



HOUSE OF REPRESENTATIVES

H. No. 8394

BY REPRESENTATIVES BARZAGA, CO (E.), COJUANGCO (J.), YAP (C.T.) AND RIVERA, PER COMMITTEE
REPORT NO. 623

AN ACT
DECLARING A PARCEL OF LAND LOCATED IN THE MUNICIPALITIES OF MAYANTOC AND SAN JOSE IN THE PROVINCE OF TARLAC, A PROTECTED AREA WITH THE CATEGORY OF PROTECTED LANDSCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM, TO BE REFERRED TO AS THE MT. SAWTOOTH PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I

GENERAL PROVISIONS

1
2
3 **SECTION 1. *Title.*** – This Act shall be known as the “Mt. Sawtooth
4 Protected Landscape Act”.

5 **SEC. 2. *Declaration of Policy.*** – Cognizant of the profound impact of
6 human activity on all components of the natural environment, it is hereby declared
7 the policy of the State to secure for the Filipino people of present and future
8 generations, the perpetual existence of all native plants and animals through the
9 declaration of protected areas under the National Integrated Protected Areas
10 System (NIPAS) within the classification of national park as provided for in the
11 Constitution.

1 In recognition of the richness of the biological resources, both flora and
2 fauna, that are native and distinct to Mt. Sawtooth, as well as their aesthetic and
3 ecological importance, the area is hereby declared a protected area under the
4 category of protected landscape and shall hereinafter be referred to as the Mt.
5 Sawtooth Protected Landscape (MSPL). As such, the State shall ensure the
6 conservation, protection, management, and rehabilitation of the area. It is
7 likewise recognized that effective administration of this area is possible only
8 through cooperation among the National Government, local government units
9 (LGUs), concerned nongovernmental organizations (NGOs), private entities, and
10 local communities. The use and enjoyment of this area must be consistent with the
11 principles of biological diversity and sustainable development.

12 Towards this end, the State shall ensure the full implementation of this Act,
13 the mobilization of resources for the institutional mechanisms herein established,
14 and the full scientific and technical support needed for the conservation of
15 biodiversity and the integrity of the ecosystems, and cultural and indigenous
16 practices.

17 **SEC. 3. Classification as a National Park.** – The MSPL is comprised of
18 a parcel of land of the public domain located in the Municipalities of Mayantoc and
19 San Jose, in the Province of Tarlac, the metes and bounds of which are described
20 in Section 4 of this Act. All lands of the public domain within the coverage and
21 scope of the MSPL shall fall under the classification of national park as provided
22 for in Article XII, Section 3 of the Constitution.

23 **SEC. 4. Scope and Coverage.** – The boundaries of the Mt. Sawtooth
24 Protected Landscape are more particularly described as the area beginning at a
25 point marked "1" on the map being S 78°51'05" W, 13,763.24 meters from PRS
26 Control Monument TRC-82 (15°35'22.59763" Latitude and 120°20'22.53348"
27 Longitude) located in *Barangay Maniniog*, Municipality of Mayantoc, Province of
28 Tarlac,

29	thence	S 56°50'16" E	967.16	meters to corner	2;
30	thence	S 32°13'45" E	315.13	meters to corner	3;
31	thence	S 07°16'50" E	313.65	meters to corner	4;
32	thence	S 56°09'05" E	468.39	meters to corner	5;

1	thence	S 13°18'50" E	170.35	meters to corner	6;
2	thence	N 84°53'31" E	307.97	meters to corner	7;
3	thence	S 81°55'59" E	323.68	meters to corner	8;
4	thence	S 27°49'57" W	582.01	meters to corner	9;
5	thence	S 45°47'41" W	252.52	meters to corner	10;
6	thence	S 54°11'56" W	155.19	meters to corner	11;
7	thence	S 12°29'11" E	178.73	meters to corner	12;
8	thence	S 17°23'31" W	198.88	meters to corner	13;
9	thence	S 50°14'24" E	284.01	meters to corner	14;
10	thence	S 61°44'20" W	255.87	meters to corner	15;
11	thence	S 23°08'14" W	279.28	meters to corner	16;
12	thence	S 35°55'16" E	376.55	meters to corner	17;
13	thence	S 81°45'40" E	276.75	meters to corner	18;
14	thence	S 41°46'38" E	477.66	meters to corner	19;
15	thence	S 11°24'46" E	189.7	meters to corner	20;
16	thence	S 27°48'11" W	532.92	meters to corner	21;
17	thence	S 68°20'42" W	165.7	meters to corner	22;
18	thence	S 28°41'32" W	182	meters to corner	23;
19	thence	N 83°51'21" W	506.96	meters to corner	24;
20	thence	S 84°52'11" W	201.24	meters to corner	25;
21	thence	S 18°40'05" W	120.82	meters to corner	26;
22	thence	S 47°15'24" E	393.34	meters to corner	27;
23	thence	S 35°52'49" E	136.47	meters to corner	28;
24	thence	S 17°46'15" E	311.65	meters to corner	29;
25	thence	S 26°06'22" W	139.18	meters to corner	30;
26	thence	S 56°59'36" W	388.55	meters to corner	31;
27	thence	N 83°24'24" W	137.3	meters to corner	32;
28	thence	N 24°03'54" W	350.52	meters to corner	33;
29	thence	S 58°09'07" W	329.34	meters to corner	34;
30	thence	S 32°11'06" E	363.07	meters to corner	35;
31	thence	S 64°11'43" E	285.92	meters to corner	36;
32	thence	N 75°15'07" E	245.01	meters to corner	37;

1	thence	S 30°32'27" E	51.51	meters to corner	38;
2	thence	S 49°09'46" W	309.74	meters to corner	39;
3	thence	S 70°46'21" W	481.39	meters to corner	40;
4	thence	S 20°22'45" E	220.08	meters to corner	41;
5	thence	N 73°47'24" E	513.41	meters to corner	42;
6	thence	N 84°11'05" E	232.6	meters to corner	43;
7	thence	S 02°17'10" W	864.92	meters to corner	44;
8	thence	S 45°52'25" W	1336.43	meters to corner	45;
9	thence	S 10°38'47" E	570.81	meters to corner	46;
10	thence	S 53°02'33" W	514.8	meters to corner	47;
11	thence	S 21°07'06" E	862.91	meters to corner	48;
12	thence	S 11°45'13" W	533.54	meters to corner	49;
13	thence	S 87°48'21" E	420.2	meters to corner	50;
14	thence	S 53°46'50" E	512.34	meters to corner	51;
15	thence	S 07°26'51" W	303.73	meters to corner	52;
16	thence	S 23°00'53" E	498.67	meters to corner	53;
17	thence	S 32°18'38" W	808.94	meters to corner	54;
18	thence	S 29°13'39" E	531.27	meters to corner	55;
19	thence	S 24°45'37" W	546.66	meters to corner	56;
20	thence	S 00°12'42" W	729.42	meters to corner	57;
21	thence	S 18°40'23" E	692.5	meters to corner	58;
22	thence	S 02°26'57" W	545.07	meters to corner	59;
23	thence	S 73°34'05" E	874.55	meters to corner	60;
24	thence	S 26°43'04" E	859.02	meters to corner	61;
25	thence	S 30°52'24" W	947.68	meters to corner	62;
26	thence	S 58°58'55" E	388.16	meters to corner	63;
27	thence	N 44°09'04" E	442.45	meters to corner	64;
28	thence	N 65°08'39" E	310.77	meters to corner	65;
29	thence	S 84°43'04" E	1674.16	meters to corner	66;
30	thence	S 16°53'03" E	3323.64	meters to corner	67;
31	thence	S 09°31'54" E	1404.72	meters to corner	68;
32	thence	S 87°12'07" W	5478.82	meters to corner	69;

1	thence	N 15°35'40" W	689.11	meters to corner	70;
2	thence	N 14°23'56" E	838.19	meters to corner	71;
3	thence	N 07°27'23" W	381.92	meters to corner	72;
4	thence	N 15°36'08" E	563.83	meters to corner	73;
5	thence	S 53°42'34" W	1650.05	meters to corner	74;
6	thence	N 71°47'43" W	5651.53	meters to corner	75;
7	thence	N 01°35'44" W	3759.5	meters to corner	76;
8	thence	N 07°48'33" E	2540.5	meters to corner	77;
9	thence	N 29°08'44" E	4579.25	meters to corner	78;
10	thence	N 27°30'23" E	4865.06	meters to corner	79;
11	thence	N 24°08'04" E	4398.23	meters to corner	1,

12 containing an area of twelve thousand six hundred seventy-six (12,676) hectares,
13 more or less. Bearings and distances of lines were derived using the PRS 1992
14 Philippines Zone III coordinate system, subject to the actual ground demarcation.

15 **SEC. 5. *Establishment of Buffer Zones.*** – The Secretary of the
16 Department of Environment and Natural Resources (DENR), upon the
17 recommendation of the Protected Area Management Board created under Section
18 6 of this Act, may designate areas surrounding the MSPL as buffer zones for the
19 purpose of providing an extra layer of protection where restrictions may be
20 applied: *Provided*, That in cases where the designated buffer zone would cover
21 private lands, the owners thereof shall be required to design their development
22 with due consideration to the protected area management plan.

23 **ARTICLE II**

24 **MANAGEMENT MECHANISMS**

25 **SEC. 6. *Protected Area Management Board.*** – Within ninety (90) days
26 from the effectivity of this Act, a Protected Area Management Board (PAMB) shall
27 be created to oversee the management of the MSPL. The PAMB shall be composed
28 of the following:

- 29 (a) DENR Regional Executive Director for Region III, as Chairperson;
- 30 (b) Governor of the Province of Tarlac or a duly authorized representative;
- 31 (c) Senators of the Republic of the Philippines who are duly registered
- 32 residents of the Province of Tarlac, or their duly designated

1 representatives, unless the Senators decline the membership in the
2 PAMB;

3 (d) District Representatives of the Congressional Districts where the MSPL
4 is located, or their duly designated representatives, unless the District
5 Representatives decline the membership in the PAMB;

6 (e) Mayors of the Municipalities of Mayantoc and San Jose, in the Province
7 of Tarlac or their duly authorized representatives;

8 (f) Chairpersons of all the *barangays* with territorial jurisdiction over the
9 MSPL;

10 (g) Regional Directors of the following government agencies, namely:
11 Department of Agriculture, National Economic and Development
12 Authority, Department of Science and Technology, Philippine National
13 Police, Department of National Defense, and Department of Tourism;

14 (h) Three (3) representatives from either NGOs, or people's organizations
15 (POs) based in the Province of Tarlac, duly accredited both by the DENR
16 and the provincial government. The NGOs or POs represented should
17 have been in existence for at least five (5) years and with track record in
18 or related to protected area management;

19 (i) At least one (1) but not more than three (3) representatives from all the
20 indigenous cultural communities/ indigenous peoples present in the area
21 and recognized by the National Commission on Indigenous Peoples;

22 (j) One (1) representative from an academic institution, preferably from a
23 university or college in the Province of Tarlac, with proven track record
24 in or related to protected area management; and

25 (k) One (1) representative from the private sector, preferably a resident of
26 the Province of Tarlac, who is distinguished in a profession or field of
27 interest relevant to the management of a protected area.

28 The terms of office of members of the PAMB, as well as the grounds for
29 their removal shall be in accordance with the provisions of Republic Act No. 7586,
30 otherwise known as the "National Integrated Protected Areas System Act of 1992"
31 as amended by Republic Act No. 11038, otherwise known as the "Expanded
32 National Integrated Protected Areas System Act of 2018".

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

- 3 (a) Oversee the management of the MSPL;
- 4 (b) Approve policies, plans and programs, proposals, agreements, and other
5 related documents for the management of the MSPL;
- 6 (c) Approve the management plan of the MSPL and ensure its harmonization
7 with and integration into the Ancestral Domain Sustainable Development
8 and Protection Plan, land use plan and other development plans, public or
9 private, and their implementation;
- 10 (d) Adopt a manual of operations to include rules of procedures in the conduct
11 of business, and the creation of committees and their respective terms of
12 reference;
- 13 (e) Recommend the deputation of appropriate agencies and individuals for the
14 enforcement of the laws, rules and regulations governing the management
15 of the MSPL;
- 16 (f) Allocate financial resources for the implementation of the management plan
17 and manage the Protected Area Retention Income Account and other funds
18 in accordance with government accounting, budgeting, and auditing rules
19 and regulations;
- 20 (g) Set fees and charges in accordance with existing guidelines;
- 21 (h) Issue rules and regulations for the resolution of conflicts through
22 appropriate and effective means;
- 23 (i) Recommend appropriate policy changes to the DENR and other government
24 authorities with respect to the management of the MSPL;
- 25 (j) Monitor and assess the performance of the Protected Area Superintendent
26 and other protected area personnel and compliance of partners with the
27 terms and conditions of any undertaking, contract or agreement relative to
28 any project or activity within the MSPL;
- 29 (k) Recommend from among a shortlist of qualified candidates, the designation
30 or appointment of the Protected Area Superintendent; and
- 31 (l) Assess the effectiveness of the management of the MSPL: *Provided, That*
32 the members of the PAMB representing the LGUs and national agencies

1 shall inform their respective constituents, offices or sectors, of PAMB-
2 approved or other relevant policies, rules, regulations, programs, and
3 projects and shall ensure that the provisions of this Act and the rules and
4 regulations issued to implement it are complied with and used as reference
5 and framework in their respective plans, policies, programs, and projects.
6 Failure to comply with the foregoing shall be the basis for disciplinary
7 action against such member according to administrative rules and
8 regulations and such penalties as the PAMB may provide: *Provided,*
9 *further,* That the DENR, through the Regional Director, shall ensure that
10 the PAMB acts within the scope of its powers and functions. In case of
11 conflict between the resolutions issued by the PAMB and the existing
12 administrative orders of national application, the latter shall prevail.

13 **SEC. 8. *The Protected Area Management Office.*** – There is hereby
14 established a Protected Area Management Office (PAMO) to be headed by a
15 Protected Area Superintendent (PASu) who shall supervise the day to day
16 management, protection, and administration of the MSPL. The PASu shall hold
17 a permanent plantilla position and shall be appointed by the DENR Secretary. A
18 sufficient number of support staff with permanent plantilla positions shall
19 likewise be appointed by the DENR Secretary to assist the PASu in the
20 management of the protected area.

21 The PASu shall be primarily accountable to the PAMB and the DENR for
22 the management and operations of the MSPL. Pursuant thereto, the PASu shall
23 have the following duties and responsibilities:

- 24 (a) Prepare the management plan, in consultation with the stakeholders,
25 including the annual work and financial plan and ensure its
26 implementation;
- 27 (b) Ensure the integration of relevant national and LGU plans and programs
28 into MSPL management plans, programs, projects, and policies;
- 29 (c) Provide secretariat services to the PAMB and its committees and ensure the
30 availability of relevant and timely information for decision-making;
- 31 (d) Formulate and recommend to the PAMB proposed policies, rules,
32 regulations, and programs;

- 1 (e) Establish, operate, and maintain a database management system which
2 shall be an important basis for decision-making;
- 3 (f) Enforce the laws, rules and regulations relevant to the MSPL, commence
4 and institute administrative and legal actions in collaboration with other
5 government agencies or organizations, and assist in the prosecution of
6 offenses committed in violation of the provisions of this Act;
- 7 (g) Monitor, evaluate, and report the implementation of management activities
8 of the MSPL;
- 9 (h) Request for and receive any technical assistance, support or advice from any
10 agency or instrumentality of the government as well as academic
11 institutions, NGOs, and the private sector, as may be necessary for the
12 effective management, protection and administration of the MSPL;
- 13 (i) Issue permits and clearances for activities that implement the management
14 plan and other permitted activities in accordance with terms, conditions,
15 and criteria established by the PAMB: *Provided*, That all permits for
16 extraction of natural resources for research purposes, including the
17 collection of wildlife and its by-products or derivatives, shall specify the acts
18 to be authorized, and shall continue to be issued by relevant authorities,
19 subject to prior clearance from the PAMB, through the PASu;
- 20 (j) Collect and receive pertinent fees, charges, donations, and other income for
21 the MSPL: *Provided*, That such fees, charges, donations, and other income
22 collected and received shall be reported regularly to the PAMB and the
23 DENR in accordance with existing guidelines;
- 24 (k) Prepare and recommend to the PAMB, approval of the annual work and
25 financial plans of the MSPL based on the management plan; and
- 26 (l) Perform such other functions as the PAMB and the DENR may assign.

27 The PAMO may be augmented by the deputized local environment and
28 natural resources officers upon the recommendation of the PAMB and approval of
29 the DENR.

30 ARTICLE III

31 PROCEEDS AND FEES

32 SEC. 9. *The Mt. Sawtooth Protected Landscape - Integrated*

1 ***Protected Area Fund.*** – There is hereby established a trust fund to be known as
2 the Mt. Sawtooth Protected Landscape Integrated Protected Area Fund (MSPL-
3 IPAF) for purposes of financing projects of the MSPL and the NIPAS. All income
4 generated from the operation and management of the MSPL shall accrue to the
5 MSPL-IPAF. The income shall be derived from fees and charges from the use of
6 resources and facilities of MSPL, contributions from industries and facilities
7 directly benefiting from the MSPL, and such other fees and income derived from
8 the operation of the MSPL.

9 The PAMB shall retain seventy-five percent (75%) of all revenues raised
10 through the above means, which shall be deposited in the Protected Area-Retained
11 Income Account (PA-RIA) in any authorized government depository bank within
12 the locality: *Provided*, That disbursements out of such deposits shall be used solely
13 for the protection, maintenance, administration, and management of the MSPL
14 and implementation of duly approved projects of the PAMB. The remaining
15 twenty-five percent (25%) of revenues shall be deposited as a special account in
16 the General Fund of the National Treasury for purposes of financing the projects
17 of the NIPAS.

18 The fund may be augmented by grants, donations, and endowments from
19 various sources, domestic or foreign: *Provided*, That the fund shall be deposited in
20 full as a special account in the National Treasury and disbursements therefrom
21 shall be made solely for the protection, maintenance, administration and
22 management of the NIPAS and duly approved projects endorsed by the PAMB in
23 accordance with existing accounting, budgeting and auditing rules and
24 regulations: *Provided, further*, That the fund shall not be used to cover personal
25 services expenditures.

26 The LGUs shall continue to impose and collect all other fees not enumerated
27 herein which they have traditionally collected, such as business permits, property
28 tax and rentals of LGUs' facilities.

29 ARTICLE IV

30 PENAL PROVISIONS

31 **SEC. 10. *Prohibited Acts and Penalties.*** – The prohibited acts and their
32 corresponding penalties under Sections 20 and 21 of Republic Act No. 7586, as

1 amended by Republic Act No. 11038, shall form part of this Act.

2 **ARTICLE V**

3 **TRANSITORY AND MISCELLANEOUS PROVISIONS**

4 **SEC. 11. *Appropriations.*** – The Secretary of the DENR shall immediately
5 include in the Department’s program the implementation of this Act, the funding
6 of which shall be included in the annual General Appropriations Act.

7 **SEC. 12. *Suppletory Application of the NIPAS Law.*** – The provisions
8 of Republic Act No. 7586, as amended by Republic Act No. 11038, shall have
9 suppletory application to this Act.

10 **SEC. 13. *Implementing Rules and Regulations.*** – Within ninety (90)
11 days from the effectivity of this Act, the Secretary of the DENR shall, in
12 consultation with the local governments of the Municipalities of Mayantoc and
13 San Jose, the provincial government of Tarlac, and concerned national
14 government agencies, issue rules and regulations for the effective implementation
15 of this Act.

16 **SEC. 14. *Separability Clause.*** – If any section or provision of this Act is
17 held unconstitutional or invalid, the remaining sections or provisions not affected
18 thereby shall continue to be in full force and effect.

19 **SEC. 15. *Repealing Clause.*** – All laws, decrees, executive orders, rules
20 and regulations, issuance or parts thereof inconsistent with the provisions of this
21 Act are hereby repealed or modified accordingly.

22 **SEC. 16. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
23 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,