



HOUSE OF REPRESENTATIVES

H. No. 6901

BY REPRESENTATIVES TING, MATUGAS AND LIMKAICHONG, PER COMMITTEE
REPORT NO. 2686

AN ACT DECLARING THE PEÑABLANCA PROTECTED LANDSCAPE
AND SEASCAPE LOCATED IN THE MUNICIPALITY OF
PEÑABLANCA, PROVINCE OF CAGAYAN AS A PROTECTED
AREA AND ITS PERIPHERAL AREAS AS BUFFER ZONE,
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 "Peñablanca
2 Protected Landscape and Seascape (PPLS) Act".

3 SEC. 2. *Declaration of Policy.* -- Cognizant of the remarkable
4 ecological and biological importance of the Peñablanca Protected Landscape
5 and Seascape (PPLS) as part of the remaining tropical rainforest in the country;
6 owing to its rich and diverse ecosystems comprising coastal, riverine,
7 agricultural and forest; existence of the famous multi-chambered caves,
8 waterfalls and deep canyons; for having been home to numerous plants and
9 animals like the rare Philippine Eagle, the endangered Isabella Oriole, the
10 Mottled-Wing Flying Fox, the threatened Luzon Bleeding Heart Pigeon and
11 millions of Insect Bats that display their awesome circadian flight at dusk; and

1 due to its aesthetic, historical, archaeological, cultural and economic
2 significance to the country, it is hereby declared the policy of the State to
3 secure the protection, preservation and rehabilitation of the PPLS, its
4 communities, their culture and way of life provided they are in harmony with
5 nature and not detrimental to the ecological ecosystems and biodiversity of
6 the area. As such, the State shall ensure biodiversity protection and
7 conservation of the PPLS through participatory and sustainable development,
8 to promote and protect the interest of the inhabitants and recognize the
9 customary laws consistent with Republic Act No. 7586 or the "National
10 Integrated Protected Areas System Act of 1992" and Republic Act No. 8371
11 or "The Indigenous Peoples Rights Act of 1997", including International
12 Convention Agreements to which the Philippines is a signatory.

13 *SEC. 3. Category.* – The area is categorized as protected landscape
14 and seascape based on the result of the resource basic inventory and protected
15 area suitability assessment undertaken in the area.

16 Upholding the categories are the several deep-seated multi-chambered
17 caves of pristine stalactites and stalagmites. These caves, which include the
18 famous Callao and Sierra caves offer wonderful caving experiences to tourists
19 serious professional cavers/spelunkers. Other significant features sustaining
20 the said category are rock formations, waterfalls, bat caves where millions of
21 insect bats abound and display their circadian flight at dusk; rich biodiversity
22 spanning coastal, freshwater, agricultural/grassland and forest ecosystems
23 teeming with multitudes of plants and animals, some of which are rare and
24 *endangered species*.

25 *SEC. 4. Definition of Terms.* – For purposes of this Act, the
26 following terms shall be defined as follows:

1 (a) *Biodiversity* shall refer to the variety and variability among all
2 living organisms and the ecological complexes in which they occur.

3 (b) *Buffer zone* shall refer to identified areas outside the boundaries of
4 and immediately adjacent to the PPLS pursuant to the management plan.

5 (c) *Collection* shall refer to the act of gathering, harvesting or
6 catching wildlife, or the taking of any of its parts, derivatives or by-products.

7 (d) *Commercial* shall refer to market sale in volume in excess of that
8 required to maintain a basic subsistence for workers and their dependents.

9 (e) *Commercial fishing* shall refer to the taking of fishery species by
10 passive or active gear or trade, business or profit beyond subsistence or sports
11 fishing, to be further classified as:

12 (1) Small-scale Commercial Fishing – Fishing with passive or
13 active gear utilizing fishing vessels of 3.1 gross tons (GT) up to twenty (20)
14 GT;

15 (2) Medium-scale Commercial Fishing. – Fishing utilizing active
16 gears and vessels of 20.1 GT up to one hundred fifty (150) GT; and

17 (3) Large-scale Commercial Fishing. – Fishing utilizing active gears
18 and vessels of more than one hundred fifty (150) GT.

19 (f) *Endangered species* shall refer to species or subspecies of plants or
20 animals whose populations are in danger of extinction and whose survival is
21 unlikely if the causal factors continue operating.

22 (g) *Endemic species* shall refer to species or subspecies of plants or
23 animals which have limited distribution, often within the geographic limits of
24 the State.

25 (h) *Exotic species* shall refer to species or subspecies which do not
26 naturally occur within the biogeography region of the PPLS at present or in
27 historical time.

1 (i) *Exploration* shall refer to searching or prospecting for mineral
2 resources, as defined by law, by geological, geochemical or geophysical
3 surveys, remote sensing, test pitting, trenching, drilling, shaft sinking,
4 tunneling or any other means for the purpose of determining the existence,
5 extent, quantity and quality thereof and the feasibility of mining them for
6 profit.

7 (j) *Exploitation* shall refer to any mode of use, extraction,
8 development, utilization or disposition of resources, for whatever purpose,
9 whether commercial or otherwise.

10 (k) *Fishing with explosives* shall refer to the use of dynamite, other
11 explosives or other chemical compounds that contain combustible elements or
12 ingredients, which upon ignition by friction, concussion, percussion or
13 detonation of all or parts of the compound will kill, stupefy, disable or render
14 unconscious any species. It also refers to the use of any other substance and/or
15 device which causes an explosion that is capable of producing the said
16 harmful effects on any fishery species and aquatic resources and capable of
17 damaging and altering the natural habitat.

18 (l) *Fishing with noxious or poisonous substance* shall refer to the use
19 of any substance, plant extracts or juice thereof, sodium cyanide and/or
20 cyanide compounds or other chemicals either in raw or processed form,
21 harmful or harmless to human beings, which will kill, stupefy, disable or
22 render unconscious any fishery species and aquatic resources and capable of
23 damaging and altering the natural habitat.

24 (m) *General Management Plan (GMP)* shall refer to the basic long-
25 term framework plan in the management of the protected area and as guide in
26 the preparation of the annual operations plan and budget.

1 (n) *General Management Planning Strategy (GMPS)* shall refer to the
2 guide in the formulation of site-specific management plans including buffer
3 zones.

4 (o) *Habitats* shall refer to an area inhabited by wildlife in the natural
5 state.

6 (p) *Indigenous peoples* or *IPs* shall refer to people sharing common
7 bonds of language, customs, traditions, and other distinctive cultural traits
8 and who have since time immemorial occupied, possessed and utilized the
9 PPLS's territory.

10 (q) *Indigenous species* shall refer to native Philippine species and/or
11 subspecies with an existing or historical natural occurrence and distribution
12 within the PPLS and its buffer zones.

13 (r) *Integrated Protected Area Fund (IPAF)* shall refer to a trust fund
14 established for the purpose of financing projects of the system.

15 (s) *Large-scale infrastructure projects* shall refer to major port
16 facilities, major highways, tall edifices, major dams, and the like.

17 (t) *Management manual* shall refer to an individual management
18 plan, containing basic background information, field inventory of the
19 resources area, assessment of assets and limitations, regional
20 interrelationships objectives for managing the area, appropriate division of
21 the area into management zones, boundaries and design of the management
22 programs.

23 (u) *Nongovernment organization (NGO)* shall refer to any civic,
24 development, conservation or philanthropic, nonstock, nonprofit
25 organization, duly registered, having constitution and bylaws, a
26 democratically elected representation and multisectoral in character.

1 (v) *Nonrenewable resources* shall refer to those resources within the
2 PPLS and its buffer zones, the natural replenishment rate of which is not
3 known.

4 (w) *Protected Area Superintendent (PASu)* shall refer to the chief
5 operating DENR officer of the PPLS.

6 (x) *Protected Area Management Board (PAMB)* shall refer to the
7 site-based decision-making body responsible in the planning, resource
8 protection and general administration of the area in accordance with the
9 grouped management plan.

10 (y) *People's organization (PO)* shall refer to any organized group of
11 people residing in the PPLS and its buffer zones formed to advance the
12 interests of the sector they represent which does not necessarily have bylaws.

13 (z) *Protected area (PA)* shall refer to identified portions of land and
14 water set aside by reason of their unique physical and biological significance,
15 managed to enhance biological diversity and protected against destructive
16 human exploitation, and unless the context otherwise provides, shall refer to
17 the PPLS.

18 (aa) *Protected species* shall refer to any plant or animal that is
19 declared protected under Philippine laws, rules and regulations. This shall
20 also include all plants and animals listed under the Convention on
21 International Trade in Endangered Species (CITES), the Bonn Convention on
22 Migratory Animals, those specified under the red-list categories of the
23 International Union for the Conservation of Nature (IUCN), and those species
24 which may not be considered threatened elsewhere but are in danger of
25 extinction within the PPLS as determined by the PAMB.

1 (bb) *Quarrying* shall refer to the process of extracting, removing and
2 disposing quarry resources, as defined by law, found on or underneath the
3 surface of private or public land.

4 (cc) *Recreation zones* shall refer to areas of high recreational,
5 tourism, educational or environmental awareness values where sustainable
6 ecotourism, recreational, conservation, education or public awareness
7 activities may be allowed as prescribed in the management plan.

8 (dd) *Sustainable use* shall refer to the use of components of biological
9 diversity in a way and at a rate that does not lead to the decline of the species
10 and not causing permanent or long-term diminishment or qualitative
11 degradation of biological species, ecological functions or of other resources
12 extracted or disturbed, thereby maintaining its potential to meet the needs and
13 aspirations of the present and future Filipino generations.

14 (ee) *Tenured migrants* shall refer to persons who have actually and
15 continuously occupied an area of the PPLS for five (5) years prior to
16 June 29, 1994 and are solely dependent therein for subsistence.

17 (ff) *Traditional* shall refer to using no power machinery resource in
18 extraction process and consistent with historically customary techniques of
19 production.

20 (gg) *Wildlife* shall refer to wild forms and varieties of flora and fauna,
21 including captive-bred or propagated individuals, parts, derivatives and
22 by-products thereof.

23 (hh) *Zones* shall refer to the divisions within the PPLS established into
24 levels of protection and permitted use of natural resources such as strict
25 protection zone, sustainable use zone, cultural zone, recreational zone and
26 special use zone, as provided under existing rules and regulations and
27 appropriate land uses.

1 SEC 5. *Scope*. – The Peñablanca Protected Landscape and Seascape
 2 (PPLS) is hereby declared as part of the National Integrated Protected Areas
 3 System (NIPAS) under the category of Protected Landscape and Seascape as
 4 defined herein. The PPLS area includes the good forest cover, the seascape in
 5 the eastern side, and a buffer zone of not more than one (1) kilometer of the
 6 Municipality of Baggao, Province of Cagayan and the Province of Isabela,
 7 respectively. The protected area boundaries shall be as follows:

8 Beginning at a point marked "1" which is N. 180° 10' 00" E., 12,120
 9 meters from (PRS-CGY 22) BLLM No. 1, PLS 793, Peñablanca, Cagayan
 10 with geographic coordinates of 17° 37' 40.26" N. and 121° 47' 7.66" E.
 11 Area = 102,762.521 hectares.

12 PARCEL 1 - CORE ZONE

13	LINE	BEARING	DISTANCE (meters)
14	1-2	N 02° 39' 46" E.	379.59 m.
15	2-3	N. 20° 05' 42" W.	192.49 m.
16	3-4	N. 21° 32' 27" E.	180.13 m.
17	4-5	N. 06° 50' 33" E.	222.04 m.
18	5-6	N. 81° 05' 06" E.	227.61 m.
19	6-7	N. 01° 25' 55" E.	176.42 m.
20	7-8	N. 08° 58' 21" E.	169.62 m.
21	8-9	N. 42° 11' 03" W.	190.41 m.
22	9-10	N. 14° 02' 10" E.	727.17 m.
23	10-11	S. 75° 15' 23" E.	259.88 m.
24	11-12	N. 38° 59' 27" E.	238.26 m.
25	12-13	N. 17° 34' 16" W	277.49 m.
26	13-14	N. 32° 28' 16" E.	229.95 m.
27	14-15	S. 82° 08' 48" E.	258.15 m.

1	15-16	N. 07° 17' 20" W.	191.14 m.
2	16-17	N. 18° 26' 05" E.	111.54 m.
3	17-18	N. 28° 44' 23" E.	155.89 m
4	18-19	N. 44° 59' 59" E.	299.30 m.
5	19-20	N. 28° 04' 20" W.	149.91 m
6	20-21	N. 17° 58' 08" E.	171.50 m.
7	21-22	N. 54° 34' 58" E.	243.46 m.
8	22-23	N. 07° 58' 10" E.	222.61 m.
9	23-24	N. 16° 41' 57" W.	230.16 m.
10	24-25	N. 23° 11' 54" E.	167.89 m.
11	25-26	N. 43° 05' 27" W.	187.17 m.
12	26-27	N. 07° 52' 26" W.	209.20 m.
13	27-28	N. 29° 44' 41" W.	213.28 m.
14	28-29	N. 30° 37' 06" E.	251.05 m
15	29-30	N. 42° 42' 33" E.	234.02 m.
16	30-31	N. 06° 00' 32" W.	168.47 m
17	31-32	N. 31° 53' 26" W.	233.68 m.
18	32-33	N. 52° 56' 36" E.	270.72 m.
19	33-34	N. 57° 49' 43" E.	322.95 m.
20	34-35	N. 15° 56' 43" W.	256.79 m.
21	35-36	N. 40° 21' 52" W.	231.47 m.
22	36-37	N. 40° 06' 03" E.	109.52 m.
23	37-38	N. 39° 28' 20" E.	97.10 m.
24	38-39	N. 28° 42' 21" W.	211.13 m.
25	39-40	N. 75° 57' 49" E.	127.25 m.
26	40-41	N. 09° 07' 48" W.	125.04 m.
27	41-42	N. 22° 45' 03" E.	148.21 m.

1	42-43	N. 14° 40' 35" E.	191.43 m.
2	43-44	S. 61° 13' 56" E.	256.53 m.
3	44-45	N. 78° 57' 32" E.	184.18 m
4	45-46	N 56° 58' 34" E.	210.35 m.
5	46-47	S. 46° 07' 23" E.	159.03 m.
6	47-48	N. 76° 25' 46" E	131.54 m.
7	48-49	N. 75° 33' 21" E.	300.50 m.
8	49-50	N. 67° 47' 47" E.	233.35 m.
9	50-51	N. 28° 53' 11" E.	146.03 m.
10	51-52	N 21° 09' 40" E	146.57 m.
11	52-53	N. 06° 54' 40" E.	146.57 m.
12	53-54	N. 03° 16' 13" W.	154.57 m.
13	54-55	S. 75° 04' 06" E.	136.90 m.
14	55-56	S. 90° 00' 00" E.	141.09 m.
15	56-57	N. 83° 47' 47" E.	204.01 m.
16	57-58	N. 87° 30' 37" E.	203.01 m.
17	58-59	S. 61° 45' 00" E.	167.68 m.
18	59-60	N. 49° 09' 34" E.	343.85 m.
19	60-61	S. 42° 13' 14" E.	321.50 m.
20	61-62	N. 43° 46' 52" E	146.57 m.
21	62-63	S. 51° 00' 32" E.	238.26 m.
22	63-64	S. 64° 08' 01" E.	161.70 m.
23	64-65	S. 22° 53' 25" E	215.37 m.
24	65-66	N. 31° 42' 05" E.	176.20 m.
25	66-67	N. 08° 44' 46" E.	231.97 m.
26	67-68	S. 87° 03' 51" E.	172.18 m.
27	68-69	N. 31° 40' 31" E.	243.50 m.

1	69-70	S. 34° 12' 56" E.	133.30 m.
2	70-71	S. 70° 12' 04" E.	117.15 m.
3	71-72	N. 06° 00' 32" W.	168.47 m.
4	72-73	N. 60° 34' 21" E.	197.43 m.
5	73-74	S. 45° 49' 49" E.	215.14 m.
6	74-75	S. 08° 32' 44" E.	237.90 m.
7	75-76	N. 53° 21' 57" E.	214.28 m.
8	76-77	N. 31° 36' 27" E.	269.21 m.
9	77-78	N. 36° 52' 11" E.	220.46 m.
10	78-79	S. 37° 03' 23" E.	270.72 m.
11	79-80	N. 36° 52' 01" E.	220.46 m.
12	80-81	S. 77° 05' 33" E.	217.12 m.
13	81-82	N. 81° 07' 09" E.	428.41 m.
14	82-83	S. 80° 10' 50" E.	232.68 m.
15	83-84	S. 80° 52' 11" E.	250.08 m.
16	84-85	N. 82° 34' 06" E.	204.54 m.
17	85-86	S. 66° 30' 05" E.	221.16 m.
18	86-87	S. 22° 01' 08" E.	323.41 m.
19	87-88	S. 53° 58' 21" E.	299.85 m.
20	88-89	S. 39° 08' 38" E.	244.46 m.
21	89-90	S. 56° 18' 35" E.	174.87 m.
22	90-91	S. 22° 53' 25" E.	215.37 m.
23	91-92	N. 24° 42' 08" E.	242.66 m.
24	92-93	S. 48° 59' 27" E.	268.78 m.
25	93-94	N. 10° 14' 05" W.	322.59 m.
26	94-95	N. 40° 27' 44" W.	197.03 m.
27	95-96	N. 50° 11' 39" E.	172.18 m.

1	96-97	S. 44° 01' 44" E.	183.97 m.
2	97-98	S. 41° 11' 09" E	234.35 m.
3	98-99	N. 26° 01' 46" E.	210.99 m.
4	99-100	S. 86° 00' 32" E.	190.05 m.
5	100-101	N. 08° 36' 56" W.	147.16 m.
6	101-102	N. 18° 05' 00" W.	227.27 m.
7	102-103	N. 31° 51' 57" E.	192.09 m.
8	103-104	N. 24° 46' 30" W.	252.52 m.
9	104-105	N. 18° 02' 03" E.	199.39 m.
10	105-106	N. 01° 28' 07" W.	172.01 m.
11	106-107	N. 55° 57' 14" E	196.89 m.
12	107-108	N. 38° 17' 24" E.	213.47 m.
13	108-109	N. 44° 17' 33" W	252.55 m.
14	109-110	N 58° 23' 32" E.	201.91 m.
15	110-111	N. 38° 02' 49" W.	128.77 m.
16	111-112	N. 53° 53' 33" W.	231.94 m.
17	112-113	N. 74° 03' 16" W.	128.40 m.
18	113-114	N. 35° 04' 25" W.	253.21 m.
19	114-115	N. 47° 51' 44" W.	124.86 m.
20	115-116	N. 61° 37' 51" W.	250.54 m.
21	116-117	N. 56° 34' 30" W.	264.14 m.
22	117-118	N. 52° 41' 45" W.	232.81 m.
23	118-119	N. 21° 48' 05" E.	189.95 m.
24	119-120	N. 44° 59' 59" E.	174.59 m.
25	120-121	N. 36° 23' 03" E.	728.41 m.
26	121-122	S. 89° 35' 03" E.	2,431.69 m.
27	122-123	S. 89° 39' 17" E.	22,694.11 m.

1	123-124	S. 02° 36' 09" E.	291.30 m.
2	124-125	S. 71° 33' 54" W.	418.29 m.
3	125-126	S. 13° 03' 00" E.	683.43 m.
4	126-127	N. 72° 15' 19" E.	462.94 m.
5	127-128	S. 27° 29' 11" E.	735.58 m.
6	128-129	S. 34° 27' 47" W.	860.98 m.
7	129-130	S. 52° 18' 20" W.	612.93 m.
8	130-131	S. 75° 50' 47" W.	522.92 m.
9	131-132	S. 28° 14' 14" W.	540.51 m.
10	132-133	S. 16° 41' 57" E.	299.21 m.
11	133-134	S. 35° 08' 43" W.	674.02 m.
12	134-135	S. 01° 14' 43" W.	608.60 m.
13	135-136	S. 40° 08' 07" E.	294.12 m.
14	136-137	S. 09° 18' 26" W.	804.23 m.
15	137-138	S. 33° 57' 32" E.	1,041.89 m.
16	138-139	S. 06° 08' 27" E.	350.33 m.
17	139-140	S. 44° 19' 33" W.	265.02 m.
18	140-141	S. 29° 54' 49" E.	371.34 m.
19	141-142	S. 07° 40' 00" E.	462.68 m.
20	142-143	S. 23° 25' 02" W.	682.29 m.
21	143-144	S. 22° 25' 49" E.	834.35 m.
22	144-145	S. 05° 25' 30" W.	792.78 m.
23	145-146	S. 24° 41' 23" E.	723.06 m.
24	146-147	S. 56° 55' 45" E.	452.49 m.
25	147-148	S. 09° 27' 44" W.	482.75 m.
26	148-149	S. 19° 02' 47" E.	979.54 m.
27	149-150	S. 53° 43' 24" E.	596.14 m.

1	150-151	S. 22° 34' 37" E.	907.26 m.
2	151-152	S. 45° 47' 57" W.	335.19 m.
3	152-153	S. 15° 43' 29" E.	471.80 m.
4	153-154	N. 68° 57' 44" E	368.47 m.
5	154-155	S. 37° 44' 06" E.	807.20 m.
6	155-156	S 46° 00' 43" W	882.45 m.
7	156-157	S. 21° 43' 27" W.	911.27 m.
8	157-158	S. 00° 24' 22" E.	621.70 m.
9	158-159	S. 37° 38' 31" E	523.41 m.
10	159-160	S. 56° 55' 45" E.	452.49 m.
11	160-161	S. 03° 29' 21" W.	362.22 m.
12	161-162	S. 40° 09' 21" E.	369.21 m.
13	162-163	S. 13° 49' 54" W.	599.38 m.
14	163-164	S. 14° 20' 07" W.	819.15 m.
15	164-165	S. 14° 02' 10" E.	1,045.31 m.
16	165-166	S. 07° 14' 30" W	804.47 m.
17	166-167	S. 20° 17' 30" E.	559.40 m.
18	167-168	S. 12° 03' 14" W.	432.82 m.
19	168-169	S. 14° 11' 36" W.	1,168.82 m.
20	169-170	S. 05° 00' 54" E.	1,084.38 m.
21	170-171	S. 16° 33' 03" E.	1,632.89 m.
22	171-172	S. 21° 07' 15" E.	1,413.26 m.
23	172-173	S. 55° 42' 47" E.	587.01 m.
24	173-174	S. 12° 45' 27" E.	479.20 m.
25	174-175	S. 07° 35' 04" W.	818.44 m.
26	175-176	S. 57° 59' 40" E	332.76 m.
27	176-177	S. 03° 32' 22" W.	428.50 m.

1	177-178	N. 85° 36' 04" E.	344.93 m.
2	178-179	S. 31° 55' 50" E.	358.47 m.
3	179-180	S. 06° 58' 05" E.	399.77 m.
4	180-181	S. 06° 34' 55" W.	288.49 m.
5	181-182	S. 27° 43' 41" E.	388.53 m.
6	182-183	S. 54° 57' 49" E.	468.49 m.
7	183-184	S. 10° 42' 47" E.	498.09 m.
8	184-185	N. 89° 58' 01" W.	30,603.65 m.
9	185-186	N. 15° 09' 14" W.	1,425.20 m.
10	186-187	N. 17° 43' 09" E.	948.88 m.
11	187-188	N. 30° 31' 17" W.	685.85 m.
12	188-189	N. 88° 56' 20" W.	238.13 m.
13	189-190	N. 23° 11' 54" W.	436.52 m.
14	190-191	N. 62° 07' 58" W.	1,084.78 m.
15	191-192	N. 04° 22' 34" E.	866.71 m.
16	192-193	N. 29° 06' 17" E.	489.49 m.
17	193-194	N. 31° 57' 46" E.	628.84 m.
18	194-195	S. 77° 30' 52" E.	632.23 m.
19	195-196	N. 85° 54' 51" E.	495.08 m.
20	196-197	N. 30° 19' 08" E.	873.42 m.
21	197-198	N. 17° 26' 49" E.	647.04 m.
22	198-199	N. 24° 28' 48" W.	867.19 m.
23	199-200	N. 32° 38' 15" W.	465.99 m.
24	200-201	N. 45° 16' 19" W.	1,641.49 m.
25	201-202	N. 27° 56' 43" E.	818.54 m.
26	202-203	N. 26° 03' 26" W.	667.49 m.
27	203-204	N. 07° 44' 25" E.	1,374.94 m.

1	204-205	N. 79° 48' 48" W	573.40 m.
2	205-206	S. 50° 13' 41" W.	958.01 m.
3	206-207	S. 87° 14' 27" W.	732.76 m.
4	207-208	S. 05° 44' 09" E.	992.61 m.
5	208-209	S. 25° 29' 34" W.	737.59 m.
6	209-210	S. 24° 38' 48" W.	1,237.02 m.
7	210-211	S. 25° 02' 20" W	1,036.56 m.
8	211-212	S. 84° 24' 55" W.	1,993.56 m.
9	212-213	N 71° 12' 00" W	328.36 m.
10	213-214	S 75° 44' 34" W.	555.01 m.
11	214-215	S 65° 45' 42" W.	1,116.97 m.
12	215-216	N. 43° 27' 06" W.	230.80 m
13	216-217	N. 04° 27' 20" W	340.53 m.
14	217-218	N. 24° 17' 08" W.	396.65 m.
15	218-219	N. 23° 57' 44" W.	303.97 m.
16	219-220	N. 60° 25' 19" E.	187.58 m.
17	220-221	N. 21° 32' 27" E.	180.13 m
18	221-222	N. 17° 54' 16" E.	301.18 m.
19	222-223	N. 29° 23' 45" W.	359.31 m.
20	223-224	N. 33° 41' 24" W.	143.08 m.
21	224-225	N. 53° 07' 48" E.	176.36 m.
22	225-226	N. 37° 20' 57" W.	210.76 m.
23	226-227	N. 19° 43' 04" E.	529.26 m.
24	227-228	S. 79° 15' 39" W.	260.29 m.
25	228-229	N. 18° 51' 11" W.	191.02 m.
26	229-230	N. 31° 22' 22" E.	211.73 m.
27	230-231	N. 21° 24' 46" E	241.54 m.

1	231-232	N. 17° 14' 29" W.	401.64 m.
2	232-233	N. 48° 39' 08" E	146.83 m.
3	233-234	N. 16° 45' 10" W.	451.25 m.
4	234-235	N. 29° 44' 41" E.	106.64 m.
5	235-236	N 30° 57' 49" E.	154.26 m
6	236-237	N. 06° 31' 11" W.	155.32 m.
7	237-238	N 03° 31' 17" W.	287.13 m.
8	238-239	N. 52° 07' 30" W.	100.54 m.
9	239-240	N. 45° 00' 00" E.	130.94 m.
10	240-241	N 18° 26' 05" W.	97.60 m
11	241-242	N 01° 19' 55" E.	189.64 m.
12	242-243	N 39° 43' 56" W.	441.46 m.
13	243-244	N. 00° 07' 04" W.	1,071.42 m.
14	244-245	N. 00° 19' 05" W	793.65 m.
15	245-246	N. 01° 50' 41" W.	3,012.99 m
16	246-247	N. 14° 44' 10" W.	875.34 m.
17	247-248	N 33° 41' 24" E.	206.66 m.
18	248-249	N. 35° 21' 44" W.	167.60 m
19	249-250	N. 05° 35' 57" W	225.94 m.
20	250-251	N. 00° 00' 00" W.	273.36 m.
21	251-252	N. 23° 04' 13" E.	258.79 m
22	252-253	N. 20° 57' 20" E.	221.91 m.
23	253-254	N. 19° 25' 14" E.	364.66 m.
24	254-255	N. 20° 48' 24" E.	235.84 m.
25	255-256	N. 35° 54' 35" E.	157.87 m.
26	256-257	N. 28° 36' 37" E.	220.98 m.
27	257-1	N. 32° 25' 15" E.	193.26 m.

1 Area = 15,730.948 hectares
 2 Corner 1 is identical to corner 123 of core zone
 3 PARCEL 2 - BUFFER ZONE

4	LINE	BEARING	DISTANCE (Meters)
5	1-2	S. 02° 36' 09" E.	291.30 m.
6	2-3	S. 89° 50' 14" E.	4,977.68 m.
7	3-4	S. 09° 49' 09" W.	303.52 m.
8	4-5	S. 69° 04' 31" W.	418.71 m.
9	5-6	S. 12° 28' 30" E.	665.63 m.
10	6-7	N. 67° 35' 01" E.	497.73 m.
11	7-8	S. 29° 10' 33" E.	790.46 m.
12	8-9	S. 33° 29' 10" W.	896.49 m.
13	9-10	S. 52° 55' 03" W.	620.01 m.
14	10-11	S. 80° 49' 10" W.	576.78 m.
15	11-12	S. 23° 17' 09" W.	494.66 m.
16	12-13	S. 17° 11' 54" E.	379.30 m.
17	13-14	S. 40° 50' 00" W.	615.73 m.
18	14-15	S. 03° 32' 41" W.	651.16 m.
19	15-16	S. 33° 41' 24" E.	290.32 m.
20	16-17	S. 06° 42' 35" W.	787.59 m.
21	17-18	S. 32° 12' 39" E.	1,019.65 m.
22	18-19	S. 06° 36' 48" E.	399.51 m.
23	19-20	S. 48° 16' 13" W.	285.15 m.
24	20-21	S. 41° 33' 09" E.	338.16 m.
25	21-22	S. 04° 21' 03" E.	530.66 m.
26	22-23	S. 27° 53' 04" E.	670.22 m.
27	23-24	S. 26° 22' 42" W.	789.65 m.

1	24-25	S. 04° 25' 46" W.	819.15 m.
2	25-26	S. 25° 22' 39" E.	744.79 m.
3	26-27	S. 61° 01' 13" E.	427.35 m.
4	27-28	S. 08° 07' 48" W.	528.70 m.
5	28-29	S. 19° 09' 08" E.	1,016.77 m.
6	29-30	S. 56° 59' 20" E.	538.41 m.
7	30-31	S. 27° 11' 53" E.	931.17 m.
8	31-32	S. 49° 51' 52" W.	383.67 m.
9	32-33	S. 12° 26' 59" E.	453.53 m.
10	33-34	N. 71° 01' 46" E.	389.23 m.
11	34-35	S. 35° 51' 23" E.	780.59 m.
12	35-36	S. 42° 51' 40" W.	980.80 m.
13	36-37	S. 21° 34' 47" W.	828.79 m.
14	37-38	S. 03° 44' 34" E.	616.72 m.
15	38-39	S. 33° 57' 52" E.	499.29 m.
16	39-40	S. 54° 53' 16" E.	449.98 m.
17	40-41	S. 04° 45' 49" W.	346.28 m.
18	41-42	S. 45° 37' 46" E.	370.11 m.
19	42-43	S. 19° 29' 35" W.	689.43 m.
20	43-44	S. 13° 24' 09" W.	756.80 m.
21	44-45	S. 13° 53' 16" E.	1,078.29 m.
22	45-46	S. 04° 17' 59" W.	767.10 m.
23	46-47	S. 18° 20' 49" E.	593.83 m.
24	47-48	S. 14° 17' 46" W.	1,537.23 m.
25	48-49	S. 05° 51' 08" E.	1,156.32 m.
26	49-50	S. 17° 45' 22" E.	1,612.45 m.
27	50-51	S. 21° 17' 11" E.	1,425.86 m.

1	51-52	S. 56° 28' 10" E.	572.67 m.
2	52-53	S. 03° 44' 46" E.	484.16 m.
3	53-54	S. 04° 10' 29" W	790.05 m.
4	54-55	S. 52° 13' 27" E.	291.06 m.
5	55-56	S. 03° 55' 05" E.	420.84 m.
6	56-57	N. 84° 53' 52" E.	323.36 m.
7	57-58	S. 31° 17' 34" E.	343.26 m.
8	58-59	S. 08° 44' 46" E.	378.24 m.
9	59-60	S. 05° 47' 57" W.	369.99 m.
10	60-61	S. 30° 57' 49" E.	435.97 m.
11	61-62	S. 63° 47' 59" E.	403.83 m.
12	62-63	S. 05° 53' 09" W.	560.85 m.
13	63-64	N. 89° 51' 40" W.	5,011.71 m.
14	64-65	S. 10° 42' 47" W.	498.09 m.
15	65-66	S. 54° 57' 49" E.	468.49 m.
16	66-67	S. 27° 43' 41" E.	388.53 m.
17	67-68	S. 06° 34' 55" W.	288.49 m.
18	68-69	S. 06° 58' 05" E.	399.77 m.
19	69-70	S. 31° 55' 50" E.	358.47 m.
20	70-71	N. 85° 36' 04" E.	344.93 m.
21	71-72	S. 03° 32' 22" W	428.50 m.
22	72-73	S. 57° 59' 40" E.	332.76 m.
23	73-74	S. 07° 35' 04" W.	818.44 m.
24	74-75	S. 12° 45' 27" E.	479.20 m.
25	75-76	S. 55° 42' 47" E.	587.01 m.
26	76-77	S. 21° 07' 15" E.	1,413.26 m.
27	77-78	S. 16° 33' 03" E.	1,632.89 m.

1	78-79	S. 05° 00' 54" E.	1,084.38 m.
2	79-80	S. 14° 11' 36" W.	1,168.82 m.
3	80-81	S. 12° 03' 14" W	432.82 m.
4	81-82	S. 20° 17' 30" E.	559.40 m.
5	82-83	S. 07° 14' 30" W.	804.47 m.
6	83-84	S. 14° 02' 10" E	1,045.31 m.
7	84-85	S. 14° 20' 07" W.	819.15 m.
8	85-86	S. 13° 49' 54" W.	599.38 m.
9	86-87	S. 40° 09' 21" E.	369.21 m.
10	87-88	S. 03° 29' 21" W.	362.22 m.
11	88-89	S. 56° 55' 45" E.	452.49 m.
12	89-90	S. 37° 38' 31" E.	523.41 m.
13	90-91	S. 00° 24' 22" E.	621.70 m.
14	91-92	S. 21° 43' 27" W.	911.27 m.
15	92-93	S. 46° 00' 43" W.	882.45 m.
16	93-94	S. 32° 44' 06" E.	807.20 m.
17	94-95	N. 68° 57' 44" E	368.47 m.
18	95-96	S. 15° 43' 29" E.	471.80 m.
19	96-97	S. 45° 47' 57" W.	335.19 m.
20	97-98	S. 22° 34' 37" E.	907.26 m.
21	98-99	S. 53° 43' 24" E.	596.14 m.
22	99-100	S. 19° 02' 47" E.	979.54 m.
23	100-101	S. 09° 27' 44" W.	482.75 m.
24	101-102	S. 56° 55' 45" E.	452.49 m.
25	102-103	S. 24° 41' 23" E.	723.06 m.
26	103-104	S. 05° 25' 30" W.	792.78 m.
27	104-105	S. 22° 21' 49" W.	834.35 m.

1	105-106	S. 23° 25' 02" E.	682.29 m.
2	106-107	S. 07° 40' 00" E.	462.68 m.
3	107-108	S. 29° 54' 49" E.	371.34 m.
4	108-109	S. 44° 19' 33" W.	265.02 m.
5	109-110	S. 06° 08' 27" E.	350.33 m.
6	110-111	S. 33° 57' 32" E.	1,041.89 m.
7	111-112	S. 09° 18' 26" W.	804.23 m.
8	112-113	S. 40° 08' 07" E.	294.12 m.
9	113-114	S. 01° 14' 43" W.	608.60 m.
10	114-115	S. 35° 08' 43" W.	674.02 m.
11	115-116	S. 16° 41' 57" E.	299.21 m.
12	116-117	S. 28° 14' 14" W.	540.51 m.
13	117-118	S. 75° 50' 47" W.	522.92 m.
14	118-119	S. 52° 18' 20" W.	612.93 m.
15	119-120	S. 34° 27' 47" W.	860.98 m.
16	120-121	S. 27° 29' 11" E.	735.58 m.
17	121-122	N. 72° 15' 19" E.	462.94 m.
18	122-123	S. 13° 03' 00" E.	683.43 m.
19	123-1	S. 71° 33' 54" W.	418.29 m.

20 All existing land use and resource use permits within the PPLS and its
21 buffer zones as provided herein, shall be reviewed and shall not be renewed
22 upon the expiration, unless in conformity with the management plan as
23 provided herein upon recommendation of the PAMB to the Secretary of the
24 Department of Environment and Natural Resources (DENR) for approval:
25 *Provided*, That all alienable and disposable lands enclosed are subject to prior
26 rights.

1 **SEC. 6. *Management of the PPLS.*** – The management and
2 administration of the PPLS shall be vested with the DENR through the
3 PAMB. There is hereby created a PAMB which shall be the sole policy-
4 making and governing body of the PPLS and its buffer zones. The PAMB
5 shall, by consensus or majority vote, approve or take the necessary action to:

6 (a) Decide on matters relating to planning, resource protection and
7 general administration of the area in accordance with the General
8 Management Planning Strategy (GMPS);

9 (b) Approve proposals, work plans, action plans and guidelines, for
10 management of the protected area in accordance with the approved
11 management plan;

12 (c) Delineate and demarcate protected area boundaries, buffer zones,
13 ancestral domains, and recognize the rights and privileges of indigenous
14 communities under the provisions of this Act;

15 (d) Promulgate rules and regulations to promote development
16 *programs and projects* on biodiversity conservation and sustainable
17 development consistent with the management manual of the protected area;

18 (e) Ensure the implementation of programs as prescribed in the
19 management plan in order to provide employment to the people dwelling in
20 and around the protected area;

21 (f) Control and regulate the construction, operation and maintenance
22 of roads, trails, waterworks, sewerage, fire protection and sanitation systems
23 and other public utilities within the protected area;

24 (g) Monitor and evaluate the performance of protected area personnel,
25 NGOs and the communities in providing for the biodiversity conservation and
26 sociocultural and economic development as directed by the NIPAS Policy and
27 Program Steering Committee and the IPAF Governing Board;

1 (h) Issue rules and regulations in accordance with the management
2 plan to prohibit and regulate acts that may be prejudicial to the PPLS and its
3 buffer zones pursuant to the policy declarations herein set forth;

4 (i) Adopt rules of procedure for the conduct of business, including the
5 creation of committees to which the PAMB's powers may be delegated;

6 (j) Recommend to the Regional Executive Director (RED) the
7 deputation of individuals for the enforcement of the laws, rules and
8 regulations governing the conduct within the PPLS and its buffer zones and
9 prescribe the necessary qualifications;

10 (k) Accept donations, approve proposals for funding, budget
11 allocations, and exercise accountability over all funds that may accrue to the
12 PPLS;

13 (l) Coordinate with the appropriate agencies of the government; and

14 (m) Retain legal counsel and deputize officer to defend cases against
15 the PAMB and the Office of the PASu whenever they are sued in connection
16 with the performance of their duties under this Act.

17 The DENR, through the RED, shall ensure that the PAMB shall act
18 within the scope of its powers and functions. In case of conflict between
19 administrative orders issued by the DENR pursuant to Republic Act No.
20 7586, otherwise known as the "National Integrated Protected Areas System
21 Act of 1992" and the resolutions issued by the PAMB, the Secretary of the
22 DENR shall decide whether to apply the rule or withdraw its application
23 within the PPLS.

24 The PAMB shall be composed of the following:

25 (1) The RED of the DENR Region 2 as Chairperson;

26 (2) The Provincial Environment and Natural Resources Officer
27 (PENRO) of the Province of Cagayan;

1 (3) One (1) representative from the local government unit (LGU) of
2 the Municipality of Peñablanca to be appointed by the sangguniang bayan;

3 (4) One (1) representative from the LGU of Tuguegarao City to be
4 appointed by the sangguniang panlungsod;

5 (5) The Provincial Planning and Development Officer (PPDO) of the
6 Province of Cagayan or the Chief Executive of the LGU;

7 (6) Barangay captains of the following barangays: Lapi, Minanga,
8 Mangga, Cabbo, Bical, Baliuag, Nanguilatan, Callao, San Roque,
9 Nabbabalayan, Nannarian, Malibagbag, Sisim, Bugatay, Quibal,
10 Aggugaddan, Cabasan and Buyon to be appointed by their respective
11 barangay councils;

12 (7) One (1) representative from the sangguniang kabataan not chosen
13 from among the chairpersons of each of the barangays within the PPLS;

14 (8) Three (3) representatives from NGOs based in the area or with
15 recognized interest within the PPLS, chosen from among themselves;

16 (9) Two (2) representatives from POs within the PPLS, chosen from
17 among themselves;

18 (10) Two (2) representatives from the Indigenous Cultural
19 Communities (ICCs)/Indigenous Peoples (IPs), chosen directly from among
20 the ICCs/IPs;

21 (11) One (1) representative from the women's sector to be chosen
22 from among the accredited women's organizations;

23 (12) Two (2) representatives from the Department of Tourism (DOT)
24 and the Bureau of Fisheries and Aquatic Resources (BFAR); and

25 (13) One (1) representative from the federation of irrigators
26 association benefiting from the water resources of the PPLS.

1 Each PAMB member shall serve for a term of five (5) years: *Provided*,
2 That said member remains connected with the sector being represented.
3 Whenever a vacancy occurs during the term of a member, a new member
4 shall be appointed in the same manner as the original selection process:
5 *Provided, further*, That said new member shall only serve the remaining
6 term.

7 A PAMB member may be removed for cause and upon majority vote
8 on the following grounds:

9 (i) More than three (3) consecutive unexcused absences in regular
10 PAMB meetings;

11 (ii) Commission of any of the prohibited acts as provided in this Act,
12 the NIPAS Act or other rules and regulations governing protected areas and
13 protected species;

14 (iii) Graft and corruption; and

15 (iv) Conviction of any criminal offense.

16 Within one (1) year from the effectivity of this Act and in consonance
17 with the GMPS as provided for in the NIPAS Act, the Office of the PASu
18 shall prepare a site-specific management plan and management manual in
19 coordination with the local communities, IPs, LGUs, NGOs, other
20 government agencies and individual experts. The PAMB shall review and
21 approve the management plan which shall be certified by the Secretary of the
22 DENR that it conforms to all laws, rules and regulations issued by the DENR.
23 The management plan shall not be revised nor modified without prior
24 consultation with the PAMB. The plan shall contain, among others, the
25 following:

26 (aa) A period of applicability for twenty-five (25) years subject to
27 periodic review every three (3) years;

1 (bb) Management goals and objectives supporting Section 2 hereof;

2 (cc) Key management issues such as, but not limited to, issuance of
3 tenurial instruments, screening, approval and issuance of all developmental
4 and land use activities within the PPLS and its buffer zones and adequate
5 restoration, maintenance and protection of wildlife species and fragile
6 ecosystems;

7 (dd) Site management strategy consistent with the NIPAS Act and this
8 Act shall be allowed within the zones. Strategies shall include, but not
9 limited to, clear and simplified guidelines on activities;

10 (ee) Major management activities such as, but not limited to, law
11 enforcement, habitat and wildlife resources management, sustainable use
12 management, infrastructure development and maintenance, fire, pest and
13 disease prevention and control;

14 (ff) Management zones of the area and its buffer zones in consonance
15 with its appropriate use and in consultation with the primary communities,
16 LGUs and other stakeholders. Zoning shall give prime consideration to the
17 preservation and conservation of the biodiversity and with due respect to the
18 traditional areas used by the ICCs: *Provided*, That such use is not adverse to
19 the features of the area. The zoning shall also take into account the tenurial
20 and livelihood concerns of the other communities;

21 (gg) Mechanisms for the protection of the rights of the occupants
22 therein;

23 (hh) Regulation for the sustainable use of abundant or common species
24 of flora and fauna and their habitats;

25 (ii) Sustainable livelihood activities; and

26 (jj) Visitor management programs.

1 The management plan shall be made available to the public through
2 the Office of the PASu and DENR provincial offices.

3 *SEC. 7. Creation of the PASu Office.* – There shall be an Office of
4 the PASu within the DENR to be headed by the PASu who shall serve as the
5 Chief Operating DENR Officer of the entire PPLS and its buffer zones. The
6 PASu and the staff shall be visible within the protected area and establish an
7 office, or if necessary, suboffices within the PPLS and its buffer zones in
8 order to implement this Act. The PASu shall have full responsibility for the
9 protection of land, water, wildlife and other resources within the PPLS. As
10 such, he/she shall have the following duties and responsibilities in addition to
11 those provided under existing laws and regulations:

12 (a) Prepare the management plan and its successor plans as herein
13 provided;

14 (b) Serve as secretariat to the PAMB with the duty to provide the
15 PAMB with all the information necessary to make appropriate decisions for
16 the implementation of this Act;

17 (c) Hire and supervise the necessary personnel to support operations
18 as the budget may allow;

19 (d) Establish a productive partnership with local communities,
20 including groups supporting the achievement of the goals and objectives of
21 this Act;

22 (e) Develop and implement park information, education and visitor
23 programs;

24 (f) Enforce the laws, rules and regulations and PAMB resolutions
25 relevant to the protected area and its buffer zones, and assist in the
26 prosecution of offenses;

1 (g) Monitor all activities within the PPLS and its buffer zones in
2 conformity with the management plan; and

3 (h) Prepare accomplishment reports on the activities undertaken in the
4 area for submission to the Secretary of the DENR.

5 SEC. 8. *Special Prosecutor.* – Within thirty (30) days from the
6 effectivity of this Act, the Department of Justice (DOJ) shall designate the
7 prosecutor to whom all cases of violation of protected area laws, rules and
8 regulations within the PPLS and its buffer zones shall be assigned. The
9 special prosecutor shall coordinate with the PAMB and the PASu in the
10 performance of one's duties and assist in the training of wardens and rangers
11 in arresting and filing criminal procedures.

12 The PAMB may appoint a private prosecutor on a case-to-case basis to
13 assist the public prosecutor in the enforcement of protected areas laws.

14 SEC. 9. *The Peñablanca Protected Landscape and Seascape Fund.* –
15 There is hereby established a trust fund to be known as the “Peñablanca
16 Protected Landscape and Seascape Fund” for purposes of financing projects of
17 the system. All income generated from the operation of the system or
18 management of wild flora and fauna in the protected area shall accrue to the
19 fund. These income shall be derived from fees from the permitted sale and
20 export of flora and fauna and other resources from the protected area,
21 proceeds from lease of multiple-use areas, contributions from industries and
22 facilities directly benefiting from the protected area; and such other fees and
23 income derived from the operation of the protected area.

24 The fund may be augmented by grants, donations, endowments from
25 various sources, domestic or foreign: *Provided*, That the fund shall be
26 deposited as a special account in the national treasury and disbursements
27 therefrom shall be made solely for the protection, maintenance,

1 administration and management of the system, and duly approved projects
2 endorsed by the PAMB in accordance with existing accounting and budgeting
3 rules and regulations: *Provided, further,* That the fund shall not be used to
4 cover personal services expenditures.

5 *SEC 10. Prohibited Acts.* - The following acts shall be prohibited
6 within the PPLS and its buffer zones, in addition to the prohibited acts
7 provided for in the NIPAS Act of 1992 and its pertinent rules and regulations:

8 (a) Cutting, gathering, collecting or removing forest products without
9 prior permit from the DENR: *Provided,* That any permit issued shall be valid
10 for only one (1) year at a time given only to:

11 (1) Tenured migrants within sustainable, monitored and controlled
12 quotas; and

13 (2) For scientific purposes necessary for protected area management
14 in accordance with existing guidelines.

15 (b) Exploring, exploiting or extracting, drilling, or prospecting for
16 mineral resources;

17 (c) Quarrying without the necessary permit;

18 (d) Hunting, collecting, catching, capturing, wounding, killing,
19 destroying or possessing any protected plant or animal species or their
20 by-products or derivatives without prior PAMB approval;

21 (e) Bio-prospecting without obtaining prior PAMB approval and the
22 prior informed consent of ICCs/IPs in accordance with existing guidelines;

23 (f) Transporting within or outside the protected area or its buffer
24 zones any protected species of plant or animal or their by-products or
25 derivatives from the PPLS and its buffer zones without the necessary
26 transport permit from the PAMB.

1 (g) The deliberate disturbance of protected species or their habitats,
2 reproductive cycle, roosting and feeding grounds, and migratory paths;

3 (h) Introducing exotic species with elopathic or detrimental effects to
4 the endemic species or without PAMB approval;

5 (i) Destroying, excavating, defacing, vandalizing, or in any manner
6 damaging any natural formation, burial or religious/spiritual sites, artifacts
7 and objects belonging to ICCs/IPs and other objects of natural and scenic
8 value;

9 (j) Possession or use of blasting caps, explosives or cyanide;

10 (k) Possession or use of chainsaws and band saws without a prior
11 permit from the PAMB: *Provided*, That permits may only be issued for use
12 within the multiple-use and buffer zones and shall be subject in accordance
13 with Republic Act No. 9175, otherwise known as the "Chain Saw Act of
14 2002";

15 (l) Use of mechanized motorized equipment anywhere within the
16 strict protection zone without a prior permit from the PAMB;

17 (m) Construction or maintaining any kind of road, edifice, facility, or
18 any infrastructure project without a prior clearance or permit from the
19 PAMB: *Provided*, That no PAMB clearance or permit can be issued unless:

20 (1) The PAMB has been fully informed of the project or undertaking
21 and its environmental consequences through consultative process;

22 (2) All other legal requirements have been complied with;

23 (3) The project is consistent with the nature of the PPLS as a protected
24 area; and

25 (4) Passes the Environmental Compliance Certificate (ECC)
26 requirement of public acceptability.

1 (n) Occupying any portion of land without a permit from the PAMB:
2 *Provided, That, land clearing, construction of residence or any introduction*
3 *of improvements on any portion of land shall constitute prima facie evidence*
4 *of occupation or settlement;*

5 (o) Alteration, removal or destruction of boundary marks or signs;

6 (p) Engaging in slash-and-burn agriculture or "kaingin" or causing a
7 forest fire inside the protected area or its buffer zones;

8 (q) Commercial fishing without a prior permit from the BFAR
9 through the recommendation of the PAMB;

10 (r) Introduction, disposal, dumping or causing to be dumped, any
11 waste material including, but not limited to, nonbiodegradable, toxic, nuclear,
12 hazardous and other prohibited substances; and

13 (s) Violation of any rule and regulation provided in the management
14 plan of any resolution reached by the PAMB in the exercise of its adjudicative
15 functions.

16 SEC. 11. *Penalties.* – Whoever violates this Act or any rule and
17 regulation issued by the DENR pursuant to this Act, or whoever is found
18 guilty by a competent court of justice of any offense in the herein prohibited
19 acts shall suffer the following penalties:

20 (a) Fine of not less the Five thousand pesos (P5,000.00) but not more
21 the Five hundred thousand pesos (P500,000.00) exclusive of the value of the
22 thing damaged or imprisonment of not less than one (1) year but not more
23 than six (6) years, or both, as determined by the court;

24 (b) If the area requires rehabilitation or restoration as determined by
25 the court, the offender shall also be required to restore or compensate for the
26 restoration of the damage;

1 (c) The court shall order the eviction of the offender from the
2 protected area or its buffer zones, and the forfeiture in favor of the
3 government of all minerals, timber or species collected or removed including
4 equipment, devices, weapons or any other instrument used in the commission
5 of the offense or any construction or improvement made thereon by the
6 offender. Pending the outcome of the case, any resource confiscated shall be
7 turned over to the PAMB immediately for proper disposal and the proceeds
8 thereof deposited in a trust fund. However, confiscated or rescued animal
9 species shall not be sold or disposed of but shall be turned over to the Office
10 of the PASu immediately for release in its natural habitat.

11 Valuation of the damage shall take into account biodiversity and
12 conservation considerations, aesthetic and socioeconomic values, and
13 rehabilitation and restoration costs;

14 (d) If the offender is an association or corporation, the president or
15 manager shall be directly responsible for the act of his/her employees and
16 laborers;

17 (e) The DENR may impose additional administrative fines and
18 penalties consistent with this Act, the Caves and Cave Resources
19 Management and Protection Act, and the Wildlife Resources Conservation
20 and Protection Act; and

21 (f) Penalties for illegal fishing shall be in consonance with Republic
22 Act No. 8550.

23 SEC. 12. *Exemptions.* – Members of ICCs/IPs who commit any of the
24 abovementioned acts in the exercise of their certified customary laws,
25 traditional rights, and traditional economic, cultural and spiritual practices
26 without having been adequately informed by the PAMB of restricting rules
27 and regulations for the PPLS shall be exempted from any liability provided

1 herein. Except involving the protected species, the certified customs and
2 traditional practices of ICCs/IPs, when sustainable and carried out with
3 traditional tools and equipment are allowable activities over which the above
4 prohibitions shall not apply.

5 All activities contained in the management plan and such other
6 measures as are necessary for protection, preservation and protected area
7 management as certified by the PAMB and the Secretary of the DENR and
8 those undertaken by the PASu or those deputized by the PAMB shall likewise
9 be exempted.

10 SEC. 13. *Existing Facilities Within the PPLS.* – Within ninety (90)
11 days from the effectivity of this Act, all existing commercial facilities within
12 the PPLS or its buffer zones with total capitalization in excess of Fifty
13 thousand pesos (P50,000.00) shall submit to the PAMB, through the PASu,
14 the following information:

15 (a) Potential for disturbance of protected species and their habitat,
16 reproductive cycle, nesting and feeding grounds and migratory paths;

17 (b) Noise levels at all stages of operation;

18 (c) Emission and effluent at all stages of operation;

19 (d) Energy requirement and source of energy; and

20 (e) Requirements of water supply and sources of water.

21 Based on this submission, the PAMB with the assistance of the DENR,
22 shall determine whether the existence of such facilities and its future plans
23 and operation will be detrimental or not to the PPLS and its buffer zones.
24 Failure to submit the required information shall constitute a violation of this
25 Act and shall be punishable by a fine and ejection from the PPLS. The
26 PAMB may prescribe further conditions for the operation of the facility to
27 ensure that it does not conflict with the management objectives of the PPLS.

1 If any of such conditions are violated, a fine shall be imposed to be
2 determined by the PAMB based on fines imposed in existing rules and
3 regulations. Existing facilities allowed to continue operating within the PPLS
4 or its buffer zones shall be charged a fee by the PAMB in consonance with the
5 existing laws, rules and regulations and recent scientific studies.

6 SEC. 14. *Utilization of Energy and Nonrenewable Resources.* –
7 Except for protected species or whenever detrimental to the ecosystem, the
8 use of resources derived from the PPLS by tenured migrants and ICCs/IPs for
9 their domestic needs or for their subsistence shall not be restricted. *Provided,*
10 *however,* That livelihood activities requiring the use of these resources shall
11 be allowed only if these are consistent with the management plan, and after
12 prior PAMB approval. Only nontimber protected area resources can be used
13 for livelihood purposes.

14 The PAMB is authorized to impose regulatory measures such as
15 hunting moratoriums, closed hunting seasons and other restrictions on the use
16 of resources within the PPLS and its buffer zones to ensure the sustainability
17 of species and ecosystems: *Provided,* That these will not pose a threat to the
18 food security of the ICCs/IPs or other tenured migrants. Any exploration,
19 exploitation or utilization of nonrenewable resources within the PPLS for
20 commercial purposes or by nontenured migrants or non-ICCs/IPs may be
21 allowed: *Provided,* That it shall be endorsed by the PAMB to the concerned
22 government agency and shall undergo the Environmental Impact Statement
23 (EIS) System. Energy projects within the PPLS shall be allowed only through
24 an act of Congress except energy from wind, sun, waves and water sources:
25 *Provided, further,* That in all instances, the primary beneficiaries shall be
26 residents of the PPLS and its buffer zones: *Provided, furthermore,* That it
27 shall undergo the Environmental Impact Assessment (EIA) as provided by

1 law and, that the PAMB has endorsed the project. Commercial exploitation of
2 water resources within the PPLS shall require prior PAMB approval, must be
3 in accordance with the management plan, and should undergo the EIA
4 System. Any exploitation and utilization of energy and other nonrenewable
5 resources within the protected area shall be allowed only through PAMB
6 approval, in consultation with the Department of Energy: *Provided, finally,*
7 *That it shall undergo the EIA for energy and nonrenewable resource*
8 *exploitation projects within the protected area.*

9 SEC. 15. *Indigenous People's Rights.* – The rights of ICCs/IPs in the
10 PPLS to their lands shall be fully recognized. Traditional property regimes
11 exercised by ICCs/IPs in accordance with their customary laws shall govern
12 the relationship of all individuals within their communities with respect to all
13 lands and other resources found within the ancestral lands and domains
14 traditionally used by them. The provisions of this Act shall be construed
15 liberally in favor of the ICCs/IPs in accordance with the preservation and
16 conservation of the PPLS and its resources. Nothing herein shall be
17 construed to impair or diminish prior and existing rights currently enjoyed by
18 the ICCs/IPs as provided by existing laws.

19 SEC. 16. *Tenured Migrants.* – Whenever practicable, tenured migrant
20 communities of more than five (5) households occupying contiguous lots shall
21 be provided tenurial rights over their current habitation sites. However, if
22 despite the foregoing, these areas are subsequently identified as crucial for
23 conservation, tenured migrants shall, after due consultation, be offered
24 alternative sites within the appropriate zones or buffer zones: *Provided, That*
25 *such tenured migrants shall be accorded humanitarian considerations such as*
26 *payment of compensation, security of tenure to alternative lands, provision of*
27 *facilities of equivalent or better standards and similar measures.*

1 In all other cases, the grant of tenurial rights must take into account
2 the need to promote clustering and to avoid unnecessary displacement.
3 In areas where tenurial instruments are granted, appropriate use zones shall
4 be established for the purpose of maintaining noncommercial livelihood
5 activities.

6 Lands used as home lots or farm lots shall preferably be held by individual
7 household. Lands currently used on a communal basis shall not be held
8 individually. Tenurial instruments shall not be issued solely on the basis of
9 tax declaration receipts but must be supported by indisputable evidence of
10 permanent land use from five (5) years before 10 March 1997, such as:

11 (a) Cultivated trees at their fruit-bearing stage;

12 (b) Physical structures in the area indicating prolonged occupancy;

13 (c) Certification from the barangay captain or any two (2) respected
14 members of the nearest community attesting to occupancy; and

15 (d) Other relevant data (e.g. previous census reports) that may be
16 accepted by the PAMB. All persons who fail to qualify as tenured migrants
17 including transient farmers shall be allowed to gather and collect whatever
18 they have planted within five (5) years from the effectivity of this Act. Any
19 transfer of nontenured migrants from the PPLS shall be undertaken using
20 humanitarian considerations.

21 SEC. 17. *Appropriations* – The Secretary of the DENR shall
22 immediately include in the Department's program the implementation of this
23 Act, the funding of which shall be included in the annual General
24 Appropriations Act.

1 SEC. 18. *Repealing Clause.* – Any law, presidential decree, issuance,
2 executive order, letter of instruction, administrative order, rule and regulation
3 contrary to or inconsistent with the provisions of this Act is hereby repealed,
4 amended or modified accordingly.

5 SEC. 19. *Separability Clause.* – If any provision of this Act is
6 declared unconstitutional or invalid, the provisions not affected thereby shall
7 remain valid and shall continue to be in full force and effect

8 SEC. 20. *Effectivity Clause.* – This Act shall take effect fifteen (15)
9 days after its publication in the *Official Gazette* or in any newspaper of
10 general circulation.

Approved.

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