



HOUSE OF REPRESENTATIVES

H. No. 9074

BY REPRESENTATIVES COSALAN, ABELLANOSA AND ANDAYA, PER
COMMITTEE REPORT No. 1232

AN ACT

DECLARING THE UPPER AGNO RIVER BASIN PROTECTED
LANDSCAPE IN THE MUNICIPALITIES OF BOKOD AND
KABAYAN; AND SOME PORTIONS OF THE MUNICIPALITIES
OF ATOK, BUGUIAS, ITOGON, LA TRINIDAD, AND TUBLAY,
ALL IN THE PROVINCE OF BENGUET; PORTIONS OF BAUKO,
MT. PROVINCE; PORTIONS OF TINOC, IFUGAO AND; KAYAPA,
NUEVA VIZCAYA AS A PROTECTED AREA UNDER THE
CATEGORY OF PROTECTED LANDSCAPE, PROVIDING FOR
ITS MANAGEMENT

1 Section 1. *Short Title*. – This Act shall be known as the “Upper Agno River
2 Basin-Protected Landscape (UARBPL) Act”.

3 SEC. 2. *Declaration of Policy*. – Pursuant to Republic Act No. 7586,
4 otherwise known as the “National Integrated Protected Areas System Act of 1992
5 as amended by Republic Act No. 11038, “The Expanded NIPAS Act of 2018”, it is
6 hereby declared the policy of the State to ensure the protection and conservation of
7 Upper Agno River Basin as a protected area in order to preserve its biological
8 diversity, the uniqueness of its landscapes/seascapes and its socio-cultural and
9 economic significance for the benefit and enjoyment of the people of the Provinces of
10 Benguet, Nueva Vizcaya, Mt. Province and Ifugao. The State shall ensure the full
11 implementation of this Act by establishing the institutional mechanism for the

1 mobilization of resources and providing for adequate scientific and technical
 2 support for the conservation of biodiversity and the integrity of the ecosystem, local
 3 culture and spiritual practices.

4 **SEC. 3. *Scope and Coverage.*** – The boundaries of the Upper Agno River
 5 Basin Protected Landscapes are as follows:

6 Tie point begins at a point marked “1” which is N 38-51-36, 200.81 meters from
 7 PRS92 BGT-3097 Control Point, located at Brgy. Caliking, Municipality of Atok,
 8 Province of Benguet with geographic coordinates of 16-30-3 latitude and 120- 40-
 9 40.38 longitude. It covers a total of 78, 315.03 hectares.

10	LINE	BEARING	DISTANCE	LINE	BEARING	
11	DISTANCE		(meters)		(meter	
12	1–2	N 38-51-36 E	158.74	109–110	N 68-47-15 E	600.64
13	2–3	N 56-55-9 E	1332.76	110–111	S 26-26-1 E	801.36
14	3–4	N 11-55-57 E	666.17	111–112	S 83-2-8 W	1903.36
15	4–5	N 4-46-38 W	266.60	112–113	S 77-29-41 W	263.25
16	5–6	N 38-11-37 E	984.61	113–114	N 68-56-31 W	200.38
17	6–7	N 51-45-2 E	397.93	114–115	S 70-5-47 W	185.05
18	7–8	N 86-22-39 E	390.45	115–116	N 22-48-58 W	157.31
19	8–9	N 42-13-47 E	777.73	116–117	N 81-22-9 W	113.28
20	9–10	N 31-7-15 W	514.53	117–118	S 30-6-49 E	3930.49
21	10–11	N 41-6-14 E	484.09	118–119	S 26-21-46 E	887.28
22	11–12	N 72-18-12 E	335.76	119–120	S 13-11-21 W	3330.86
23	12–13	N 3-36-16 W	498.14	120–121	S 26-1-58 W	4333.69
24	13–14	N 55-24-19 E	995.59	121–122	S 83-38-30 E	1390.55
25	14–15	N 84-55-57 E	790.95	122–123	S 18-28-4 E	1104.90
26	15–16	N 24-3-38 E	982.11	123–124	S 15-3-47 W	2381.84
27	16–17	N 30-56-48 E	989.39	124–125	S 36-28-21 E	3833.89
28	17–18	N 23-5-37 E	508.15	125–126	S 80-42-23 E	1851.00
29	18–19	N 67-25-27 E	866.29	126–127	S 11-18-20 W	1190.81
30	19–20	N 49-29-27 E	1171.30	127–128	S 7-39-40 W	1526.70

1	20-21	N 49-39-52 E 921.14	128-129	S 22-58-1 W 908.65
2	21-22	N 33-51-35 E 577.77	129-130	S 69-26-45 W 876.04
3	22-23	N 39-20-30 W 773.73	130-131	S 69-26-45 W 876.04
4	23-24	N 87-22-56 E 448.94	131-132	S 13-42-25 E 1350.46
5	24-25	N 22-34-33 E 857.70	132-133	S 6-50-51 W 947.76
6	25-26	N 33-7-39 E 1267.46	133-134	S 18-28-18 E 984.73
7	26-27	N 10-55-36 W 887.93	134-135	S 18-28-18 E 984.73
8	27-28	N 24-43-10 E 434.85	135-136	S 41-16-2 W 662.55
9	28-29	N 29-0-0 W 300.00	136-137	S 18-34-22 E 788.04
10	29-30	N 23-0-0 E 230.00	137-138	S 9-46-14 W 489.09
11	30-31	N 52-39-57 W 200.94	138-139	S 9-17-56 E 748.84
12	31-32	N 15-27-14 E 540.99	139-140	S 3-44-42 E 826.77
13	32-33	N 5-44-42 W 662.20	140-141	S 36-15-11 W 663.37
14	33-34	N 67-58-16 E 792.78	141-142	S 24-13-15 W 828.02
15	34-35	N 23-53-54 W 772.72	142-143	S 32-4-35 W 1583.68
16	35-36	N 28-31-49 E 412.83	143-144	S 1-4-28 E 2293.40
17	36-37	N 73-22-41 E 1347.40	144-145	S 29-19-59 W 1812.70
18	37-38	N 13-54-12 W 961.73	145-146	S 39-51-17 W 1243.65
19	38-39	N 38-16-0 W 714.08	146-147	S 11-42-56 E 221.62
20	39-40	N 38-10-47 E 947.63	147-148	S 38-6-13 W 1560.56
21	40-41	N 23-22-20 W 1147.17	148-149	S 6-54-29 E 557.04
22	41-42	N 29-28-33 E 559.22	149-150	S 50-2-34 W 3000.56
23	42-43	N 8-10-41 W 892.79	150-151	S 2-30-55 W 1162.12
24	43-44	N 55-47-12 W 647.25	151-152	S 29-33-37 W 385.13
25	44-45	N 16-3-25 W 1218.27	152-153	S 84-54-21 W 1396.52
26	45-46	N 50-48-41 W 811.90	153-154	S 53-45-17 W 715.44
27	46-47	N 70-16-34 E 1856.66	154-155	N 85-10-23 W 1129.00
28	47-48	N 30-38-26 E 881.48	155-156	N 1-28-8 E 819.27
29	48-49	N 67-45-47 E 975.29	156-157	N 0-36-19 W 1136.06
30	49-50	N 46-51-19 E 668.16	157-158	N 78-30-3 W 356.15

1	50-51	N 17-24-17 E	474.16	158-159	N 14-28-47 W	1127.82
2	51-52	N 25-47-13 W	766.57	159-160	N 49-53-57 W	894.22
3	52-53	N 18-33-41 E	1101.29	160-161	N 1-45-58 W	838.68
4	53-54	N 49-24-51 E	544.53	161-162	N 56-59-26 W	1259.55
5	54-55	N 2-52-51 W	665.76	162-163	N 8-30-35 W	903.78
6	55-56	N 29-0-0 E	300.00	163-164	N 22-30-50 E	666.50
7	56-57	N 43-0-0 W	270.00	164-165	N 40-26-47 W	1457.29
8	57-58	N 14-6-5 E	690.64	165-166	S 87-29-7 W	592.57
9	58-59	N 38-21-1 E	644.01	166-167	N 40-27-2 W	659.69
10	59-60	N 12-27-7 E	608.76	167-168	N 18-0-59 W	562.58
11	60-61	N 82-0-0 E	340.00	168-169	N 46-13-15 W	862.87
12	61-62	N 25-1-20 E	811.68	169-170	S 65-20-7 W	1159.82
13	62-63	N 45-49-25 E	385.59	170-171	N 51-35-43 W	806.49
14	63-64	N 5-25-26 E	1235.06	171-172	S 38-5-57 W	941.62
15	64-65	N 58-55-24 E	338.74	172-173	S 57-28-26 W	559.81
16	65-66	N 6-54-44 E	299.43	173-174	S 19-31-14 W	751.18
17	66-67	N 37-39-15 E	689.23	174-175	N 34-1-10 W	48.26
18	67-68	N 67-0-55 E	524.23	175-176	N 84-50-9 W	1710.95
19	68-69	N 21-56-8 E	1042.67	176-177	N 64-10-21 W	1042.09
20	69-70	N 45-45-0 E	708.29	177-178	N 20-6-8 W	1847.55
21	70-71	S 89-36-22 E	337.74	178-179	N 1-26-12 E	319.10
22	71-72	N 27-41-43 E	897.13	179-180	S 89-48-47 W	613.00
23	72-73	N 60-25-20 E	309.17	180-181	N 32-4-33 W	600.92
24	73-74	S 72-57-2 E	719.84	181-182	N 51-8-29 W	1106.15
25	74-75	N 57-43-42 E	596.24	182-183	N 5-29-37 W	433.80
26	75-76	N 37-34-39 E	1378.34	183-184	S 67-21-33 W	418.23
27	76-77	S 41-2-56 E	455.24	184-185	S 50-26-56 W	639.47
28	77-78	S 4-26-28 E	996.30	185-186	S 71-41-23 W	655.10
29	78-79	S 21-54-38 E	1170.98	186-187	N 53-26-22 W	592.61
30	79-80	N 78-2-13 E	712.04	187-188	N 37-41-44 W	1429.35

1	80-81	N 83-32-54 E	521.35	188-189	S 76-50-50 W	1085.48
2	81-82	N 46-16-12 E	454.40	189-190	N 20-50-43 W	834.63
3	82-83	S 55-44-39 E	478.38	190-191	N 89-57-47 W	1376.58
4	83-84	S 43-19-50 E	694.37	191-192	N 40-29-20 W	1148.03
5	84-85	N 68-49-34 E	803.29	192-193	N 25-39-38 W	424.91
6	85-86	S 1-7-49 E	986.77	193-194	N 7-18-47 E	604.92
7	86-87	S 29-37-53 W	322.49	194-195	N 29-39-50 E	592.81
8	87-88	S 22-0-41 W	521.48	195-196	N 12-27-47 E	401.34
9	88-89	S 23-11-12 W	610.35	196-197	N 51-10-41 E	275.96
10	89-90	S 18-16-5 E	459.18	197-198	N 32-19-3 E	486.33
11	90-91	S 29-34-0 E	506.18	198-199	N 51-15-12 E	483.13
12	91-92	S 10-9-20 W	446.97	199-200	N 33-54-56 E	630.56
13	92-93	S 31-47-5 E	707.94	200-201	N 53-5-16 E	645.40
14	93-94	S 14-54-37 E	449.76	201-202	N 46-57-8 E	329.21
15	94-95	S 28-7-45 W	376.93	202-203	N 14-21-2 E	426.96
16	95-96	S 1-50-44 E	765.90	203-204	N 31-54-53 E	231.89
17	96-97	S 11-28-35 W	813.70	204-205	N 88-54-51 E	169.71
18	97-98	S 3-45-59 W	608.20	205-206	N 42-14-16 E	870.68
19	98-99	S 14-53-45 E	473.35	206-207	N 46-26-45 E	518.89
20	99-100	S 45-20-47 W	842.42	207-208	N 58-39-18 E	457.14
21	100-101	S 40-2-16 E	499.11	208-209	N 67-14-21 E	460.77
22	101-102	S 24-22-52 E	386.80	209-210	N 75-30-9 E	383.51
23	102-103	S 64-18-27 W	1028.02	210-211	S 82-36-40 E	435.89
24	103-104	S 55-21-45 W	647.01	211-212	S 26-8-18 E	471.61
25	104-105	S 81-33-30 W	735.75	212-213	S 37-28-6 E	113.08
26	105-106	S 65-53-46 W	1067.95	213-214	S 73-0-0 E	280.00
27	106-107	S 46-35-23 W	1159.41	214-215	N 52-30-0 E	137.80
28	107-108	S 7-51-22 W	778.54	215-1	N 60-5-26 E	610.30
29	108-109	S 17-15-12 E	766.96			

1 SEC. 4. **Land Classification.** – All lands of the public domain comprising
2 the UARBPL shall fall under the classification of national park as provided for in
3 the ~~1987~~ Constitution: *Provided*, That public lands already classified as agricultural
4 lands or alienable and disposable lands prior to the passage of this Act remains as
5 such and may be disposed pursuant to existing laws.

6 SEC. 5. **Definition of Terms.** – As used in this Act;

- 7 a) *Biological resources* refer to living natural resources, including
8 microorganisms, plants, animals, and other biotic component of the
9 ecosystem with actual or potential use or value;
- 10 b) *Buffer zones* refer to identified areas outside the boundaries of and
11 immediately adjacent to designated protected areas pursuant to
12 Section 8 of the Republic Act No. 7586, otherwise known as the NIPAS
13 Act that need special development and monitoring in order to avoid or
14 minimize harm to the protected area;
- 15 c) *General Management Plan* refers to the basic long-term framework
16 plan to attain the objectives of conserving and protecting the area
17 which shall serve as guide in the preparation of the annual operations
18 plan and budget;
- 19 d) *General management planning strategy* refers to the general guide in
20 the formulation of site-specific management plan that shall include the
21 management of buffer zones and the preservation of ancestral domain
22 lands;
- 23 e) *Indigenous peoples* refer to a group of people sharing common bonds of
24 language, customs, traditions, and other distinctive cultural traits,
25 and which have since time immemorial occupied, possessed and
26 utilized a territory;
- 27 f) *Protected area* refers to an identified portion of land and/or water set
28 aside by reason of their unique physical significance and biological
29 diversity and protected against destructive human exploitation; and

1 g) *Tenured migrants* refer to persons who have actually and continuously
2 occupied an area for five (5) years prior to its designation as a
3 protected area in accordance with the NIPAS Act, and are solely
4 dependent on its resources for subsistence.

5 SEC. 6. ***Protected Area Management Board (PAMB)***. – There shall be
6 created a Protected Area Management Board (PAMB) which shall serve as the
7 highest policy making body of the UARBPL and shall be composed of the following:

8 a) The Regional Director of the Department of Environment and Natural
9 Resources Cordillera Administrative Region (DENR-CAR), as
10 Chairperson;

11 b) The Provincial Planning and Development Coordinator of Benguet,
12 Nueva Vizcaya, Mt. Province, and Ifugao as members;

13 c) One (1) representative from each municipal government of Atok,
14 Bokod, Buguias, Itogon, Kabayan, La Trinidad and Tublay, Province of
15 Benguet; Municipality of Bauko, Mt. Province; Municipality of Tinoc,
16 Province of Ifugao; and Municipality of Kayapa, Province of Nueva
17 Vizcaya to be appointed by their respective Sangguniang Bayan, as
18 members;

19 d) One (1) representative each from Barangays Abiang, Catubo, Paoay,
20 Kaliking, and Topdak, Municipality of Atok, Benguet; Barangays
21 Ambuklao, Bila, Bobok-Bisal, Daclan, Ekip, Karao, Nawal, Pito,
22 Poblacion, and Tikey, Municipality of Bokod, Benguet;
23 Barangays Abatan, Amgaleygey, Amlimay, Baculongan Norte, Bangao,
24 Buyacaoan, Calamagan, Catlubong, Loo, Natubleng, Poblacion,
25 Baculongan Sur, Lengaoan, and Sebang, Municipality of Buguias,
26 Benguet; Barangays Loakan and Tinongdan, Municipality of Itogon,
27 Benguet; Barangays Adaoy, Ballay, Bashoy, Batan, Duacan, Eddet,
28 Gusaran, Kabayan Barrio, Pacso, and Poblacion, Municipality of
29 Kabayan, Benguet; Barangays Ambiong, Beckel, Lubas, and Shilan,
30 Municipality of La Trinidad, Benguet; Barangays Ambassador and

1 Caponga, Municipality of Tublay, Benguet; Barangay Monamon,
2 Municipality of Bauko, Mt. Province; Barangays Ahin and Tokukan,
3 Municipality of Tinoc, Ifugao; and Barangays Ansipsip, Cabayo, and
4 Pangawan, Municipality of Kayapa, Nueva Vizcaya to be appointed by
5 their respective barangay councils, as members;

6 e) At least three (3) representatives from nongovernment organizations
7 (NGOs) and local community organizations involved in the protected
8 area management based in the jurisdiction of UARBPL and duly
9 accredited by the municipal government, chosen through an election
10 exclusively called for the purpose by the DENR in coordination with
11 concerned local government units (LGUs), as members

12 f) One (1) representative from each tribal community, chosen in an
13 election to be conducted by the DENR in coordination with the
14 National Commission on Indigenous Peoples (NCIP), as member; and

15 g) One (1) representative each, if necessary, from other government
16 agencies involved in the management of the UARBPL.

17 Except for government officials who shall serve *ex officio*, every member of
18 the PAMB shall be appointed by the DENR Secretary and shall serve for a term of
19 five (5) years without compensation: *Provided*, That each member remains
20 connected with the organization being represented. In the case of members who are
21 government officials, their appointments shall be coterminus with their term of
22 office. Whenever a vacancy occurs during the term of a nongovernment PAMB
23 member, a new member shall be chosen in the same manner through the original
24 selection process and shall only serve for the unexpired portion of the term.

25 The members of the PAMB shall be entitled to reimbursement of actual and
26 necessary traveling and subsistence expenses incurred in attending meetings of the
27 PAMB or any of its committees, subject to government accounting, auditing and
28 budgeting rules and regulations, and subject further to the availability of funds as
29 reflected in the Work and Financial Plan, which is required in accessing funds from
30 the Integrated Protected Area Fund (IPAF).

1 **SEC. 7. Powers and Functions of the PAMB.** – The PAMB shall
2 exercise the following powers and functions:

- 3 a) Issue rules and regulations to prohibit acts that may be prejudicial to the
4 UARBPL and the policy declaration herein set forth as well as established
5 biodiversity protection criteria;
- 6 b) Approve the management plan required under Section 10 of this Act and
7 oversee the office of the Protected Area Superintendent (PASu);
- 8 c) Adopt rules and procedures for the conduct of business, including causing
9 the creation of committees to whom its powers may be delegated;
- 10 d) Set fees for the issuance of permits for activities regulated by this Act or
11 the management plan;
- 12 e) Issue rules and regulations for the resolution of conflicts through
13 appropriate culturally sensitive and effective means;
- 14 f) Approve proposals for funding and budget allocation and exercise
15 responsibility over all funds that may accrue to the UARBPL; and
- 16 g) Deputize interested individuals for the enforcement of the laws, rules and
17 regulations governing the conduct in the UARBPL and its buffer zone.

18 The Regional Director of DENR-CAR, shall exercise authority over the
19 PAMB to ensure that it acts within the scope of its powers and functions. In case of
20 a conflict between administrative orders of national application issued by the
21 DENR pursuant to R.A No. 7586 and R.A. No. 11038 and other pertinent laws and
22 the rules and regulations issued by the PAMB, the PAMB shall notify the DENR
23 Secretary who shall decide whether to apply the rule or withdraw its application in
24 the UARBPL. The decision of the DENR Secretary shall be guided by a preference
25 for local initiatives and specific policies enacted by the PAMB. The decision of the
26 DENR Secretary may be raised on appeal to the Regional Trial Court that has
27 jurisdiction over the UARBPL.

28 **SEC. 8. The Protected Area Management Office (PAMO).** – There is
29 hereby established a Protected Area Management Office to be headed by the
30 Protected Area Superintendent (PASu) in charge of the management, protection

1 and administration of the PA. The PASu shall be supported by the existing
2 personnel of the DENR. The head of office shall be the chief operating officer of the
3 UARBPL and shall be accountable to the Regional Executive Director of the DENR-
4 Cordillera Administrative Region and the PAMB. The PASu shall have the
5 following functions:

- 6 a) Prepare the initial and subsequent management plan as herein provided;
- 7 b) Serve as the head of the secretariat for the PAMB with the duty to
8 provide the PAMB with all the needed information in making appropriate
9 decisions when necessary;
- 10 c) Establish a productive partnership with the local community, including
11 groups interested in the achievement of the herein goals and objectives,
12 and in the planning, protection and management of the UARBPL;
- 13 d) Develop and implement a park information, education and visitor
14 program;
- 15 e) Enforce the laws, rules and regulations relevant to the BPNM and assist
16 in the prosecution of offenses;
- 17 f) Monitor all activities within the BPNM to ensure compliance with the
18 management plan; and
- 19 g) Perform such other functions as the PAMB may assign.

20 **SEC. 9. Protected Area Management Plan.** – Within one (1) year from the
21 effectivity of this Act, the PASu, in coordination with the local communities,
22 appropriate offices of the DENR, LGUs, NGOs, and people's organizations, shall
23 prepare a management plan. The management plan shall contain, among others,
24 the following:

- 25 a) Category and description of the protected area;
- 26 b) Period of applicability of the plan;
- 27 c) Key management issues;
- 28 d) Goals and objectives of the management;
- 29 e) Site management strategy;

- 1 f) Major management activities such as, but not limited to, enforcement of
2 laws, habitat and wildlife management, sustainable use management,
3 infrastructure development and maintenance, fire and pest control, etc;
4 g) Zoning; and
5 h) Visitor management programs

6 The management plan shall be reviewed, approved, and adopted by the
7 PAMB and shall be certified by the DENR Secretary that it conforms to all laws,
8 rules and regulations of national application issued by the DENR. In no case shall
9 the DENR revise or modify the management plan without prior consultation with
10 the PAMB.

11 One (1) year before the expiration of the initial management plan, the PASu
12 shall cause the publication of notices for comments and suggestions on the
13 subsequent management plan in a newspaper of local circulation and the posting of
14 such notices in the provincial, municipal, and barangay halls and in three (3) other
15 areas frequented by the public. Public hearings may be conducted on the
16 subsequent management plan upon the written request of any interested party. The
17 plan shall be prepared in the language understood in the area and shall be made
18 available to the public during the period for comments.

19 In the event that no subsequent management plan is adopted upon the
20 expiration of the initial management plan, the latter shall remain in force subject to
21 interim modifications that may be adopted by the PAMB.

22 **SEC. 10. *Upper Agno River Basin Protected Landscapes Fund.*** – There
23 is hereby created a fund to be known as the Upper Agno River Basin Protected
24 Landscapes Fund, hereinafter referred to as the Fund, for purposes of financing
25 projects of the UARBPL. All income generated from the operation or management
26 of wild flora in the UARBPL shall accrue to the Fund. This income shall be derived
27 from the visitor/tourist fees, fees from permitted sale and export of flora and fauna
28 and other resources from the UARBPL, proceeds from the registration and lease of
29 multiple-use areas including tourism concessions, contributions from industries and

1 facilities directly benefitting from the protected area and such other fees and
2 incomes derived from its operation.

3 The Fund may be augmented by grants, donations, endowment from various
4 resources, domestic or foreign, for purposes related to their functions: *Provided*,
5 That the Fund shall be subject to the retention by the PAMB of the protected area
6 of seventy-five percent (75%) of all revenues raised therefrom and deposited in any
7 government bank within the locality where the protected area is located, and the
8 disbursements shall be made solely for the protection, maintenance,
9 administration, and management of the area and implementation of duly approved
10 projects endorsed by the PAMB in accordance with existing accounting, auditing
11 and budgeting rules and regulations; *Provided, further*, That the Fund shall not be
12 used to cover personal services expenditures; *Provided finally*, That twenty-five
13 percent (25%) of the revenues shall be deposited as a special account in the
14 National Treasury to form part of the Integrated Protected Area Fund (IPAF)

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

20 **SEC. 11. Existing Facilities and Infrastructure.** – Within sixty (60) days
21 from the effectivity of this Act, an inventory of all existing facilities such as roads,
22 buildings and structures, water systems, transmission lines, communication
23 facilities, heavy equipment, and irrigation facilities, among others, within the
24 protected area shall be conducted.

25 The DENR Regional Director shall submit the inventory of facilities with
26 corresponding descriptions and an assessment report containing the appropriate
27 recommendations to the DENR Secretary through the BMB.

28 The PAMB, with the assistance of the DENR, may impose conditions for the
29 continuous operation of a facility found to be detrimental to the protected area until

1 its eventual relocation. If the conditions are violated, the owner of the facility shall
2 be made liable.

3 Existing facilities allowed to remain within the protected area shall be
4 charged a reasonable fee by the PAMB based on existing guidelines. Structures
5 found within the forty (40)-meter easement shall be demolished unless proven
6 necessary to protect the shoreline and mitigate habitat destruction. The PAMB
7 shall levy a reasonable fee for the use of such easement for their continued
8 operations. Wharves shall be kept accessible to the public.

9 **SEC. 12. *Utilization of Nonrenewable Resources.*** – Any exploitation and
10 utilization of nonrenewable resources within the UARBPL shall be allowed only
11 upon the approval of the PAMB and shall be subject to the Environmental Impact
12 Assessment System.

13 **SEC. 13. *Indigenous Peoples Rights.*** – Ancestral domains and the
14 customary rights and interest of indigenous communities located within any area of
15 the UARBPL shall be accorded due recognition and respect. The preservation of
16 ancestral domains and customary rights shall be considered as one of the
17 management objectives of this Act.

18 The evaluation of ancestral domain claims within the UARBPL shall be
19 conducted in accordance with Republic Act No. 8371, otherwise known as the
20 “Indigenous Peoples’ Rights Act of 1997” in coordination with the DENR and other
21 concerned groups.

22 **SEC. 14. *Tenured Migrants and Other Protected Area Occupants.*** –
23 Persons who have actually and continuously occupied a portion of the UARBPL five
24 years before the effectivity of the NIPAS Act and whose livelihood are solely
25 dependent of the area shall be considered as tenured migrants in the UARBPL.

26 For the purpose of official documentation, recognition of rights and
27 determination of the extent of occupation within the UARBPL, a tenured migrant
28 shall be issued a tenorial instrument over the area being occupied or cultivated.
29 However, in areas that are designated as zones in which no occupation of other

1 human activities are allowed, a provision for the transfer of tenured migrants to
2 multiple-use zones or the buffer zone shall be undertaken.

3 Upon the cancellation of a tenured migrant instrument for cause,
4 abandonment or by voluntary surrender of rights, the PASu shall take immediate
5 steps to rehabilitate or restore the area to its natural state.

6 **SEC. 15. *Prohibited Acts and Penalties.*** – In addition to those mandated
7 in the NIPAS Act, the following shall constitute the prohibited acts and penalties in
8 the UARBPL:

- 9 a) Hunting, burning, destroying, disturbing, trapping or mere possession of
10 any wild plant or wild animal or product derived therefrom without a
11 permit from the PAMB;
- 12 b) Dumping of any waste product detrimental to the UARBPL, or to the
13 plants, animals or inhabitants therein;
- 14 c) Bulldozing, using any motorized equipment to include back hoes,
15 chainsaw and other similar instruments without a permit from the
16 PAMB;
- 17 d) Burning, cutting, mutilating, defacing or destroying objects of natural
18 beauty, or objects of interest to cultural communities;
- 19 e) Damaging and leaving roads and trails in a damaged condition;
- 20 f) Squatting, treasure hunting, mining or otherwise occupying any land in
21 the identified Strict Protection Zones/Protection Zones, Water sources,
22 watershed without permit;
- 23 g) Constructing or maintaining any kind of structure, fence or enclosure or
24 conducting any business enterprise without a permit from the PAMB;
- 25 h) Leaving exposed or in unsanitary condition refuse, chemicals or debris or
26 depositing the same in the grounds or in bodies of water; and
- 27 i) Altering, removing, destroying or defacing boundary marks or signs.
- 28 j) Wild timber poaching, charcoal making, land conversion of mossy oak
29 forest, pine forest, and other natural ecosystems or areas identified as

1 protection zones and other similar activities that will threaten the
2 ecosystem.

3 Any project outside the scope of the General Management Plan of
4 UARBPL shall be subjected to Environmental Impact Analysis.
5 Prospecting activities shall be presented and approved by the PAMB
6 before any permit shall be issued. The Licenses, Patents, and Deeds
7 Division of concerned LGUs shall not issue any permit without the
8 consent and approval of the PAMB.

9 **SEC. 16. *Special Prosecutor and Retained Counsel.*** – Within thirty (30)
10 days from the effectivity of this Act, the Department of Justice (DOJ) shall appoint
11 a special prosecutor to prosecute violations of laws, rules and regulations in the
12 protected area. The special prosecutor shall coordinate with the PAMB and the
13 PASu in the performance of duties and assist in the training of wardens and
14 rangers in arrest and criminal procedures. The PAMB may retain the services of
15 counsel to prosecute and assist in the prosecution of cases under the direct control
16 and supervision of the regular or special prosecutor. Said counsel shall also
17 represent the members of the PAMB, the PASu and the PAMO staff, or any DENR
18 deputized individual and volunteer, against any legal action brought against them
19 arising from the performance of their powers, functions and responsibilities as
20 provided in this Act.

21 **SEC. 17. *Reporting Responsibility.*** – The PASU, through the PAMB, shall
22 submit an annual report on the accomplishments of the PAMO to the Secretary of
23 the DENR through the Biodiversity Management Bureau (BMB). A report on the
24 conditions and benefits of the biological resources and ecosystem services of the
25 protected area shall also be submitted by the PASu to the Secretary every five (5)
26 years. Consequently, the BMB shall likewise submit a National State of Protected
27 Areas Report every five (5) years to the President and the Congress of the
28 Philippines.

1 SEC. 18. **Appropriations.** – The Secretary of the DENR shall include in the
2 Departments program the implementation of this Act, the funding of which shall be
3 included in the annual General Appropriations Act.

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

7 SEC. 20. **Repealing Clause.** – All laws, decrees, executive orders, rules and
8 regulations, or parts thereof which are contrary to or inconsistent with this Act are
9 hereby repealed, amended or modified accordingly.

10 SEC. 21. **Effectivity.** – This Act shall take effect fifteen (15) days after its
11 publication in the Official Gazette or in a newspaper of general circulation. It shall
12 likewise be posted in a conspicuous place at the Municipal Halls of Atok, Bauko,
13 Bokod, Buguias, Itogon, Kabayan, La Trinidad, Bauko, Tinoc, Tublay, and Kayapa
14 in the barangays where it is covered by the protected area and in other places
15 frequented by the public.

16 Approved,