11 (d) "By-products or derivatives" shall refer to any part taken or
12 substance extracted from wildlife in raw or in processed form. This includes
13 stuffed animals and herbarium specimens.

14 (e) "Collection or collecting" shall refer to the act of gathering or
15 harvesting wildlife, its by-products or derivatives.

16 (f) "Conservation" shall refer to sustainable use of wildlife and/or
17 maintenance, restoration and enhancement of *habitat*.

18 (g) "Endangered species" shall refer to any species or subspecies of
19 flora and fauna that is not critically endangered but whose survival in the wild
20 is unlikely if the causal factors continue operating.

21 (h) "Habitat" shall refer to a place or type of environment where a
22 species or subspecies naturally occurs or has naturally established its
23 population.

24 (i) "Hunting" shall refer to the act of collecting wild fauna for food
25 and/or recreational purposes with the use of weapons such as guns, bow and
26 arrow, spear and the like.

27 (j) "Indigenous cultural community or indigenous peoples (ICC/IPs)"
28 shall refer to a group of people or a homogenous society identified by self-

1 ascription and ascription by others, who have continuously lived as organized
2 community on communally bounded and defined territory, and who have,
3 under claims of ownership since time immemorial, occupied, possessed and
4 utilized such territories, sharing common bonds of language, customs,
5 traditions and other distinctive cultural traits, or who have, through resistance
6 to political, social and cultural inroads of colonization, non-indigenous
7 religions and cultures, became historically differentiated from the majority of
8 Filipinos. Also includes peoples who are regarded as indigenous on account of
9 their descent from the populations which inhabited the country, at the time of
10 conquest or colonization, or at the time of inroads of non-indigenous religions
11 and cultures, or the establishment of present state boundaries, who retain some
12 or all of their own social, economic, cultural and political institutions, but who
13 may have been displaced from their traditional domains or who may have
14 resettled outside their ancestral domains.

15 (k) "Industrial Forest Management Agreement (IFMA)" shall refer to a
16 production-sharing contract entered into by and between the DENR and a
17 qualified person, whether natural or juridical, wherein the former grants to the
18 latter the exclusive right and responsibility to invest in, develop, manage and
19 protect a defined area of the production forestland, including the establishment,
20 management and utilization of industrial forest plantation, consistent with the
21 principle of sustainable development primarily to supply the raw material
22 requirements of wood-based processing and energy-related industries and
23 wherein both parties share in the benefits.

24 (l) "Management plan" shall refer to the fundamental plan, strategy
25 and/or scheme, which shall guide all activities relating to the protected area in
26 order to attain the objectives of this Act.

1 (m) "Mineral" shall refer to all naturally occurring inorganic substance
2 in solid, gas, liquid or any intermediate state including energy materials such as
3 coal, petroleum, natural gas, radioactive materials and geothermal energy.

4 (n) "Multiple-use zone" shall refer to a portion of the protected area
5 where settlement, traditional and/or sustainable land-use, including agriculture,
6 agro-forestry, extraction activities and other income-generating or livelihood
7 activities, may be allowed to the extent prescribed in the management plan.

8 (o) "National Integrated Protected Areas System (NIPAS)" shall refer
9 to the classification of all designated protected areas pursuant to Republic Act
10 No. 7586, otherwise known as the "National Integrated Protected Areas
11 System Act of 1992", in order to maintain essential ecological processes and
12 life-support systems, to protect genetic diversity, to ensure sustainable use of
13 resources and to maintain their natural conditions to the greatest extent
14 possible.

15 (p) "National park" shall refer to land of the public domain classified
16 as such pursuant to the 1987 Philippine Constitution and includes all areas
17 under the NIPAS Act of 1992, which were designated for the conservation of
18 native plants and animals, their associated habitats and cultural diversity.

19 (q) "Nongovernmental organization (NGO)" shall refer to any civic,
20 development or philanthropic organization, which is created by private
21 individuals or organizations with no participation or representation of the
22 government or any of its agencies or branches.

23 (r) "Nonrenewable resources" shall refer to those resources found
24 within the AFPL and its buffer zones, the natural replenishment rate of which
25 is either not known or takes more than twenty-five (25) years.

26 (s) People's organization (PO)" shall refer to a group of organized
27 migrant communities and/or interested indigenous peoples which may be an
28 association, cooperative, federation or other legal entity, established to

1 undertake collective action to address community concerns and needs, and
2 mutually share the benefits of the endeavor.

3 (t) "Protected areas" shall refer to identified portions of land and water
4 set aside by reason of their unique physical and biological significance,
5 managed to enhance biological diversity and protected against destructive
6 human exploitation.

7 (u) "Protected landscape" shall refer to an area of national significance,
8 which is characterized by the harmonious interaction of man and land while
9 providing opportunities for public enjoyment through recreation and tourism
10 within the normal lifestyle and economic activity of the area.

11 (v) "Protected species" shall refer to any species listed under the
12 Convention on International Trade of Endangered Species (CITES), or any
13 plant or animal that shall be declared as protected under Philippine laws, rules
14 and regulations issued by the DENR or the Protected Area Management Board
15 (PAMB) or through the management plan herein provided.

16 (w) "Public consultation" shall refer to a meeting or dialogue with
17 concerned or affected individuals within and outside the AFPL, designed to
18 identify and resolve issues and problems affecting them.

19 (x) "Timber License Agreement (TLA)" shall refer to a privilege
20 granted by the State to a person to utilize forest resources within a forestland
21 with the right of possession and occupation thereof to the exclusion of others
22 except the government, but with a corresponding obligation to develop, protect
23 and rehabilitate the same in accordance with the terms and conditions set forth
24 in the said agreement.

25 *SEC. 7. Creation of the Protected Area Management Board (PAMB). –*
26 There is hereby created a Protected Area Management Board for the AFPL
27 (AFPL-PAMB), which shall have sole jurisdiction, power and authority over

1 the AFPL for all matters that may affect biodiversity conservation, protection
2 and sustainable development. It shall be composed of the following:

3 (a) The Regional Executive Director (RED) of the DENR-Region XI,
4 as chairperson;

5 (b) The provincial planning and development officers of the provinces
6 of Davao Oriental and Compostela Valley;

7 (c) The mayors of the municipalities of Boston and Cateel, Province of
8 Davao Oriental, and the Municipality of Compostela, Province of Compostela
9 Valley, or their duly designated representatives;

10 (d) A representative from each barangay with territory within the
11 AFPL;

12 (e) At least two (2) representatives from POs;

13 (f) At least three (3) representatives from local NGOs;

14 (g) One (1) representative from government agencies involved in the
15 management of the AFPL; and

16 (h) One (1) representative from each tribal community within the
17 AFPL.

18 Each member of the AFPL-PAMB shall serve for a term of five (5)
19 years and shall be considered to represent and carry the vote of his or her
20 sector in all matters. The members who represent government officials or
21 agencies or juridical personalities shall serve according to the term of office of
22 their principals, unless sooner terminated by such official/s.

23 The members of the AFPL-PAMB shall be appointed by the Secretary
24 of the DENR in conformity with the provisions of the NIPAS Act. Their
25 nominations shall be conducted during a joint meeting of the current PAMB:
26 *Provided, That at least one-third (1/3) of the members shall be women.*

27 In the selection of the representatives of POs and NGOs, preference
28 shall be accorded to those organizations that are involved in the conservation,

1 protection and development of the AFPL. Representation shall be by institution
2 and shall aim to achieve balance by geographic location or areas.

3 The representatives from the LGUs and national agencies shall include
4 among their duties the task of informing or educating their respective
5 constituencies, offices or sectors pertaining to policies, rules, regulations,
6 programs and projects of the AFPL-PAMB. These representatives shall
7 likewise ensure that the provisions of this Act and its implementing rules and
8 regulations are observed, complied with and used as reference and framework
9 in the respective plans, policies, programs and projects of their offices or
10 organizations. Failure to comply with the foregoing shall subject such
11 representative/s to disciplinary action as may be provided by the AFPL-
12 PAMB.

13 The members of the AFPL-PAMB shall not receive any salary but shall
14 be entitled to reimbursements for actual and necessary expenses incurred,
15 either in their attendance in meetings of the AFPL-PAMB or in connection
16 with other official business authorized by the AFPL-PAMB, subject to existing
17 rules and regulations.

18 The Secretary of the DENR shall exercise authority over the AFPL-
19 PAMB to ensure that it is acting within the scope of its powers and functions.
20 In case of conflict between administrative orders of national application issued
21 by the DENR pursuant to the NIPAS Act and the rules and regulations issued
22 by the AFPL-PAMB, the latter shall notify the Secretary of the DENR, who
23 shall resolve such conflict.

24 *SEC. 8. Powers and Functions of the AFPL-PAMB.* – The AFPL-
25 PAMB shall have the following powers and functions, in addition to the duties
26 and functions enumerated in the implementing rules and regulations of the
27 NIPAS Act:

1 (a) Issue rules and regulations pertaining to the prohibited acts
2 enumerated in Section 12 and the NIPAS Act;

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

5 (c) Adopt rules and procedures in the conduct of business, including
6 the creation of committees to which its powers may be delegated;

7 (d) Approve the management plan and oversee the Office of the
8 Protected Area Superintendent (PASu);

9 (e) Establish criteria and set fees for the issuance of permits to
10 activities regulated by this Act or the management plan;

11 (f) Recommend the deputation of appropriate individuals, including
12 local community leaders, for the enforcement of the laws, rules and regulations
13 governing the conduct or management of the AFPL;

14 (g) Approve fees and charges in accordance with DENR
15 Administrative Order No. 51, series of 2000 and raise funds for the AFPL;

16 (h) Administer the AFPL Fund and other funds allocated to the AFPL
17 from other sources and render proper accounting; and

18 (i) Recommend appropriate policy changes to the DENR and other
19 government authorities.

20 The RED shall ensure that the AFPL-PAMB acts within the scope of its
21 powers and functions. In case of conflict between administrative orders issued
22 by the DENR pursuant to the NIPAS Act and the issuances of the PAMB, such
23 conflict shall be raised to the DENR Secretary, who shall decide which rule or
24 regulation shall apply to the AFPL in case attempts to harmonize the
25 conflicting issuances fail.

26 *SEC. 9. Protected Area Superintendent's Office.* – The Office of the
27 Protected Area Superintendent (PASu) is hereby created within the
28 DENR-Regional Office XI, to be headed by the PASu, who shall serve as the

1 DENR's chief operating officer for the AFPL. The PASu shall report directly
2 to the RED of the DENR-Region XI and shall be accountable to the PAMB.
3 The PASu and the staff shall reside within the AFPL and establish an office in
4 the area.

5 The PASu shall have full responsibility for the protection of land, water,
6 wildlife and other natural, physical and biological resources within the AFPL.
7 As such, the PASu shall have the following powers and functions in addition to
8 those provided under the NIPAS Act of 1992 and its implementing rules and
9 regulations:

10 (a) Establish, operate and maintain a database management system as a
11 decision support tool;

12 (b) Prepare the management plan as herein defined;

13 (c) Provide a secretariat for the AFPL-PAMB and supply the latter
14 with the necessary information to make appropriate decisions;

15 (d) Enforce the laws, rules and regulations relevant to the AFPL,
16 institute and file legal action independently or in collaboration with other
17 government agencies or organizations and assist in the prosecution of offenses
18 committed in violation of this Act;

19 (e) Monitor all activities within the AFPL to ensure its conformity with
20 the management plan;

21 (f) Ensure the integration of the AFPL management policies,
22 regulations, programs and projects in all concerned national and local
23 government unit levels;

24 (g) Recommend the issuance of permits based on terms, conditions and
25 criteria established by the AFPL-PAMB; and

26 (h) Perform such other powers and duties as may from time to time be
27 prescribed by the AFPL-PAMB and higher authorities.

1 SEC. 10. *Indigenous People's Rights.* – Ancestral domain and other
2 customary rights and interests of indigenous communities within the AFPL
3 shall be accorded due recognition. The preservation of ancestral domain and
4 customary rights shall be considered as one of the management objectives.
5 The maintenance, management and development of ancestral domains which
6 are found to be necessary for the AFPL will be pursuant to Section 58 of
7 Republic Act No. 8371, otherwise known as “The Indigenous Peoples Rights
8 Act of 1997” (IPRA).

9 The identification, delineation and recognition of ancestral domain
10 claims within the AFPL shall be conducted by the National Commission on
11 Indigenous Peoples (NCIP) pursuant to the provisions of the IPRA and its
12 implementing rules and regulations, in coordination with the AFPL-PAMB.

13 SEC. 11. *Tenured Migrants and Other AFPL Occupants.* – Tenured
14 migrants shall be eligible to become stewards of portions of lands within
15 allowable zones. The AFPL-PAMB shall identify, verify and review all
16 tenurial instruments, land claims and issuances of permits for resource-use
17 within the AFPL and recommend the issuance of the appropriate tenurial
18 instrument, consistent with the zoning provided in the management plan.

19 Should areas occupied by tenured migrants be designated as zones in
20 which no occupation or other activities are allowed pursuant to the attainment
21 of sustainable development, a provision for the transfer of said tenured
22 migrants to multiple-use zones or buffer zones shall be accomplished through
23 just and humane means.

24 In the event of termination of a tenurial instrument for cause or by
25 voluntary surrender of rights, the PASu shall take immediate steps to
26 rehabilitate the area in order to return it to its natural state prior to the
27 cultivation or other act by the tenured migrant.

1 Other AFPL occupants who do not qualify as tenured migrants shall be
2 resettled outside the AFPL as determined by the AFPL-PAMB. The AFPL-
3 PAMB shall determine, plan and implement a definite schedule for resettling
4 them outside of the AFPL, following the procedures set forth by existing law.

5 SEC. 12. *Prohibited Acts.* – The following shall be the prohibitions and
6 penalties applicable to the AFPL, in addition to the prohibited acts provided in
7 the NIPAS Act and its pertinent rules and regulations:

8 (a) The penalties provided for in Articles 309 and 310 of the Revised
9 Penal Code, depending on the value of the resources taken, damaged or
10 destroyed, shall be imposed upon any person who:

11 (1) takes, destroys, collects, disturbs or possesses any wild terrestrial or
12 aquatic plants or animals, flora or fauna, sand, rocks or by-products derived
13 therefrom within particularly identified regulated or prohibited areas or zones
14 including private lands without the necessary permit, authorization or
15 exemption: *Provided*, That hunting of animals shall be absolutely prohibited
16 except for scientific research and for traditional hunting by the ICCs/IPs;

17 (2) cuts, gathers, removes or collects timber or any forest products,
18 within particularly identified regulated or prohibited areas or zones including
19 private lands without the necessary permit, authorization or exemption;

20 (3) possesses or transports, within or outside the AFPL, any timber,
21 forest products, wild terrestrial or aquatic plants, animals, flora or fauna, or
22 by-products derived therefrom which is ascertained to have been taken from
23 the AFPL;

24 (4) engages in quarrying of sand, gravel, guano, limestone or any
25 material;

26 (5) hunts, collects, removes or destroys any endangered or protected
27 species, except when collection or removal is for scientific research and
28 exempted from the prohibition by the AFPL-PAMB;

1 (6) conducts bioprospecting activities without prior AFPL-PAMB
2 approval in accordance with existing guidelines; or

3 (7) establishes or introduces exotic species which are detrimental to
4 endemic species or without prior AFPL-PAMB approval.

5 (b) A fine of not less than Five thousand pesos (P5,000.00) nor more
6 than Five hundred thousand pesos (P500,000.00) and/or imprisonment from
7 one (1) year but not more than six (6) years shall be imposed upon any person
8 who:

9 (1) violates any rules and regulations in the management plan or
10 agreements reached before the AFPL-PAMB in the exercise of its adjudicative
11 functions;

12 (2) erects any structure on land or on water for any purpose outside the
13 management plan: *Provided*, That large-scale private infrastructure and other
14 projects such as medium to high density residential subdivisions, medium to
15 large commercial and industrial establishments, golf-courses, heavily
16 mechanized commercial and nontraditional farming, and other activities that
17 cause increased immigration, pollution and resource degradation are absolutely
18 prohibited:

19 (3) possesses a chainsaw, hacksaw and other mechanized equipment
20 within the AFPL without a permit;

21 (4) throws, dumps or causes to be dumped into the AFPL any non-
22 biodegradable material or waste whether liquid, solid or gas;

23 (5) uses, dumps, places or causes to be placed into the AFPL toxic
24 chemicals, including pesticides and other hazardous substances, unless the
25 same is expressly allowed in the management plan;

26 (6) prospects, hunts or otherwise locates hidden treasures;

27 (7) informally occupies or dwells in any land without clearance from
28 the AFPL-PAMB;

1 (8) possesses or uses blasting caps or explosives;

2 (9) destroys, excavates, vandalizes or, in any manner, damages any
3 natural formation on land, religious, spiritual, historical sites, artifacts and
4 other objects of natural or scenic value;

5 (10) alters, removes or destroys boundary marks or signs;

6 (11) engages in slash-and-burn farming or kaingin or in any manner,
7 causing forest fires; or

8 (12) purchases, sells, mortgages or leases lands which are covered by
9 any *tenurial instrument*.

10 Valuation of the damage resulting from any of the prohibited acts
11 pursuant to this Act shall take into account biodiversity and conservation
12 considerations as well as aesthetic and scenic value. Valuation assessed by the
13 DENR or the concerned government agency shall be presumed correct unless
14 otherwise proven by preponderant evidence.

15 Any person who shall induce another or conspire to commit any of the
16 illegal acts prohibited in this Act or suffer their workers to commit any of the
17 same shall be liable in the same manner as the one actually performing the act.

18 All conveyances, vessels, equipments, paraphernalia, implements, gears,
19 tools and similar devices shall be subject to immediate and administrative
20 *confiscation, independent of the judicial proceedings by the PASu office upon*
21 *apprehension, subject, however, to due process and substantial evidence*
22 *requirements. When legal action is, however, filed in the regular courts, the*
23 *said conveyances, vessels, equipments, paraphernalia, implements, gears, tools*
24 *and similar devices, independent of the administrative proceedings, shall not*
25 *be released until after judgment has been rendered. Proceeds of the sale of all*
26 *objects administratively or judicially confiscated pursuant hereto shall accrue*
27 *to the AFPL Fund. Procedure for the sale thereof shall be promulgated by the*
28 *AFPL-PAMB. However, in no case shall any confiscated or rescued protected*

1 animal species be sold or in any manner disposed of but shall be immediately
2 turned over to the PASu office for release in its natural habitat, subject to
3 existing regulations.

4 The penalties specified in this section shall be in addition to the
5 penalties contained in Republic Act No. 9072, otherwise known as the
6 “National Caves and Cave Resources Management and Protection Act”;
7 Republic Act No. 9147, otherwise known as the “Wildlife Resources
8 Conservation and Protection Act”; and other related laws.

9 Conviction for any offense under this Act of a public officer or officer
10 of the law shall carry the accessory penalty of perpetual disqualification from
11 public office.

12 *SEC. 13. Special Prosecutor and Retained Counsel.* – Within thirty
13 (30) days from the effectivity of this Act, the Department of Justice shall
14 appoint a special prosecutor to whom all cases of violation of laws, rules and
15 regulations in the AFPL shall be assigned. Such special prosecutor shall
16 coordinate with the AFPL-PAMB and the PASu in the performance of his/her
17 duties and assist in the training of wardens and rangers in arrest and criminal
18 procedures. The AFPL-PAMB may retain the services of a counsel to
19 prosecute and/or assist in the prosecution of cases under the direct control and
20 supervision of the regular or special prosecutor and to defend the members of
21 the AFPL-PAMB, the PASu and the staff, or any person assisting in the
22 protection, conservation and sustainable development of the AFPL, against any
23 legal action related to their powers, functions and responsibilities as provided
24 in this Act or as delegated or tasked by the AFPL-PAMB.

25 *SEC. 14. Aliwagwag Falls Protected Landscape Fund.* – There is
26 hereby established a trust fund to be known as the AFPL Fund for purposes of
27 financing projects of the AFPL. Seventy-five percent (75%) of the income
28 generated from the operation of the AFPL or the management of wild flora and

1 fauna in the AFPL shall accrue to the fund. The remaining twenty-five percent
2 (25%) shall go to the Integrated Protected Areas Fund (IPAF), as established
3 in the NIPAS Act of 1992.

4 Income shall be derived from visitor/tourist fees, fees from permitted
5 sale and export of flora and fauna and other resources from the AFPL,
6 proceeds from the registration and lease of multiple-use areas, including
7 tourism concessions, fees, proceeds and contributions from industries and
8 facilities directly benefiting from the AFPL, and such other fees and income
9 derived from the operation of the AFPL.

10 The AFPL-PAMB may impose and charge reasonable fees such as, but
11 not limited to, water users fees for water extracted by commercial water
12 extractors/distributors and generated from the protected area. Such fee
13 structure may change as the AFPL-PAMB may see fit.

14 The fund may be augmented by grants, donations, endowment from
15 various sources, domestic or foreign, for purposes related to their functions:
16 *Provided*, That disbursements therefrom shall be made solely for the
17 protection, maintenance, administration and management of the system, and
18 duly approved projects endorsed by the AFPL-PAMB in accordance with
19 existing accounting and budgeting rules and regulations: *Provided, further*,
20 That the fund shall not be used to cover personal services expenditures.

21 The LGUs shall continue to impose and collect all other fees not
22 enumerated herein which they have traditionally collected, such as business
23 permits, property tax and rentals of LGUs' facilities. Furthermore, LGUs may
24 charge add-ons to fees imposed by the AFPL-PAMB: *Provided*, That such
25 add-ons shall be determined based on the contribution of the LGUs in the
26 maintenance and protection of the AFPL.

27 SEC. 15. *Existing Facilities Within the AFPL*. – Within sixty (60) days
28 from the effectivity of this Act, major existing facilities such as roads,

1 buildings, water systems, transmission lines, communication facilities, heavy
2 equipment and irrigation facilities existing within the boundaries of the AFPL
3 shall submit a project description to the AFPL-PAMB through the PASu.

4 The AFPL-PAMB, with the assistance of the DENR, shall determine
5 whether the existence of such facility and its future plans and operations will
6 be detrimental to the AFPL or whether conditions for its operation shall be
7 imposed. If any such conditions are violated, the owner of the facility shall be
8 liable to pay a fine of Five thousand pesos (P5,000.00) for every violation.
9 Upon reaching a total fine of Five hundred thousand pesos (P500,000.00), the
10 AFPL-PAMB, through the PASu and deputizing other government entities,
11 shall cause the cessation and demolition of the facility at the cost of its owner.

12 Existing facilities allowed to remain within the AFPL may be charged a
13 reasonable fee by the DENR. All income from such royalty shall accrue to the
14 AFPL Fund.

15 SEC. 16. *Utilization of Resources.* – Any exploitation of or utilization
16 of nonrenewable resources within the AFPL shall not be allowed. Energy
17 projects within the AFPL shall be allowed only through an act of Congress,
18 except energy from wind, sun and water sources of not more than one (1)
19 megawatt capacity for mini-hydro power: *Provided*, That these renewable
20 energy projects are established outside the strict protection zone, adopt
21 reduced impact technologies and undergo the environmental impact assessment
22 (EIA) system as provided by law: *Provided, further*, That the AFPL-PAMB
23 endorsement has been obtained.

24 SEC. 17. *Appropriations.* – The Secretary of the DENR shall include in
25 its program the implementation of this Act, the funding of which shall be
26 included in the annual General Appropriations Act.

27 SEC. 18. *Construction and Suppletory Application of Existing Laws.* –
28 The provisions of this Act shall be construed liberally in favor of achieving

1 biodiversity conservation, protection and sustainable development, the
2 provisions of the NIPAS Act of 1992, existing forestry laws and their
3 corresponding rules and regulations not inconsistent hereto shall have
4 suppletory effect in the implementation of this Act.

5 **SEC. 19. *Transitory Provisions.*** – In order to ensure the recovery and
6 restoration of biological diversity and to develop sustainable livelihood
7 opportunities for tenured migrants, the DENR shall henceforth cease to issue
8 concessions, licenses, permits, clearances, compliance documents or any other
9 instrument that allows exploitation and utilization of resources within the
10 AFPL until the management plan shall have been put into effect.

11 All existing land-use and resource-use permits within the AFPL shall be
12 reviewed and shall not be renewed upon their expiration unless consistent with
13 the management plan and approved by the AFPL-PAMB. Moreover, areas
14 determined as wildlife habitat and potable water sources shall be declared
15 protected and special-use zones, respectively, and their management and uses
16 shall be consistent with the provisions of the respective executive orders,
17 presidential proclamations and amendments establishing them.

18 **SEC. 20. *Reporting Responsibility.*** – The PASu, through the AFPL-
19 PAMB, shall submit an annual accomplishment report to the Secretary of the
20 DENR on the activities undertaken in the AFPL.

21 **SEC. 21. *Separability Clause.*** – If, for any reason, any part or section
22 of this Act is declared invalid or unconstitutional, such other parts not affected
23 thereby shall continue to be in full force and effect.

24 **SEC. 22. *Repealing Clause.*** – All laws, decrees, proclamations, rules
25 and regulations inconsistent with the provisions of this Act are hereby repealed
26 or modified accordingly.

1 SEC. 23. *Effectivity Clause.* – This Act shall take effect after fifteen
2 (15) days following its publication in the *Official Gazette* or in a newspaper of
3 general circulation.

Approved,

O