



## HOUSE OF REPRESENTATIVES

H. No. 5432

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BY REPRESENTATIVES ERIGUEL, MATUGAS AND ABAYA, PER COMMITTEE  
REPORT NO. 1495

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AN ACT ESTABLISHING THE AGOO-DAMORTIS PROTECTED  
LANDSCAPE AND SEASCAPE IN THE PROVINCE OF LA UNION  
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 “Agoo-Damortis  
2   Protected Landscape and Seascape (ADPLS) Act of 2011”.

3           SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the  
4   State to regulate the utilization of terrestrial and marine resources within the  
5   Agoo-Damortis landscape and seascape to ensure the continuity of endangered,  
6   threatened and rare species therein, as well as conserve, protect and preserve  
7   its scenic, educational, cultural, historical and recreational features, through its  
8   establishment as a protected area in accordance with the provisions of  
9   Republic Act No. 7586, otherwise known as the “National Integrated Protected  
10  Areas System Act of 1992”.

1           SEC. 3. *Land Classification.* – All lands and waters of the public  
2 domain comprising the ADPLS shall fall under the classification of National  
3 Park as provided for in the 1987 Philippine Constitution.

4           SEC. 4. The boundaries of the ADPLS shall be as follows: Parcel  
5 I - Beginning at Corner "1", N. 34° 23' 45" W., 5,314.48 meters from BLLM  
6 #1, CAD 314-D, Agoo, Cadastre (N-1806567.81 and E-218537.90)

7	LINE	BEARING	DISTANCE (meters)
8	1-2	S. 32° 40' 40" E.	327.20
9	2-3	S. 07° 55' 14" E.	105.19
10	3-4	N. 41° 29' 47" E.	31.45
11	4-5	S. 39° 42' 35" E.	69.48
12	5-6	S. 48° 10' 47" W.	23.10
13	6-7	S. 31° 11' 05" E.	80.48
14	7-8	S. 28° 44' 42" E.	138.46
15	8-9	S. 24° 20' 27" E.	41.76
16	9-10	N. 71° 33' 54" E.	20.05
17	10-11	S. 31° 50' 07" E.	194.08
18	11-12	N. 58° 20' 55" E.	77.69
19	12-13	S. 15° 18' 46" E.	78.90
20	13-14	S. 69° 08' 43" W.	20.36
21	14-15	S. 04° 36' 59" E.	34.91
22	15-16	N. 88° 27' 39" W.	17.29
23	16-17	S. 04° 05' 08" E.	146.23
24	17-18	N. 67° 16' 54" E.	18.38
25	18-19	S. 02° 59' 25" E.	121.56
26	19-20	S. 03° 48' 27" E.	266.03
27	20-21	S. 06° 33' 48" W.	321.00
28	21-22	S. 01° 31' 16" E.	392.41

1	22-23	S. 08° 44' 29" W.	426.22
2	23-24	S. 09° 01' 05" W.	326.55
3	24-25	S. 10° 15' 59" W.	424.44
4	25-26	S. 08° 38' 10" W.	413.27
5	26-27	S. 30° 58' 40" W.	315.94
6	27-28	S. 00° 53' 33" W.	319.84
7	28-29	S. 03° 16' 04" W.	294.01
8	29-30	S. 04° 57' 41" W.	413.76
9	30-31	S. 03° 13' 28" W.	64.42
10	31-32	S. 02° 56' 17" E.	273.96
11	32-33	S. 07° 20' 07" E.	244.80
12	33-34	S. 08° 27' 18" E.	135.55
13	34-35	S. 03° 35' 53" E.	295.92
14	35-36	S. 01° 23' 40" E.	241.96
15	36-37	S. 01° 03' 39" W.	48.93
16	37-38	S. 01° 06' 44" E.	93.33
17	38-39	S. 00° 05' 51" W.	265.44
18	39-40	S. 12° 42' 29" E.	455.06
19	40-41	S. 33° 57' 13" E.	81.91
20	41-42	S. 40° 09' 56" E.	129.22
21	42-43	S. 19° 01' 32" E.	166.74
22	43-44	S. 23° 14' 10" E.	90.70
23	44-45	S. 20° 29' 50" E.	103.49
24	45-46	S. 21° 35' 43" E.	257.23
25	46-47	S. 25° 29' 00" E.	386.38
26	47-48	S. 25° 03' 09" E.	307.01
27	48-49	S. 31° 29' 22" E.	533.33
28	49-50	S. 29° 22' 17" E.	206.88

1	50-51	S. 22° 49' 27" E.	409.87
2	51-52	S. 16° 46' 09" E.	354.82
3	52-53	S. 12° 09' 28" E.	402.20
4	53-54	S. 09° 57' 23" E.	379.88
5	54-55	S. 34° 49' 38" E.	310.12
6	55-56	S. 51° 26' 29" E.	239.82
7	56-57	S. 26° 56' 39" E.	244.92
8	57-58	S. 42° 47' 55" E.	508.69
9	58-59	S. 48° 02' 11" E.	326.53
10	59-60	S. 35° 55' 01" E.	294.20
11	60-61	S. 05° 29' 32" E.	189.31
12	61-62	S. 29° 58' 17" E.	511.40
13	62-63	N. 61° 58' 55" E.	111.86
14	63-64	N. 29° 10' 22" E.	489.73
15	64-65	N. 15° 18' 03" W.	99.56
16	65-66	N. 46° 18' 22" W.	491.79
17	66-67	N. 13° 47' 39" W.	416.05
18	67-68	N. 25° 38' 27" W.	728.56
19	68-69	N. 57° 54' 29" E.	1081.11
20	69-70	S. 60° 37' 54" E.	273.40
21	70-71	S. 04° 51' 23" W.	139.11
22	71-72	S. 54° 09' 23" E.	2260.34
23	72-73	S. 24° 54' 08" E.	2164.43
24	73-74	N. 87° 11' 24" E.	147.85
25	74-75	S. 09° 45' 08" E.	117.66
26	75-76	S. 18° 35' 15" E.	268.58
27	76-77	S. 14° 25' 24" E.	260.05
28	77-78	S. 22° 50' 17" E.	274.26

1	78-79	S. 20° 34' 31" E.	314.49
2	79-80	S. 41° 43' 05" E.	229.39
3	80-81	S. 29° 24' 56" E.	195.53
4	81-82	S. 11° 08' 02" E.	86.79
5	82-83	S. 18° 11' 56" E.	208.85
6	83-84	S. 16° 01' 15" E.	329.90
7	84-85	S. 17° 58' 53" E.	162.87
8	85-86	S. 52° 18' 20" E.	25.19
9	86-87	S. 07° 46' 46" E.	324.60
10	87-88	S. 17° 55' 03" E.	285.64
11	88-89	S. 14° 15' 05" E.	292.57
12	89-90	S. 25° 49' 52" E.	221.43
13	90-91	S. 21° 34' 53" E.	219.21
14	91-92	S. 46° 58' 29" E.	195.18
15	92-93	S. 88° 57' 53" W.	4914.67
16	93-94	N. 53° 18' 37" W.	6304.71
17	94-95	N. 29° 38' 36" W.	4194.52
18	95-96	N. 22° 01' 26" W.	1601.73
19	96-97	N. 21° 49' 58" W.	2764.87
20	97-98	N. 02° 49' 35" E.	5502.18
21	98-99	N. 84° 05' 21" E.	5217.01
22	99-100	S. 06° 06' 55" E.	21.05
23	100-1	S. 17° 41' 25" E.	21.72

24 Parcel II - Beginning at Corner "1", N. 34° 23' 45" W., 5,314.48 meters  
 25 from BLLM #1, CAD 314-D, Agoo, Cadastre (N-1806567.81 and  
 26 E-218537.90)

27	LINE	BEARING	DISTANCE (meters)
28	1-2	N. 78° 07' 33" E.	50.95

1	2-3	S. 33° 26' 23" E.	335.04
2	3-4	S. 06° 37' 57" E.	45.67
3	4-5	S. 39° 38' 03" E.	135.62
4	5-6	S. 44° 59' 59" W.	22.38
5	6-7	S. 25° 03' 27" E.	179.35
6	7-8	N. 73° 04' 20" E.	25.36
7	8-9	S. 28° 24' 18" E.	176.32
8	9-10	N. 59° 02' 10" E.	110.73
9	10-11	S. 11° 57' 54" E.	162.85
10	11-12	S. 20° 07' 10" W.	113.48
11	12-13	S. 09° 09' 44" E.	33.13
12	13-14	S. 19° 29' 10" E.	72.74
13	14-15	S. 05° 20' 29" E.	130.33
14	15-16	S. 05° 05' 23" E.	261.62
15	16-17	S. 06° 48' 07" W.	325.13
16	17-18	S. 01° 35' 28" E.	398.95
17	18-19	S. 08° 37' 50" W.	418.31
18	19-20	S. 08° 46' 49" W.	335.21
19	20-21	S. 10° 35' 35" W.	421.81
20	21-22	S. 07° 53' 42" W.	418.59
21	22-23	S. 31° 20' 21" W.	317.46
22	23-24	S. 01° 21' 50" W.	310.26
23	24-25	S. 02° 29' 06" W.	304.13
24	25-26	S. 04° 15' 20" W.	405.19
25	26-27	S. 05° 31' 39" W.	65.72
26	27-28	S. 02° 19' 17" E.	273.48
27	28-29	S. 07° 16' 39" E.	245.69
28	29-30	S. 09° 54' 15" E.	134.94

1	30-31	S. 02° 57' 14" E.	296.86
2	31-32	S. 02° 59' 11" E.	242.99
3	32-33	S. 04° 51' 52" W.	49.77
4	33-34	S. 00° 19' 59" E.	90.73
5	34-35	S. 00° 13' 35" E.	266.92
6	35-36	S. 13° 08' 02" E.	438.76
7	36-37	S. 30° 34' 45" E.	53.92
8	37-38	S. 39° 48' 20" E.	144.20
9	38-39	S. 20° 33' 21" E.	189.30
10	39-40	S. 22° 46' 13" E.	92.68
11	40-41	S. 21° 41' 39" E.	366.75
12	41-42	S. 24° 46' 51" E.	363.71
13	42-43	S. 25° 37' 00" E.	313.57
14	43-44	S. 31° 17' 45" E.	514.86
15	44-45	S. 30° 08' 41" E.	234.24
16	45-46	S. 22° 33' 03" E.	404.40
17	46-47	S. 16° 34' 05" E.	353.33
18	47-48	S. 12° 23' 15" E.	418.03
19	48-49	S. 09° 43' 39" E.	374.64
20	49-50	S. 36° 10' 21" E.	260.08
21	50-51	S. 52° 44' 31" E.	249.20
22	51-52	S. 25° 13' 16" E.	241.40
23	52-53	S. 42° 43' 59" E.	499.85
24	53-54	S. 48° 15' 33" E.	328.03
25	54-55	S. 35° 49' 16" E.	334.39
26	55-56	S. 04° 03' 44" E.	186.15
27	56-57	S. 29° 44' 11" E.	451.99
28	57-58	N. 61° 17' 38" E.	50.52

1	58-59	N. 29° 49' 48" E.	439.03
2	59-60	N. 12° 48' 15" W.	71.41
3	60-61	N. 46° 21' 31" W.	487.66
4	61-62	N. 14° 16' 29" W.	430.01
5	62-63	N. 25° 18' 32" W.	774.91
6	63-64	N. 58° 06' 40" E.	1154.33
7	64-65	S. 60° 35' 49" E.	328.79
8	65-66	S. 02° 38' 33" W.	137.30
9	66-67	S. 54° 05' 57" E.	2245.41
10	67-68	S. 24° 59' 13" E.	2141.70
11	68-69	S. 89° 37' 57" E.	164.59
12	69-70	S. 07° 41' 12" E.	173.53
13	70-71	S. 18° 54' 32" E.	262.07
14	71-72	S. 15° 19' 33" E.	261.45
15	72-73	S. 21° 48' 05" E.	272.71
16	73-74	S. 19° 49' 12" E.	269.15
17	74-75	S. 42° 01' 34" E.	230.08
18	75-76	S. 30° 21' 05" E.	228.62
19	76-77	S. 08° 52' 50" E.	102.51
20	77-78	S. 19° 10' 44" E.	205.53
21	78-79	S. 16° 05' 02" E.	329.40
22	79-80	S. 17° 29' 27" E.	131.63
23	80-81	S. 38° 09' 26" E.	37.57
24	81-82	S. 07° 19' 25" E.	339.32
25	82-83	S. 18° 32' 18" E.	277.08
26	83-84	S. 14° 51' 16" E.	304.53
27	84-85	S. 27° 28' 27" E.	208.10
28	85-86	S. 20° 27' 14" E.	208.31



1	86-87	S. 47° 05' 15" E.	235.52
2	87-88	S. 88° 25' 31" W.	72.44
3	88-89	N. 46° 58' 29" W.	195.18
4	89-90	N. 21° 34' 53" W.	219.21
5	90-91	N. 25° 49' 52" W.	221.43
6	91-92	N. 14° 15' 05" W.	292.57
7	92-93	N. 17° 55' 03" W.	285.64
8	93-94	N. 07° 46' 46" W.	324.60
9	94-95	N. 52° 18' 20" W.	25.19
10	95-96	N. 17° 58' 53" W.	162.87
11	96-97	N. 16° 01' 15" W.	329.90
12	97-98	N. 18° 11' 56" W.	208.85
13	98-99	N. 11° 08' 02" W.	86.79
14	99-100	N. 29° 24' 56" W.	195.53
15	100-101	N. 41° 43' 05" W.	229.39
16	101-102	N. 20° 34' 31" W.	314.49
17	102-103	N. 22° 50' 17" W.	274.26
18	103-104	N. 14° 25' 24" W.	260.05
19	104-105	N. 18° 35' 15" W.	268.58
20	105-106	N. 09° 45' 08" W.	117.66
21	106-107	S. 87° 11' 24" W.	147.85
22	107-108	N. 24° 54' 08" W.	2164.43
23	108-109	N. 54° 09' 23" W.	2260.34
24	109-110	N. 04° 51' 23" E.	139.11
25	110-111	N. 60° 37' 54" W.	273.40
26	111-112	S. 57° 54' 29" W.	1081.11
27	112-113	S. 25° 38' 27" E.	728.56
28	113-114	S. 13° 47' 39" E.	416.05

1	114-115	S. 46° 18' 22" E.	491.79
2	115-116	S. 15° 18' 03" E.	99.56
3	116-117	S. 29° 10' 22" W.	489.73
4	117-118	S. 61° 58' 55" W.	111.86
5	118-119	N. 29° 58' 17" W.	511.40
6	119-120	N. 05° 29' 32" W.	189.31
7	120-121	N. 35° 55' 01" W.	294.20
8	121-122	N. 48° 02' 11" W.	326.53
9	122-123	N. 42° 47' 55" W.	508.69
10	123-124	N. 26° 56' 39" W.	244.92
11	124-125	N. 51° 26' 29" W.	239.82
12	125-126	N. 34° 49' 38" W.	310.12
13	126-127	N. 09° 57' 23" W.	379.88
14	127-128	N. 12° 09' 28" W.	402.20
15	128-129	N. 16° 46' 09" W.	354.82
16	129-130	N. 22° 49' 27" W.	409.87
17	130-131	N. 29° 22' 17" W.	206.88
18	131-132	N. 31° 29' 22" W.	533.33
19	132-133	N. 25° 03' 09" W.	307.01
20	133-134	N. 25° 29' 00" W.	386.38
21	134-135	N. 21° 35' 43" W.	257.23
22	135-136	N. 20° 29' 50" W.	103.49
23	136-137	N. 23° 14' 10" W.	90.70
24	137-138	N. 19° 01' 32" W.	166.74
25	138-139	N. 40° 09' 56" W.	129.22
26	139-140	N. 33° 57' 13" W.	81.91
27	140-141	N. 12° 42' 29" W.	455.06
28	141-142	N. 00° 05' 51" E.	265.44

1	142-143	N. 01° 06' 44" W.	93.33
2	143-144	N. 01° 03' 39" E.	48.93
3	144-145	N. 01° 23' 40" W.	241.96
4	145-146	N. 03° 35' 53" W.	295.92
5	146-147	N. 08° 27' 18" W.	135.55
6	147-148	N. 07° 20' 07" W.	244.80
7	148-149	N. 02° 56' 17" W.	273.96
8	149-150	N. 03° 13' 28" E.	64.42
9	150-151	N. 04° 57' 41" E.	413.76
10	151-152	N. 03° 16' 04" E.	294.01
11	152-153	N. 00° 53' 33" E.	319.84
12	153-154	N. 30° 58' 40" E.	315.94
13	154-155	N. 08° 38' 10" E.	413.27
14	155-156	N. 10° 15' 59" E.	424.44
15	156-157	N. 09° 01' 05" E.	326.55
16	157-158	N. 08° 44' 29" E.	426.22
17	158-159	N. 01° 31' 16" W.	392.41
18	159-160	N. 06° 33' 48" E.	321.00
19	160-161	N. 03° 48' 27" W.	266.03
20	161-162	N. 02° 59' 25" W.	121.56
21	162-163	N. 17° 41' 25" W.	21.72
22	163-164	S. 67° 16' 54" W.	18.38
23	164-165	N. 04° 05' 08" W.	146.23
24	165-166	S. 88° 27' 39" E.	17.29
25	166-167	N. 06° 06' 55" W.	21.05
26	167-168	N. 04° 36' 59" W.	34.91
27	168-169	N. 69° 08' 43" E.	20.36
28	169-170	N. 15° 18' 46" W.	78.90

1	170-171	S. 58° 20' 55" W.	77.69
2	171-172	N. 31° 50' 07" W.	194.08
3	172-173	S. 71° 33' 54" W.	20.05
4	173-174	N. 24° 20' 27" W.	41.76
5	174-175	N. 28° 44' 42" W.	138.46
6	175-176	N. 31° 11' 05" W.	80.48
7	176-177	N. 48° 10' 47" E.	23.10
8	177-178	N. 39° 42' 35" W.	69.48
9	178-179	S. 41° 29' 47" W.	31.45
10	179-180	N. 07° 55' 14" W.	105.19
11	180-1	N. 32° 40' 40" W.	327.20

12        *Any modification of this Act due to factors such as changing ecological*  
13 *situations, new scientific or discovery of traditional boundaries not previously*  
14 *taken into account shall be made through an act of Congress passed after full*  
15 *consultation with the affected public.*

16        *SEC. 5. Definition of Terms. – For purposes of this Act, the following*  
17 *terms are defined as follows:*

18        *(a) Biological diversity shall refer to the variety and variability among*  
19 *living organisms and the ecological complexes in which living organisms*  
20 *occur.*

21        *(b) Biological resources shall refer to living natural resources,*  
22 *including the microorganisms, plants and animals, plus the environmental*  
23 *resources to which the species contribute.*

24        *(c) Buffer zone shall refer to identified areas outside the boundaries of*  
25 *and immediately adjacent to or surrounding a designated protected area that*  
26 *need special development control in order to avoid or minimize harm to other*  
27 *protected area.*

1 (d) *Endangered species* shall refer to species and subspecies of wildlife  
2 whose populations are in danger of extinction and whose survival is unlikely if  
3 the causal factors continue to operate.

4 (e) *General Management Plan* shall refer to the basic long-term  
5 framework plan in the management of the protected area and serves as guide in  
6 the preparation of the annual operations plan and budget.

7 (f) *General Management Planning Strategy (GMPS)* shall refer to the  
8 general guide in the formulation of site-specific management plans including  
9 buffer zones.

10 (g) *Management manual* shall refer to the individual management plan  
11 for the ADPLS containing basic background information, field inventory of the  
12 resources, assessment of assets and limitations, regional interrelationships,  
13 particular objectives for managing, appropriate division into management  
14 zones, review of the boundaries and design of the management programs.

15 (h) *NIPAS Act* shall refer to Republic Act No. 7586, otherwise known  
16 as the "National Integrated Protected Areas System Act of 1992".

17 (i) *Nongovernment organization (NGO)* shall refer to any civic,  
18 development or philanthropic organization, which is multi-sectoral in  
19 character.

20 (j) *People's organization (PO)* shall refer to organizations of members  
21 of the local community whose purpose for establishment is to protect or  
22 advance the interest of specific sectors such as, but not limited to, farmers,  
23 fisherfolk, women and the like.

24 (k) *Protected Area Management Board (PAMB)* shall refer to the  
25 management body within the site, responsible for the budgetary allocation for  
26 activities and programs in the ADPLS, and making decisions on matters  
27 relating to planning, peripheral protection, and general administration in  
28 accordance with the General Management Plan.

1 (l) *Protected Area Superintendent (PASu)* shall refer to the Chief  
2 Operating Officer of the Department of Environment and Natural Resources  
3 (DENR) in the ADPLS under the supervision of the PAMB and the concerned  
4 DENR Regional Executive Director (RED).

5 (m) *Protected landscape and seascape* shall refer to areas of national  
6 significance characterized by the harmonious interaction of man and land while  
7 providing opportunities for enjoyment through recreation and tourism within  
8 the normal lifestyle and economic activity of these areas.

9 (n) *Protected species* shall refer to existing individuals of any species  
10 listed under the Convention on International Trade of Endangered Species  
11 (CITES), or any plants or animals that are declared to be protected under  
12 Philippine laws, rules and regulations issued by the DENR or the PAMB or the  
13 management plan herein provided for.

14 (o) *Tenured migrant* shall refer to any person who has actually and  
15 continuously occupied the protected area for five (5) years prior to its  
16 designation as a protected area in accordance with the NIPAS Act and is solely  
17 dependent therein for subsistence.

18 SEC. 6. *Control and Supervision.* – The ADPLS shall be under the  
19 administrative jurisdiction of the DENR and shall be administered in  
20 accordance with the provisions of this Act and the applicable provisions of the  
21 NIPAS Act. The DENR shall address issues pertaining to the maintenance of  
22 the ecological processes and life support systems, the preservation of genetic  
23 diversity and the sustainable use of the resources within the ADPLS.

24 SEC. 7. *Management.* – The ADPLS shall be under the management  
25 of the PAMB, composed of the following as members:

26 (a) The DENR RED of Region I, as chairperson and advisor on matters  
27 related to the technical aspects of protected area management;

1 (b) The Provincial Planning and Development Coordinator (PPDC) of  
2 the Province of La Union;

3 (c) One (1) representative from each of the municipal governments  
4 of Agoo and Sto. Tomas, La Union, to be appointed by their respective  
5 Sangguniang Bayan;

6 (d) The Regional Director of the Bureau of Fisheries and  
7 Aquatic Resources (BFAR)-Region I, or the person's permanent  
8 representative;

9 (e) One (1) representative from each of the nineteen (19) barangays  
10 within the ADPLS, to be appointed by their respective sanggunian; and

11 (f) Three (3) representatives from local NGOs, community and POs, to  
12 be chosen by the respective sectors in an election called for the purpose by the  
13 DENR, in coordination with the local government units (LGUs).

14 Each member of the PAMB shall serve for a term of five (5) years and  
15 shall be considered to represent and carry the vote of such sector in all matters.  
16 In case of members who are government officials, their membership shall be  
17 coterminous with their terms of office. Whenever a vacancy occurs during the  
18 term of a member, a new member shall be appointed in the same manner as the  
19 original appointment in order to complete such unfinished term.

20 The members of the PAMB shall not receive any salary but shall be  
21 entitled to reimbursements for actual and necessary expenses incurred, either in  
22 their attendance in meetings of the PAMB or in connection with other official  
23 business authorized by resolution of the PAMB, subject to existing rules and  
24 regulations.

25 *The following shall be the duties and functions of the PAMB:*

26 (1) Decide matters relating to planning, resource protection and general  
27 administration of the area in accordance with the GMPS;

1           (2) Approve proposals, work plans, action plans and guidelines for the  
2 management of the protected area in accordance with the approved  
3 management plan;

4           (3) Delineate and demarcate protected area boundaries and buffer  
5 zones pursuant to the technical description provided in this Act;

6           (4) Promulgate rules and regulations to promote development programs  
7 and projects on biodiversity conservation and sustainable development  
8 consistent with the management manual of the protected area;

9           (5) Ensure the implementation of programs as prescribed in the  
10 management plan in order to provide employment to the people dwelling in  
11 and around the protected area;

12           (6) Control and regulate the construction, operation and maintenance of  
13 roads, trails, waterworks, sewerage, fire protection and sanitation systems, and  
14 other public utilities within the protected area; and

15           (7) Monitor and evaluate the performance of protected area personnel,  
16 NGOs, and the communities in biodiversity conservation and socio-cultural  
17 and economic development and report their assessments to the NIPAS Policy  
18 and Program Steering Committee (NPPSC) and the Integrated Protected Area  
19 Fund (IPAF) Governing Board.

20           The PASu shall prepare the management plan in consultation with the  
21 appropriate offices of the DENR and local experts including, but not limited  
22 to, POs, NGOs and LGUs. The management plan shall be reviewed, approved  
23 and adopted by the PAMB and shall be certified to by the Secretary of the  
24 DENR that the management plan conforms to all laws, rules and regulations of  
25 national application issued by the DENR. In no case shall the DENR revise or  
26 modify the management plan without prior consultation with the PAMB.

27           The PASu, in coordination with all concerned offices, shall likewise  
28 prepare all successor plans. One (1) year before the expiration of the period of



1 applicability of the plan in effect, the PASu shall cause the publication of  
2 notices for comments and suggestions on the next successor plan in a  
3 newspaper of local circulation and the posting of such notices in the provincial,  
4 municipal and barangay halls and in three (3) other areas frequented by the  
5 public. Public hearings may be conducted on the successor plan upon the  
6 written request of any interested party. The final plan shall be prepared in a  
7 language understandable in the area, plainly written and available for public  
8 comment at the office of the PASu upon its approval by the PAMB.

9 The zoning of the ADPLS shall give primary consideration to the  
10 traditional zones used and recognized by tenured migrants unless such uses are  
11 deemed detrimental to biodiversity and the protection of its natural  
12 characteristics.

13 SEC. 8. *Special Prosecutor.* -- Within thirty (30) days from the  
14 effectivity of this Act, the Department of Justice shall appoint a special  
15 prosecutor to whom all cases of violation of the laws and rules and regulations  
16 in the protected area shall be assigned. Such special prosecutor shall  
17 coordinate with the PAMB and the PASu in the performance of the person's  
18 duties and assist in the training of rangers in apprehension and criminal  
19 procedures.

20 SEC. 9. *Agoo-Damortis Protected Area Fund.* -- There is hereby  
21 established a trust fund to be known as the Agoo-Damortis Protected  
22 Landscape and Seascape Fund (ADPLSF) for purposes of financing projects of  
23 the system. All income generated from the operation of the system or  
24 management of wild flora and fauna in the ADPLS shall accrue to the fund.  
25 These income shall be derived from fees from permitted sale and export of  
26 flora and fauna and other resources from the ADPLS, proceeds from lease of  
27 multiple-use areas, contributions from industries and facilities directly  
28 benefiting from it, and such other fees and incomes derived from its operation.

1           The fund may be augmented by grants, donations, endowment from  
2 various sources, domestic or foreign, for purposes related to their functions:  
3 *Provided*, That the fund shall be deposited as a special account in the National  
4 Treasury and disbursements therefrom shall be made solely for the protection,  
5 maintenance, administration and management of the system, and duly approved  
6 projects endorsed by the PAMB in accordance with existing accounting and  
7 budgeting rules and regulations: *Provided, further*, That the fund shall not be  
8 used to cover personal services expenditures.

9           The LGUs shall continue to impose and collect all other fees not  
10 enumerated herein which they have traditionally collected, such as business  
11 permits, property tax and rentals of LGUs facilities. Furthermore, LGUs may  
12 charge add-ons to fees imposed by the PAMB: *Provided*, That such add-ons  
13 shall be determined based on the contribution of the LGUs in the maintenance  
14 and protection of the protected area.

15           SEC. 10. *Existing Facilities within the ADPLS.* – Within sixty (60)  
16 days from the effectivity of this Act, existing facilities such as roads, buildings,  
17 airports, seaports, water systems, power plants, transmission lines,  
18 communication facilities, heavy equipment, irrigation facilities, commercial  
19 sea vessels, medical facilities and junk shops of government organizations or  
20 agencies, NGOs and private individuals and institutions within the protected  
21 area shall be assessed in terms of their significance to national interest and  
22 their impact on the ADPLS. The owners of these facilities shall be required to  
23 submit their individual project descriptions, including their future plans, to the  
24 PAMB through the PASu. For those facilities found significant to national  
25 interest, a contract shall be negotiated between the PAMB and the operator and  
26 the payment of fees for the use of the land shall be based on profit-sharing  
27 principle or other measures in accordance with law. Other facilities whose

1 purposes are found inconsistent with protected area management shall be  
2 directed to vacate such area, if possible, at the earliest possible time.

3 Upon review and evaluation of all existing facilities, the PAMB shall  
4 impose conditions on the operation of the facilities that are detrimental to the  
5 ADPLS. If such conditions are violated, the owner of such facilities shall be  
6 liable to pay a fine of Five thousand pesos (P5,000.00) for every day of  
7 violation. Upon reaching a total fine of Five hundred thousand pesos  
8 (P500,000.00), the PAMB, through the PASu and deputized government  
9 entities, shall cause the cessation and demolition of the facility at the cost of its  
10 owners. Fees collected shall accrue to the ADPLSF established in Section 9  
11 hereof.

12 SEC. 11. *Utilization of Energy Resources.* -- The ADPLS may be  
13 subjected to exploration for the purpose of gathering information on energy  
14 resources and only if such activity is carried out with the least damage to the  
15 surrounding areas. Surveys shall be conducted only in accordance with a  
16 program approved by the DENR, and the results of such surveys shall be made  
17 available to the public and submitted to the President for recommendation to  
18 Congress. Any exploitation and utilization of energy resources found within  
19 the ADPLS shall be allowed only through an act of Congress.

20 SEC. 12. *Tenured Migrants.* -- Those who have actually and  
21 continuously occupied portions of the protected areas since June 30, 1987 and  
22 are solely dependent therein for subsistence are considered as tenured  
23 migrants. Their proof and length of occupancy shall be documented through a  
24 tenure instrument over such areas as have been occupied or cultivated and/or  
25 developed since June 30, 1987. In case the areas occupied by tenured migrants  
26 fall within management zones that do not allow occupancy or other critical  
27 management activities, provisions for their transfer to multiple-use zones shall  
28 be utilized for humanitarian considerations.

1           The rights, interests and activities of tenured migrants within the  
2 ADPLS and its adjoining buffer zones shall be governed by the principles of  
3 biodiversity protection and sustainable development and by the guidelines  
4 prescribed in the management plan as well as the prohibitions set out in the  
5 NIPAS Act: *Provided*, That all plans, policies and guidelines affecting tenured  
6 migrants shall be developed and implemented in partnership with them. When  
7 a tenured migrant instrument is cancelled for cause, abandonment and/or by  
8 voluntary surrender of rights, the PASu shall take immediate steps to  
9 rehabilitate the area in order to return it to its natural state prior to the  
10 cultivation or other developmental activities by the tenured migrant.

11           SEC. 13. *Indigenous Peoples' Rights.* – The rights of the indigenous  
12 communities to their ancestral domains and other customary rights and interest  
13 within the ADPLS shall be accorded due recognition. The preservation and  
14 protection of ancestral domains and customary rights shall be considered as a  
15 management objective.

16           The PASu Office shall identify the location of indigenous cultural  
17 communities within or near the site, which is identifiable by the tribal leaders.

18           The evaluation of ancestral domain claims within the ADPLS shall be  
19 conducted by the National Commission on Indigenous Peoples (NCIP)  
20 pursuant to the provisions of Republic Act No. 8371, otherwise known as  
21 “The Indigenous Peoples Rights Act of 1997” or the IPRA law, and its  
22 implementing rules and regulations, in coordination with the PAMB.

23           SEC. 14. *Appropriations.* – The Secretary of the DENR shall  
24 immediately include in the Department’s program the implementation of this  
25 Act, the funding of which shall be included in the annual General  
26 Appropriations Act.

1           SEC. 15. *Reporting Responsibility.* – The PASu, through the PAMB,  
2 shall be responsible in the preparation of accomplishment reports on all  
3 activities undertaken in the ADPLS for submission to the DENR Secretary.

4           SEC. 16. *Prohibited Acts and Penalties.* – The following acts are  
5 hereby prohibited within the ADPLS:

6           (a) Hunting, destroying, disturbing, or mere possession of any plants or  
7 animals or products derived therefrom without a permit from the PAMB;

8           (b) Dumping of any waste products detrimental to the ADPLS, or to the  
9 plants and animals or inhabitants therein;

10          (c) Use of any motorized equipment without a permit from the PAMB;

11          (d) Mutilating, defacing or destroying objects of natural beauty or  
12 objects of interest to cultural communities;

13          (e) Damaging and leaving roads and trails in a damaged condition;

14          (f) Squatting, mineral location or otherwise occupying any land;

15          (g) Constructing or maintaining any kind of structure, fence or  
16 enclosure, conducting any business enterprise without a permit from the  
17 PAMB;

18          (h) Leaving in exposed or unsanitary conditions refuse or debris, or  
19 depositing in ground or in bodies of water; and

20          (i) Altering, removing, destroying or defacing boundary marks or  
21 signs.

22           SEC. 17. *Penalties.* – Whoever violates this Act or any rules and  
23 regulations issued by the Department or the PAMB pursuant to this Act or  
24 whoever is found guilty by a competent court of justice of any of the offenses  
25 in the preceding section shall be fined in the amount of not less than Five  
26 thousand pesos (P5,000.00) nor more than Five hundred thousand pesos  
27 (P500,000.00), exclusive of the value of the thing damaged or imprisonment of  
28 not less than one (1) year but not more than six (6) years, or both, as

1 determined by the court: *Provided*, That if the area requires rehabilitation or  
2 restoration as determined by the court, the offender shall also be required to  
3 restore or compensate for the restoration of the damage: *Provided, further*,  
4 That the court shall order the eviction of the offender from the area and the  
5 forfeiture in favor of the government of all minerals, timber, or any terrestrial  
6 or marine species collected or removed, including all equipment, devices and  
7 firearms used in connection therewith and any construction or improvement  
8 made thereon by the offender. If the offender is an association or a  
9 corporation, the president or manager shall be directly responsible for the act  
10 of his employees and laborers: *Provided, finally*, That the DENR may impose  
11 administrative fines and penalties consistent with this Act.

12 SEC. 18. *Separability Clause*. – If any part or section of this Act is  
13 declared unconstitutional by the court, such declaration shall not affect the  
14 other parts or sections hereof.

15 SEC. 19. *Repealing Clause*. – All laws, presidential decrees, executive  
16 orders, and rules and regulations inconsistent with any provision of this Act  
17 shall be deemed repealed or modified accordingly.

18 SEC. 20. *Effectivity Clause*. – This Act shall take effect fifteen (15)  
19 days after its complete publication in the *Official Gazette* or in two (2) national  
20 newspapers of general circulation.

Approved,

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