



HOUSE OF REPRESENTATIVES

H. No. 6340

BY REPRESENTATIVES RAMOS, MATUGAS, ABAYA, EVARDONE, ARNAIZ, TING,
AGYAO, RODRIGUEZ (M.), ONG, PADILLA, SACDALAN, ALCALA, PARAS,
BATOCABE, MERCADO (R.), FUA AND ESCUDERO, PER COMMITTEE
REPORT NO. 2256

AN ACT DECLARING THE BULUSAN VOLCANO LOCATED IN THE
MUNICIPALITIES OF BARCELONA, BULUSAN, CASIGURAN,
IROSIN AND JUBAN, PROVINCE OF SORSOGON AS A
PROTECTED AREA UNDER THE CATEGORY OF NATURAL
PARK, PROVIDING FOR ITS MANAGEMENT AND
APPROPRIATING FUNDS THEREFOR

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

1 CHAPTER I

2 BASIC POLICIES

3 SECTION 1. *Short Title.* – This Act shall be known as the “Bulusan
4 Volcano Natural Park (BVNP) Act of 2012”.

5 SEC. 2. *Declaration of Policy.* – Cognizant of the profound impact of
6 human activities on all components of the natural environment particularly the
7 effect of increasing population, resource exploitation and industrial
8 advancement; recognizing the critical importance of protecting and
9 maintaining the natural and physical diversities of the environment notably
10 areas of unique biological significance in order to sustain life; taking into
11 account the socio-cultural, economic, aesthetic and environmental values of the

1 ecosystem of Bulusan Volcano and its surrounding areas to the Province of
 2 Sorsogon particularly its crucial watershed function with the presence of hot
 3 and cold springs and lakes, the diversity of its flora and fauna with some
 4 endemic species; and finally, in pursuit of the State's duty to protect and
 5 advance the right of the people to a balanced and healthful ecology in accord
 6 with the rhythm and harmony of nature, it is hereby declared the policy of the
 7 State to secure for the Filipino people of present and future generations the
 8 protection and conservation of Bulusan Volcano and its surrounding areas in
 9 accordance with Republic Act No. 7586 or the National Integrated Protected
 10 Areas System (NIPAS) Act of 1992 and international conventions to which the
 11 Philippines is a signatory.

12 *SEC. 3. Scope and Coverage.* – The boundaries of the Bulusan
 13 Volcano Natural Park (BVNP), which fall under the classification of National
 14 Park as defined herein, within the municipalities of Barcelona, Bulusan,
 15 Casiguran, Irosin and Juban, all within the Province of Sorsogon, are as
 16 follows:

17 TECHNICAL DESCRIPTION

18 PARCEL I

19 AREA = 509.968 HECTARES

20 Beginning at a point marked "1" which is identical to BLLM No. 7,
 21 Juban CAD No. 223, Sorsogon with geographic coordinates of $12^{\circ} 46' 41.73''$
 22 North and $124^{\circ} 02' 46.45''$ East

23	LINE	BEARING	DISTANCE (meters)
24	1-2	N. $66^{\circ} 09' 00''$ E.	09.45
25	2-3	N. $02^{\circ} 29' 00''$ E.	36.31
26	3-4	N. $26^{\circ} 39' 59''$ W.	32.14
27	4-5	N. $16^{\circ} 41' 00''$ W.	48.08
28	5-6	N. $04^{\circ} 32' 00''$ E.	59.85
29	6-7	N. $05^{\circ} 00' 00''$ W.	67.69

1	7-8	N. 10° 26' 00" E.	98.59
2	8-9	N. 04° 55' 00" E.	55.24
3	9-10	N. 31° 56' 00" W.	85.48
4	10-11	N. 19° 09' 59" W.	73.24
5	11-12	N. 16° 29' 00" W.	57.88
6	12-13	N. 21° 51' 00" W.	98.58
7	13-14	N. 33° 27' 59" W.	105.65
8	14-15	N. 12° 53' 00" W.	92.73
9	15-16	N. 11° 05' 00" E.	44.28
10	16-17	N. 16° 34' 59" W.	107.61
11	17-18	N. 72° 54' 00" W.	164.52
12	18-19	N. 28° 02' 00" W.	29.07
13	19-20	N. 04° 20' 00" W.	180.18
14	20-21	N. 01° 09' 00" E.	21.35
15	21-22	N. 36° 10' 00" W.	13.13
16	22-23	N. 18° 39' 59" W.	20.34
17	23-24	N. 05° 06' 59" W.	59.91
18	24-25	N. 34° 59' 00" W.	82.90
19	25-26	N. 27° 46' 00" E.	31.19
20	26-27	N. 45° 04' 59" E.	36.72
21	27-28	N. 23° 31' 00" E.	15.16
22	28-29	N. 36° 31' 00" W.	26.43
23	29-30	N. 49° 41' 00" W.	368.25
24	30-31	S. 81° 33' 00" E.	132.03
25	31-32	N. 82° 02' 59" E.	227.99
26	32-33	N. 42° 42' 00" W.	217.11
27	33-34	N. 46° 33' 59" W.	270.78
28	34-35	N. 45° 00' 59" E.	236.44
29	35-36	N. 57° 30' 00" E.	234.53

1	36-37	N. 50° 24' 59" E.	275.76
2	37-38	N. 80° 43' 00" E.	403.99
3	38-39	S. 39° 08' 59" E.	296.14
4	39-40	S. 04° 16' 59" W.	63.16
5	40-41	N. 82° 58' 00" W.	126.63
6	41-42	S. 58° 49' 00" W.	277.54
7	42-43	S. 04° 54' 59" E.	131.28
8	43-44	S. 67° 11' 00" E.	131.38
9	44-45	S. 35° 22' 00" E.	358.08
10	45-46	S. 88° 06' 59" E.	239.38
11	46-47	S. 78° 58' 00" E.	226.48
12	47-48	S. 21° 25' 59" E.	348.45
13	48-49	S. 12° 19' 00" E.	285.42
14	49-50	N. 69° 08' 59" E.	108.50
15	50-51	N. 08° 48' 00" E.	194.15
16	51-52	N. 17° 38' 59" W.	50.35
17	52-53	N. 23° 21' 00" E.	41.44
18	53-54	N. 89° 52' 59" E.	35.24
19	54-55	N. 14° 05' 59" E.	79.29
20	55-56	N. 33° 56' 00" W.	37.02
21	56-57	N. 45° 57' 59" E.	34.39
22	57-58	N. 16° 47' 59" E.	21.23
23	58-59	N. 66° 22' 00" E.	35.90
24	59-60	N. 08° 39' 59" E.	59.84
25	60-61	N. 22° 03' 00" W.	49.45
26	61-62	N. 06° 20' 00" W.	54.95
27	62-63	N. 30° 23' 00" E.	56.83
28	63-64	N. 72° 39' 59" E.	30.98
29	64-65	N. 38° 59' 00" E.	16.04

1	65-66	N. 03° 31' 59" E.	69.01
2	66-67	N. 17° 26' 59" W.	51.68
3	67-68	N. 56° 08' 59" E.	243.00
4	68-69	S. 15° 28' 59" E.	151.22
5	69-70	S. 21° 50' 00" E.	280.00
6	70-71	N. 43° 09' 59" E.	246.38
7	71-72	N. 14° 52' 59" W.	138.01
8	72-73	N. 68° 23' 59" E.	125.75
9	73-74	S. 46° 02' 59" E.	182.90
10	74-75	S. 10° 43' 00" E.	204.70
11	75-76	S. 45° 41' 00" E.	273.19
12	76-77	N. 39° 19' 59" E.	257.94
13	77-78	S. 08° 38' 00" E.	1,407.26
14	78-1	S. 83° 12' 15" W.	2,702.76

15

PARCEL 2

16

AREA = 259.011 HECTARES

17

Beginning at a point marked "1" which is N. 83° 12' 15", 2,702.76

18

from BLLM No. 7 of Juban, Sorsogon with geographic coordinates of

19

12° 46' 41.73" North and 124° 02' 46.45" East

20

LINE

BEARING

DISTANCE (meters)

21

1-2

N. 08° 38' 00" W.

1,407.26

22

2-3

N. 70° 03' 05" E.

268.03

23

3-4

N. 08° 00' 24" W.

177.34

24

4-5

N. 83° 43' 35" E.

121.06

25

5-6

S. 32° 36' 46" E.

71.05

26

6-7

N. 44° 38' 40" E.

377.27

27

7-8

S. 82° 13' 29" E.

269.89

28

8-9

S. 50° 43' 30" E.

254.09

29

9-10

S. 73° 33' 42" E.

215.25

1	10-11	N. 63° 34' 13" E.	132.93
2	11-12	S. 63° 58' 16" E.	225.71
3	12-13	N. 65° 08' 04" E.	260.13
4	13-14	S. 15° 42' 29" E.	233.55
5	14-15	S. 27° 08' 23" E.	280.78
6	15-16	S. 19° 17' 22" W.	356.70
7	16-17	S. 00° 27' 36" W.	237.86
8	17-1	S. 69° 44' 22" W.	1,854.48

9 PARCEL 3

10 AREA = 1,563.278 HECTARES

11 Beginning at a point marked "1" which is identical to BLLM No. 7,
 12 Juban CAD No. 223, Sorsogon with geographic coordinates of 12° 46' 41.73"
 13 North and 124° 02' 46.45" East

14	LINE	BEARING	DISTANCE (meters)
15	1-2	N. 83° 12' 15" E.	2,702.76
16	2-3	N. 69° 44' 22" E.	1,854.48
17	3-4	S. 05° 45' 26" W.	254.69
18	4-5	S. 23° 31' 23" E.	254.26
19	5-6	S. 11° 55' 14" W.	252.28
20	6-7	S. 09° 08' 29" E.	241.68
21	7-8	S. 14° 58' 22" W.	244.16
22	8-9	S. 40° 16' 47" E.	212.11
23	9-10	S. 21° 08' 45" W.	311.71
24	10-11	S. 42° 08' 15" W.	233.02
25	11-12	S. 69° 41' 54" E.	505.91
26	12-13	N. 75° 06' 04" E.	309.35
27	13-14	S. 38° 27' 13" E.	119.08
28	14-15	S. 82° 07' 00" E.	179.98
29	15-16	S. 35° 13' 03" E.	171.21

1	16-17	S. 82° 05' 34" W.	99.68
2	17-18	S. 05° 58' 15" E.	218.71
3	18-19	S. 80° 47' 20" E.	224.90
4	19-20	S. 84° 44' 46" E.	174.73
5	20-21	S. 22° 59' 19" E.	250.93
6	21-22	S. 08° 18' 44" W.	311.27
7	22-23	S. 32° 08' 14" W.	184.23
8	23-24	N. 89° 09' 04" W.	135.01
9	24-25	S. 65° 19' 00" W.	217.91
10	25-26	N. 68° 22' 51" W.	233.42
11	26-27	S. 25° 53' 37" E.	114.49
12	27-28	S. 73° 31' 23" E.	74.04
13	28-29	S. 63° 50' 18" E.	63.51
14	29-30	S. 18° 26' 05" W.	139.14
15	30-31	S. 36° 42' 51" E.	73.60
16	31-32	N. 52° 25' 53" E.	196.81
17	32-33	N. 43° 07' 19" E.	172.63
18	33-34	S. 59° 18' 31" E.	180.25
19	34-35	S. 23° 56' 30" W.	155.35
20	35-36	S. 21° 58' 56" E.	117.55
21	36-37	S. 50° 48' 44" W.	118.70
22	37-38	S. 73° 55' 25" W.	361.12
23	38-39	S. 01° 42' 17" E.	168.07
24	39-40	S. 64° 39' 43" E.	334.15
25	40-41	S. 80° 18' 40" E.	207.97
26	41-42	S. 70° 58' 05" E.	303.60
27	42-43	N. 88° 53' 28" E.	155.03
28	43-44	S. 58° 58' 30" E.	161.04
29	44-45	S. 31° 55' 15" W.	143.74

1	45-46	S. 15° 19' 17" E.	151.38
2	46-47	S. 56° 51' 21" W.	320.08
3	47-48	S. 81° 49' 57" W.	436.43
4	48-49	S. 88° 46' 52" W.	141.03
5	49-50	N. 37° 18' 14" W.	184.81
6	50-51	S. 87° 43' 10" W.	226.18
7	51-52	N. 42° 29' 37" W.	210.21
8	52-53	S. 48° 02' 54" W.	239.34
9	53-54	N. 89° 19' 26" W.	339.02
10	54-55	N. 46° 23' 12" W.	379.83
11	55-56	N. 73° 10' 57" W.	324.90
12	56-57	N. 01° 33' 54" W.	183.07
13	57-58	N. 53° 30' 08" W.	492.61
14	58-59	N. 08° 51' 42" W.	188.25
15	59-60	N. 88° 15' 27" W.	263.12
16	60-61	S. 45° 56' 43" W.	214.28
17	61-62	N. 62° 30' 16" W.	192.77
18	62-63	S. 86° 36' 04" W.	296.50
19	63-64	S. 15° 02' 24" W.	257.51
20	64-65	S. 40° 36' 47" W.	169.04
21	65-66	N. 43° 16' 15" W.	304.76
22	66-67	N. 37° 25' 19" W.	275.79
23	67-68	S. 55° 38' 23" W.	395.72
24	68-1	N. 30° 32' 18" W.	3,399.83

25

PARCEL 4

26

AREA = 1,031.166 HECTARES

27

Beginning at a point marked "1" which is identical to BLLM No. 7,

28

Juban CAD No. 223, Sorsogon with geographic coordinates of 12° 46' 41.73"

29

North and 124° 02' 46.45" East

1	LINE	BEARING	DISTANCE (meters)
2	1-2	S. 30° 32' 18" E.	3,399.8267
3	2-3	S. 61° 00' 40" W.	169.1981
4	3-4	S. 14° 40' 15" W.	240.8527
5	4-5	S. 82° 48' 02" W.	191.5098
6	5-6	N. 09° 57' 40" E.	283.2702
7	6-7	N. 35° 11' 51" W.	137.0584
8	7-8	S. 77° 28' 16" W.	82.9759
9	8-9	N. 70° 13' 08" W.	121.1487
10	9-10	S. 48° 14' 56" W.	162.1882
11	10-11	S. 24° 01' 35" E.	90.8735
12	11-12	N. 81° 15' 13" E.	65.7647
13	12-13	S. 65° 51' 16" E.	31.7805
14	13-14	S. 11° 51' 10" E.	165.5295
15	14-15	S. 43° 04' 40" W.	210.8364
16	15-16	S. 12° 47' 00" E.	244.0492
17	16-17	N. 80° 40' 58" W.	389.1337
18	17-18	S. 77° 37' 09" W.	251.8571
19	18-19	N. 65° 14' 47" W.	183.8967
20	19-20	N. 58° 47' 49" W.	287.6056
21	20-21	N. 79° 50' 32" W.	243.8217
22	21-22	N. 87° 45' 15" W.	306.2352
23	22-23	N. 74° 20' 33" W.	437.2242
24	23-24	N. 36° 32' 41" E.	211.6034
25	24-25	N. 40° 54' 17" E.	306.9609
26	25-26	N. 80° 11' 06" W.	240.5203
27	26-27	N. 86° 38' 00" W.	323.5583
28	27-28	N. 68° 07' 25" W.	142.2428
29	28-29	S. 67° 35' 46" W.	265.0019

1	29-30	S. 24° 16' 59" W.	235.8686
2	30-31	S. 33° 24' 17" W.	334.2110
3	31-32	S. 39° 57' 27" W.	193.0803
4	32-33	S. 35° 14' 07" W.	308.5255
5	33-34	S. 86° 18' 14" W.	171.6134
6	34-35	S. 77° 27' 16" W.	354.2004
7	35-36	S. 76° 02' 23" W.	182.3870
8	36-37	N. 73° 34' 24" W.	261.6811
9	37-38	N. 19° 35' 55" W.	140.1178
10	38-39	N. 52° 46' 13" W.	350.4069
11	39-40	N. 26° 33' 54" E.	156.5248
12	40-41	N. 77° 51' 47" E.	285.3787
13	41-42	S. 82° 15' 45" E.	185.6906
14	42-43	N. 71° 43' 55" E.	216.9332
15	43-44	N. 64° 13' 50" E.	322.0248
16	44-45	N. 34° 58' 00" E.	186.7030
17	45-46	N. 30° 14' 44" E.	383.1579
18	46-47	N. 22° 11' 19" E.	439.5509
19	47-48	N. 13° 54' 15" W.	316.2673
20	48-49	N. 30° 22' 44" W.	268.9238
21	49-50	N. 53° 25' 37" W.	77.2010
22	50-51	S. 36° 36' 43" W.	266.6027
23	51-52	N. 86° 29' 31" W.	261.4900
24	52-53	N. 70° 20' 46" W.	178.3928
25	53-54	N. 68° 16' 03" E.	153.9415
26	54-55	N. 20° 16' 57" E.	147.1224
27	55-56	N. 16° 02' 23" E.	166.4812
28	56-57	N. 13° 05' 49" E.	251.5432
29	57-58	N. 32° 49' 57" W.	235.3904

1	58-59	N. 38° 28' 00" W.	181.3728
2	59-1	N. 75° 05' 00" E.	2,822.040

3 The BVNP shall cover a total land area of three thousand three hundred
4 sixty-three and four hundred twenty-three (3,363.423) hectares.

5 The Department of Environment and Natural Resources (DENR) shall
6 appropriately mark on the ground the technical descriptions provided in this
7 Act with clearly visible markers and shall prepare appropriate maps therefor.
8 Any modification of the coverage of this Act due to such factors as changing
9 ecological situations, new scientific or archaeological findings, or discovery of
10 traditional boundaries not previously taken into account shall be made through
11 an Act of Congress, after consultation with the affected public and concerned
12 government agencies.

13 SEC. 4. *Land Classification.* -- All lands comprising the BVNP shall
14 fall under the classification of National Park as provided for in the 1987
15 Philippine Constitution.

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

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

20 (b) *Conservation* shall refer to the sustainable utilization of wildlife,
21 and/or maintenance, restoration and enhancement of the habitat.

22 (c) *Ecosystem* shall refer to the dynamic complex of plant, animal and
23 microorganism communities and their nonliving environment interacting as a
24 functional unit.

25 (d) *Endangered species* shall refer to species or subspecies that are not
26 critically endangered but whose survival in the wild are unlikely if the causal
27 factors continue operating.

1 (e) *Endemic species* shall refer to species or subspecies of flora and fauna
2 which are naturally occurring and found only within specific areas in the
3 country.

4 (f) *Exotic species* shall refer to species or subspecies of flora and fauna
5 which do not naturally occur within the protected area at present or in
6 historical time.

7 (g) *Genetically Modified Organism* or *GMO* shall refer to any living
8 organism that possesses a novel combination of genetic material obtained
9 through the use of modern biotechnology through *in vitro* nucleic acid
10 techniques, including recombinant deoxyribonucleic acid (DNA) and direct
11 injection of nucleic acid into cells or organelles, or fusion of cells beyond the
12 taxonomic family, that overcome natural physiological reproductive or
13 recombination barriers that are not used in traditional breeding and selection.

14 (h) *Habitat* shall refer to a place or type of environment where species or
15 subspecies naturally occur or has naturally established its population.

16 (i) *Management Board* shall refer to the management board of the
17 BVNP.

18 (j) *Management Plan* shall refer to the fundamental plan, strategy and/or
19 scheme which shall guide all activities relating to the BVNP in order to attain
20 the objectives of this Act.

21 (k) *National Integrated Protected Areas System (NIPAS)* shall refer to the
22 classification and administration of all designated protected areas to maintain
23 essential ecological processes and life-support systems, to preserve genetic
24 diversity, to ensure sustainable use of resources found therein, and to maintain
25 their natural conditions to the greatest extent possible.

26 (l) *National Park* shall refer to the land of the public domain classified as
27 such in the 1987 Constitution which includes all areas under the NIPAS
28 pursuant to Republic Act No. 7586 primarily designated for the conservation
29 of native plants and animals, their associated habitats and cultural diversity.

1 (m) *Nongovernmental organization (NGO)* shall refer to an agency,
2 institution, foundation or a group of persons whose purpose is to assist
3 people's organizations/associations in various ways including, but not limited
4 to, organizing, educating, training, research and/or resource accessing.

5 (n) *People's organization (PO)* shall refer to a group of organized
6 migrant communities and/or interested indigenous peoples which may be an
7 association, cooperative, federation, or other legal entity, established to
8 undertake collective action to address community concerns and needs, and
9 mutually share the benefits of the endeavor.

10 (o) *Protected area* shall refer to identified portions of land and/or water
11 set aside by reasons of their unique physical and biological significance,
12 managed to enhance biological diversity and protected against destructive
13 human exploitation.

14 (p) *Protected Area Management Board (PAMB)* shall refer to a
15 multisectoral policy-making body created in accordance with Republic Act No.
16 7586 or the NIPAS Act of 1992.

17 (q) *Protected Area Superintendent (PASu)* shall refer to the chief
18 operating DENR officer of the BVNP.

19 (r) *Protected landscape* shall refer to an area of national significance,
20 which is characterized by the harmonious interaction of man and land while
21 providing opportunities for public enjoyment through recreation and tourism
22 within the normal lifestyle and economic activity of the area.

23 (s) *Protected species* shall refer to any plant or animal declared protected
24 under Philippine laws and international conventions, including species listed
25 under the Convention on International Trade of Endangered Species (CITES)
26 and all its annexes, the Bonn Convention on Migratory Species, the Red-list
27 Categories of the World Conservation Union (IUCN), or any plant or animal
28 which the PAMB may deem critical for the conservation and preservation of
29 the BVNP.

1 (t) *Tenured migrants* shall refer to forest occupants who have actually
2 and continuously occupied a portion of the protected area for at least
3 five (5) years, and are solely dependent therein for subsistence, as of the
4 passage of this Act. A protected area occupant is understood to be "solely
5 dependent for subsistence" when everything indispensable for survival for the
6 household including food, clothing, shelter and health, comes only from the
7 utilization of resources from the protected area.

8 (u) *Wildlife* shall refer to wild forms and varieties of flora and fauna in
9 all developmental stages, including those which are in captivity or are being
10 bred or propagated.

11 CHAPTER II

12 MANAGEMENT

13 SEC. 6. *Management of the BVNP.* – The management and
14 administration of the BVNP^b shall be vested with the PAMB: *Provided*, That
15 the management of zones to be established within the BVNP shall be
16 conducted on a consultative and participatory approach.

17 The PAMB shall be responsible for the planning, resource protection
18 and general administration of the BVNP in accordance with the approved
19 Management Plan.

20 SEC. 7. *Management Plan.* – There shall be a Management Plan
21 which shall serve as the long-term basic framework for the management of the
22 BVNP, govern all activities within the BVNP, and guide the preparation of the
23 annual operations plan and budget. The Management Plan shall be consistent
24 with this Act and the nature of the BVNP as a protected area under the
25 category of a natural park. A management manual containing the Management
26 Plan and other supporting data shall be prepared in accordance with the
27 implementing rules of the NIPAS Act.

28 Within one (1) year from the effectivity of this Act, the Protected Area
29 Superintendent's Office (PASO) shall prepare the Management Plan in

1 accordance with the General Management Planning Strategy as provided for in
2 the implementing rules of the NIPAS Act. It shall contain, among others, the
3 following:

4 (a) A period of applicability for ten (10) years subject to review every
5 five (5) years;

6 (b) Key management issues;

7 (c) *Goals and objectives of management in support of Section 2 hereof;*

8 (d) Zoning in accordance with Section 8 hereof;

9 (e) Management programs to include enforcement of laws, habitat and
10 wildlife management, ecotourism, sustainable use, management, infrastructure
11 development and maintenance, fire prevention and pest control;

12 (f) Sustainable and nondestructive livelihood activities;

13 (g) Regulations in furtherance of the preservation and conservation
14 aims of the BVNP such as allowable activities, resource-use restrictions,
15 among others; and

16 (h) Other relevant conservation matters.

17 The Management Plan shall be reviewed and adopted by the PAMB and
18 certified to by the DENR Secretary. The Management Plan shall not be
19 revised or modified without prior consultation with the PAMB. It shall be
20 reviewed and updated every five (5) years.

21 Two (2) years prior to the expiration of the current Management Plan,
22 the PASO shall cause the publication of notices for comments and suggestions
23 on the new Management Plan that will succeed the old one in a newspaper of
24 general circulation and the posting thereof in the provincial, municipality/city
25 and barangay halls of the local government units (LGUs) comprising the
26 BVNP, and in three (3) other conspicuous areas frequented by the public
27 within the BVNP. At least two (2) public hearings shall be conducted on the
28 proposed successor plan and shall be made available for the perusal of the
29 public at the PASO.

1 The Management Plan and all its successor plans shall be prepared in
 2 English, Filipino and Bicol, plainly written and made accessible to the public
 3 at the PASO.

4 SEC. 8. *Zoning*. – Strict protection zone and multi-use zone shall be
 5 established within the BVNP giving primary consideration to its protection and
 6 conservation. Zoning shall also take into account the tenurial and livelihood
 7 concerns of communities to ensure the efficient protection of habitats, fragile
 8 ecosystems and unique areas.

9 The establishment and management of zones must involve the
 10 community concerned by undertaking such steps as dialogues, consultations
 11 and land- and resource-use mapping. Zones shall be demarcated on the ground
 12 and indicated on maps with the participation of communities, LGUs and other
 13 stakeholders.

14 Buffer zone shall also be established within the peripheral areas of the
 15 BVNP in accordance with the Management Plan to serve as a social fence
 16 where tenurial and sustainable resource-use rights may be granted to qualified
 17 groups and individuals.

18 CHAPTER III

19 INSTITUTIONAL MECHANISM, ROLES AND FUNCTIONS

20 SEC. 9. *Protected Area Management Board (PAMB)*. – (a) There
 21 shall be a Protected Area Management Board (PAMB) which shall serve as the
 22 highest policy-making body of the BVNP. It shall be composed of the
 23 following:

24 (1) The Regional Executive Director (RED) of Region V as PAMB
 25 Chair;

26 (2) The Provincial Planning and Development Officer (PPDO) of the
 27 Province of Sorsogon;

28 (3) The Environment and Natural Resources Officer (ENRO) of the
 29 Province of Sorsogon (PENRO-LGU);

1 (4) One (1) regular representative from each municipality/city with
2 territory within the BVNP;

3 (5) One (1) regular representative from each barangay with territory
4 within the BVNP;

5 (6) One (1) representative from every NGO, PO, church or civic
6 organization but not to exceed five (5), all of whom must be based in or near
7 the BVNP;

8 (7) One (1) representative from other government agencies with direct
9 interest or involvement in protected area management; and

10 (8) One (1) representative from academic institutions with direct
11 interest or involvement in protected area management.

12 (b) Every member of the PAMB shall serve for a term of five (5) years,
13 renewable for another five (5) years: *Provided*, That the member remains
14 connected with the office or sector being represented: *Provided, further*, That
15 elective officials shall serve on a coterminous basis.

16 Except for the Chairman and the PPDO, all other members of the
17 PAMB shall present necessary endorsement from their respective head of
18 office and from the sanggunians, in case of elective officials. Whenever a
19 vacancy occurs during the term of a nongovernment PAMB member, a new
20 member shall be chosen in the same manner as the original selection process
21 and shall only serve for the remaining term.

22 SEC. 10. *Powers and Functions of the PAMB.* – The PAMB shall
23 have the following powers and functions:

24 (a) Issue rules and regulations to control, prohibit and regulate all acts
25 that may be prejudicial to the BVNP pursuant to the policy declarations herein
26 set forth, including the imposition of fines to a maximum of Twenty thousand
27 pesos (P20,000.00) and issuance of cease and desist orders, whenever justified;

28 (b) Regulate, control and issue permits in accordance with the
29 Management Plan and pertinent environmental laws and regulations

1 particularly with regard to infrastructure activities, public utilities, waste
2 management, business enterprises and research activities within the BVNP,
3 including the power to prescribe appropriate fees and charges;

4 (c) Review, approve and adopt a Management Plan for the BVNP;

5 (d) Recommend the deputation through the PASu of individuals or
6 groups to augment the protection personnel of the BVNP for the enforcement
7 of laws, rules and regulations therein, and prescribe qualifications thereof;

8 (e) Approve contracts and agreements consistent with the purpose of
9 this Act;

10 (f) Accept donations and grants;

11 (g) Review and approve proposals for funding, financial and work
12 plans, and exercise accountability over all funds that may accrue to the BVNP;

13 (h) Promulgate rules and regulations on the conduct of its business;

14 (i) Monitor and evaluate the performance of all PASO personnel;

15 (j) Retain legal counsel to defend cases against the PAMB, the PASO
16 staff and deputized individuals whenever they are sued in connection with the
17 performance of their duties and functions under this Act, and to assist in other
18 PAMB legal matters; and

19 (k) Initiate and file suits against persons or entities whose business or
20 activities are detrimental to the protected area.

21 SEC. 11. *Protected Area Superintendent's Office (PASO)*. – There is
22 hereby created a PASO which shall perform the day-to-day management,
23 protection and administration of the BVNP. It shall be headed by the PASu as
24 its chief operating officer who shall be directly accountable to the PAMB and
25 the Provincial Environment and Natural Resources Officer of the DENR
26 (PENRO-DENR) in the Province of Sorsogon. The PASu shall coordinate the
27 activities with the Community Environment and Natural Resources Office with
28 regard to DENR programs that are related to protected area management.

29 The PASu shall be supported by the existing personnel of the DENR.

1 which rely heavily from resources within the BVNP, shall submit to the PASO
2 a sworn statement containing the following information:

- 3 (a) Potential for disturbance of protected species and their habitats;
- 4 (b) Emissions and effluents at all stages of the operation;
- 5 (c) Energy requirements and sources of energy;
- 6 (d), Water supply requirements and sources of water;
- 7 (e) Volume of resources extracted from the BVNP;
- 8 (f) Future plans for the next five (5) years; and
- 9 (g) Other data they may deem relevant to the conservation objectives of
10 the BVNP.

11 Based on this submission, the PAMB shall determine whether the
12 continued operation and future plans of these facilities are detrimental to the
13 BVNP or to further undergo the Environmental Impact Statement (EIS) system
14 and secure Environmental Compliance Certificate (ECC) from the
15 Environmental Management Bureau. The PAMB may prescribe conditions or
16 charge reasonable fees for the continued operation of facilities that rely heavily
17 on resources within the BVNP to ensure that these do not impair the
18 conservation objectives of the BVNP. Without prejudice to the filing of the
19 necessary criminal charges, in case of violation of PAMB conditions or
20 nonpayment of charges, the PAMB may impose an administrative fine of Five
21 thousand pesos (P5,000.00) for every day of violation upon the owners of the
22 erring facilities but not to exceed a total of Five hundred thousand pesos
23 (P500,000.00). At any time whenever necessary, the PAMB, through the
24 PASu and other government entities, shall cause the cessation and demolition
25 of said facility at owner's cost. Failure to submit the required information shall
26 constitute a violation of this Act and shall be subject to the penalties imposed
27 under Section 17(b) hereof.

28 SEC. 14. *Utilization of Resources.* – Except upon prior approval of
29 the PAMB and consistent with the Management Plan, the use of natural

1 resources within the BVNP shall not be allowed. However, the sustainable use
2 of resources by qualified tenured migrants for their domestic needs or for
3 subsistence shall not be restricted except protected species and whenever
4 highly detrimental to the ecosystem.

5 SEC. 15. *Public Lands.* – Upon passage of this Act, no land within the
6 BVNP shall be released from the public domain as alienable and disposable
7 and any sale, transfer, alienation or disposition thereof shall be null and void.

8 CHAPTER V

9 PROHIBITED ACTS

10 SEC. 16. *Prohibited Acts.* – The following acts are prohibited within
11 the BVNP with their respective penalties:

12 (a) A fine of not less than Five thousand pesos (P5,000.00) to not more
13 than Five hundred thousand pesos (P500,000.00) and imprisonment of not less
14 than six (6) years and one (1) day to not more than twelve (12) years shall be
15 imposed upon any person who:

16 (1) Hunts, collects, takes, destroys, traps, disturbs or otherwise
17 possesses any wild plant, animal or product, including genetic resources,
18 derived from the BVNP without prior PAMB permit: *Provided,* That such
19 permit can only be given for scientific purposes and necessary for protected
20 area management;

21 (2) Cuts, gathers, collects, removes or otherwise possesses timber or
22 other forest products within the BVNP without prior PAMB permit: *Provided,*
23 That such permit can only be given for scientific purposes and necessary for
24 protected area management: *Provided, further,* That no permit shall issue for
25 timber or other forest products within strict protection zones;

26 (3) Engages in *kaingin* or otherwise intentionally or negligently causes
27 a forest fire inside the BVNP;

28 (4) Engages in mineral or energy exploration activities within the
29 BVNP;

1 (5) Engages in treasure-hunting within the BVNP;

2 (6) Introduces exotic species or genetically modified organisms within
3 the BVNP; and

4 (7) Discharges, leaves or dumps any waste product or substance
5 deleterious to the BVNP ecosystem or to any of the flora and fauna therein.

6 (b) A fine of not less than Five thousand pesos (P5,000.00), to not
7 more than Two hundred fifty thousand pesos (P250,000.00) and imprisonment
8 of not less than six (6) months and one (1) day to not more than six (6) years
9 shall be imposed upon any person who:

10 (1) Occupies, settles or possesses any portion of land inside the BVNP
11 without the *necessary permit*. *Clearing, construction of residence or*
12 *introduction of improvements shall constitute prima facie evidence of such*
13 *occupation or settlement;*

14 (2) Vandalizes, mutilates, destroys, excavates, defaces or otherwise
15 intentionally damages any natural formation or object of natural beauty inside
16 the BVNP;

17 (3) Uses or possesses motorized equipment, explosives or any noxious
18 substance anywhere within the strict protection zones of the BVNP as
19 delineated by the PAMB;

20 (4) Constructs or maintains any kind of road, structure, fence or
21 enclosure without prior PAMB permit; and

22 (5) Obstructs or hinders the enforcement of this Act, the Management
23 Plan and its pertinent rules and regulations.

24 (c) A fine of not less than Five thousand pesos (P5,000.00) to not more
25 than Fifty thousand pesos (P50,000.00) or imprisonment of not less than one
26 (1) month and one (1) day to not more than six (6) months, or both, shall be
27 imposed upon any person who:

28 (1) Except as otherwise provided, violates the Management Plan or any
29 rule or resolution promulgated by the PAMB;

1 (2) Alters, removes, destroys or deface boundaries, marks or signs;

2 (3) Enters the BVNP without prior PAMB permit for purposes of
3 trekking, mountain climbing, spelunking and other recreational activities; and

4 (4) Dumps, litters or otherwise leaves debris, refuse or garbage within
5 the BVNP.

6 (d) Any provision to the contrary notwithstanding, the commission of
7 any unlawful act under Section 17(a) hereof shall carry the penalty of
8 imprisonment of not less than twelve (12) years and one (1) day to not more
9 than twenty (20) years and a fine of not less than Five hundred thousand pesos
10 (P500,000.00) to not more than One million pesos (P1,000,000.00), whenever
11 the species involved is a protected species as provided herein. Any citizen
12 may institute the necessary charge against an offender for the commission of
13 the acts enumerated under this section;

14 (e) A conviction under this section shall carry the accessory penalties
15 of eviction from the BVNP, payment of damages for rehabilitation and
16 restoration, and the forfeiture of all conveyances, equipment, device,
17 instrument, tool or weapon used in the commission of the offense as well as the
18 flora, fauna and resources caught in the possession of the accused. In case the
19 offender is an association, partnership or corporation, the president or manager
20 of the said corporation shall be held liable for the act of the employees or
21 workers;

22 (f) The DENR, through the PASu, may impose administrative
23 sanctions against the offender for violations committed under this Act. The
24 PASu may confiscate all conveyances, equipment, device, instrument, tool or
25 weapon used in the commission of the offense caught *en flagrante* including
26 the animals, plants and other resources from the BVNP found in the possession
27 of the offender; and

28 (g) In case of conviction, the penalty consisting of fines and damages
29 shall directly accrue to the Integrated Protected Areas Fund as herein provided.

CHAPTER VI

PROCEEDS AND FEES

SEC. 17. *The Bulusan Volcano Natural Park Protected Areas Fund.* –

There is hereby established a trust fund to be known as the “Bulusan Volcano Natural Park Protected Areas Fund” for purposes of financing projects of the system. All income generated from the operation of the system or management of wild flora and fauna in the protected area, shall accrue to the fund. These income shall be derived from fees from permitted sale and export of flora and fauna and other resources from the protected area; proceeds from lease of multiple-use areas; contributions from industries and facilities directly benefiting from the protected area; and such other fees and income derived from the operation of the protected area.

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

SEC. 18. *Appropriations.* – The Secretary of the DENR shall immediately include in the Department’s program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

CHAPTER VII

MISCELLANEOUS PROVISIONS

SEC. 19. *Separability Clause.* – If any part or section of this Act is declared unconstitutional, such declaration shall not affect in any manner the other parts or sections hereof.

1 SEC. 20. *Repealing Clause.* – All laws, proclamations, rules and
2 regulations inconsistent with this Act are hereby repealed or modified
3 accordingly.

4 SEC. 21. *Effectivity Clause.* – This Act shall take effect fifteen
5 (15) days after its publication in two (2) newspapers of general circulation.

Approved,

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