



HOUSE OF REPRESENTATIVES

H. No. 4305

BY REPRESENTATIVES DUMPIT, BANAAG AND ANDAYA, PER COMMITTEE
REPORT NO. 771

AN ACT DECLARING THE AGOO-DAMORTIS SEASCAPE AND
LANDSCAPE IN THE PROVINCE OF LA UNION AS A
PROTECTED AREA AND FOR OTHER PURPOSES

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

1 SECTION 1. *Title.* – This Act shall be known as the Agoo-Damortis
2 Protected Area Act of 2004.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the
4 State to regulate the utilization of terrestrial and marine resources within the
5 Agoo-Damortis seascape and landscape to ensure the continuity of endangered,
6 threatened and rare species therein, as well as conserve, protect and preserve
7 its scenic, educational, cultural, historical and recreational features, through its
8 establishment as a protected area within the classification of national park as
9 provided for in the 1987 Philippine Constitution.

10 SEC. 3. *Declaration of Protected Area; Scope and Boundaries.* – The
11 Agoo-Damortis seascape and landscape is hereby declared a protected area as

1 categorized pursuant to Republic Act No. 7586, otherwise known as the
2 National Integrated Protected Areas Act of 1992 or the NIPAS Act.

3 The boundaries of the Agoo-Damortis Protected Area are as follows:

4 Beginning at corner "1" on the plan which is identical to MBM 20,
5 Agoo-Cadaastre, N36°46'W, 5,125.64 m. from BLLM #1, Cad 314-D, Agoo
6 Cadaastre,

7	Thence	S 34°08'E	323.0 m.	to point 2
8	Thence	S 07°28'E	110.1 m.	to point 3
9	Thence	N 43°31'E	37.5 m.	to point 4
10	Thence	S 42°48' E	71.7 m.	to point 5
11	Thence	S 52°59'W	9.1 m.	to point 6
12	Thence	S 27°22'E	82.8 m.	to point 7
13	Thence	S 29°46'E	146.1 m.	to point 8
14	Thence	S 29°47'E	45.0 m.	to point 9
15	Thence	N 80°57'E	17.6 m.	to point 10
16	Thence	S 32°35'E	183.0 m.	to point 11
17	Thence	N 59°47'E	69.6 m.	to point 12
18	Thence	S 09°05'E	79.2 m.	to point 13
19	Thence	N 89°42'W	15.0 m.	to point 14
20	Thence	S 05°00'E	50.7 m.	to point 15
21	Thence	S 06°31'E	16.6 m.	to point 16
22	Thence	N 86°49'E	16.2 m.	to point 17
23	Thence	S 06°49'E	155.0 m.	to point 18
24	Thence	N 75°41'E	10.4 m.	to point 19
25	Thence	S 20°32'E	17.5 m.	to point 20
26	Thence	S 07°00'E	120.0 m.	to point 21
27	Thence	S 04°07'E	260.1 m.	to point 22
28	Thence	S 05°38'W	319.4 m.	to point 23

1	Thence	S 03°45'E	389.9 m.	to point 24
2	Thence	S 07°41'W	411.7 m.	to point 25
3	Thence	S 07°44'W	330.6 m.	to point 26
4	Thence	S 09°52'W	412.2 m.	to point 27
5	Thence	S 07°41'W	411.7 m.	to point 28
6	Thence	S 30°57'W	311.1 m.	to point 29
7	Thence	S 00°58'E	319.0 m.	to point 30
8	Thence	S 03°23'W	288.1 m.	to point 31
9	Thence	S 03°30'W	411.2 m.	to point 32
10	Thence	S 04°50'W	62.0 m.	to point 33
11	Thence	S 04°36'E	277.9 m.	to point 34
12	Thence	S 08°28'E	246.7 m.	to point 35
13	Thence	S 09°07'E	134.7 m.	to point 36
14	Thence	S 04°37'E	298.9 m.	to point 37
15	Thence	S 01°57'E	247.0 m.	to point 38
16	Thence	S 00°58'E	52.0 m.	to point 39
17	Thence	S 01°56'E	93.0 m.	to point 40
18	Thence	S 01°57'E	267.0 m.	to point 41
19	Thence	S 13°56'E	450.3 m.	to point 42
20	Thence	S 33°01'E	80.5 m.	to point 43
21	Thence	S 40°01'E	131.4 m.	to point 44
22	Thence	S 21°40'E	163.9 m.	to point 45
23	Thence	S 23°05'E	91.9 m.	to point 46
24	Thence	S 20°08'E	103.0 m.	to point 47
25	Thence	S 24°16'E	264.0 m.	to point 48
26	Thence	S 26°27'E	384.8 m.	to point 49
27	Thence	S 25°23'E	313.5 m.	to point 50
28	Thence	S 32°49'E	539.3 m.	to point 51

1	Thence	S 31°47'E	211.8 m.	to point 52
2	Thence	S 24°18'E	413.4 m.	to point 53
3	Thence	S 18°25'E	355.2 m.	to point 54
4	Thence	S 14°18'E	404.4 m.	to point 55
5	Thence	S 12°10'E	377.7 m.	to point 56
6	Thence	S 36°39'E	305.7 m.	to point 57
7	Thence	S 53°04'E	240.0 m.	to point 58
8	Thence	S 28°02'E	257.1 m.	to point 59
9	Thence	S 43°29'E	516.3 m.	to point 60
10	Thence	S 50°29'E	324.4 m.	to point 61
11	Thence	S 37°05'E	308.5 m.	to point 62
12	Thence	S 06°51'E	186.7 m.	to point 63
13	Thence	S 30°36'E	515.1 m.	to point 64
14	Thence	S 24°00'E	250.0 m.	to point 65
15	Thence	S 43°00'E	190.0 m.	to point 66
16	Thence	S 60°00'E	390.0 m.	to point 67
17	Thence	S 31°00'E	315.0 m.	to point 68
18	Thence	S 85°00'E	385.0 m.	to point 69
19	Thence	N 15°00'W	470.0 m.	to point 70
20	Thence	S 87°00'W	215.0 m.	to point 71
21	Thence	N 52°00'W	725.0 m.	to point 72
22	Thence	N 66°10'W	110.0 m.	to point 73
23	Thence	S 63°25'W	111.0 m.	to point 74
24	Thence	N 30°23'E	475.3 m.	to point 75
25	Thence	N 18°39'W	95.0 m.	to point 76
26	Thence	N 45°39'W	503.5 m.	to point 77
27	Thence	N 14°25'W	400.6 m.	to point 78
28	Thence	N 25°36'W	730.3 m.	to point 79

1	Thence	N 59°07'E	1052.5 m.	to point 80
2	Thence	S 60°57'E	279.1 m.	to point 81
3	Thence	S 03°37'W	138.9 m.	to point 82
4	Thence	S 53°44'E	2278.0 m.	to point 83
5	Thence	S 25°41'E	2167.0 m.	to point 84
6	Thence	N 90°00'E	150.8 m.	to point 85
7	Thence	S 10°41'E	110.0 m.	to point 86
8	Thence	S 18°06'E	269.9 m.	to point 87
9	Thence	S 14°41'E	266.8 m.	to point 88
10	Thence	S 22°35'E	271.8 m.	to point 89
11	Thence	S 21°10'E	302.9 m.	to point 90
12	Thence	S 42°17'E	230.4 m.	to point 91
13	Thence	S 30°08'E	202.7 m.	to point 92
14	Thence	S 09°58'E	84.2 m.	to point 93
15	Thence	S 18°32'E	206.3 m.	to point 94
16	Thence	S 16°31'E	323.3 m.	to point 95
17	Thence	S 18°52'E	174.3 m.	to point 96
18	Thence	S 45°05'E	15.2 m.	to point 97
19	Thence	S 09°09'E	322.0 m.	to point 98
20	Thence	S 19°32'E	282.0 m.	to point 99
21	Thence	S 17°22'E	290.2 m.	to point 100
22	Thence	S 26°32'E	220.7 m.	to point 101
23	Thence	S 21°40'E	225.0 m.	to point 102
24	Thence	S 49°39'E	195.2 m.	to point 103
25	Thence	N 90°00'W	4895.0 m.	to point 104
26	Thence	N 53°05'W	6357.0 m.	to point 105
27	Thence	N 30°21'W	4200.0 m.	to point 106
28	Thence	N 22°30'W	1590.0 m.	to point 107

1	Thence	N 22°20'W	2760.0 m.	to point 108
2	Thence	N 01°04'E	5400.0 m.	to point 109
3	Thence	N 85°03'E	5152.2 m.	to point 1,
4	the point of beginning, containing an area of ten thousand four hundred			
5	seventy-seven and 30/100 (10,477.30) hectares, more or less.			
6	The buffer zone begins at a corner marked "1" on plan II, which is			
7	identical to MBM 20, Agoo Cadastre, N 36°46' W, 5,125.64 m. from BLLM			
8	# 1, Cad 314-D, Agoo-Cadastre,			
9	Thence	N 85°03'E	57.2 m.	to point 2
10	Thence	S 34°08'E	309.0 m.	to point 3
11	Thence	S 07°28'E	43.0 m.	to point 4
12	Thence	S 42°48' E	159.0 m.	to point 5
13	Thence	S 52°59'W	19.8 m.	to point 6
14	Thence	S 29°46'E	195.8 m.	to point 7
15	Thence	N 80°57'E	17.6 m.	to point 8
16	Thence	S 32°35'E	167.8 m.	to point 9
17	Thence	N 59°47'E	95.5 m.	to point 10
18	Thence	S 09°05'E	155.0 m.	to point 11
19	Thence	S 07°28'W	138.0 m.	to point 12
20	Thence	S 06°49'E	27.5 m.	to point 13
21	Thence	S 20°32'E	66.0 m.	to point 14
22	Thence	S 07°00'E	122.0 m.	to point 15
23	Thence	S 04°07'E	268.0 m.	to point 16
24	Thence	S 05°38'W	320.0 m.	to point 17
25	Thence	S 03°45'E	390.0 m.	to point 18
26	Thence	S 07°41'W	412.0 m.	to point 19
27	Thence	S 09°52'W	330.0 m.	to point 20
28	Thence	S 07°41'W	411.0 m.	to point 21

1	Thence	S 30°57'E	412.0 m.	to point 22
2	Thence	S 00°58'E	310.0 m.	to point 23
3	Thence	S 05°38'W	315.0 m.	to point 24
4	Thence	S 03°23'W	290.0 m.	to point 25
5	Thence	S 03°30'W	408.0 m.	to point 26
6	Thence	S 04°50'W	61.0 m.	to point 27
7	Thence	S 04°36'E	275.0 m.	to point 28
8	Thence	S 08°28'E	245.0 m.	to point 29
9	Thence	S 09°07'E	135.0 m.	to point 30
10	Thence	S 04°37'E	300.0 m.	to point 31
11	Thence	S 01°57'E	245.0 m.	to point 32
12	Thence	S 01°56'E	52.0 m.	to point 33
13	Thence	S 01°57'E	93.0 m.	to point 34
14	Thence	S 13°56'E	268.0 m.	to point 35
15	Thence	S 33°01'E	445.0 m.	to point 36
16	Thence	S 40°01'E	70.0 m.	to point 37
17	Thence	S 40°01'E	145.0 m.	to point 38
18	Thence	S 21°40'E	190.0 m.	to point 39
19	Thence	S 23°05'E	90.0 m.	to point 40
20	Thence	S 20°08'E	100.0 m.	to point 41
21	Thence	S 24°16'E	265.0 m.	to point 42
22	Thence	S 26°27'E	365.0 m.	to point 43
23	Thence	S 25°23'E	310.3 m.	to point 44
24	Thence	S 32°49'E	520.0 m.	to point 45
25	Thence	S 34°47'E	240.0 m.	to point 46
26	Thence	S 24°18'E	400.0 m.	to point 47
27	Thence	S 18°25'E	355.0 m.	to point 48
28	Thence	S 14°18'E	412.0 m.	to point 49

1	Thence	S 12°10'E	368.0 m.	to point 50
2	Thence	S 36°39'E	265.8 m.	to point 51
3	Thence	S 53°04'E	255.0 m.	to point 52
4	Thence	S 28°02'E	242.0 m.	to point 53
5	Thence	S 43°29'E	505.0 m.	to point 54
6	Thence	S 50°29'E	325.0 m.	to point 55
7	Thence	S 37°05'E	338.0 m.	to point 56
8	Thence	S 06°51'E	188.0 m.	to point 57
9	Thence	S 30°36'E	455.0 m.	to point 58
10	Thence	S 24°00'E	280.0 m.	to point 59
11	Thence	S 43°00'E	190.0 m.	to point 60
12	Thence	S 60°00'E	390.0 m.	to point 61
13	Thence	S 31°00'E	250.0 m.	to point 62
14	Thence	S 85°00'E	300.0 m.	to point 63
15	Thence	N 15°00'W	350.0 m.	to point 64
16	Thence	S 87°00'W	150.0 m.	to point 65
17	Thence	N 52°00'W	820.0 m.	to point 66
18	Thence	N 02°00'E	80.0 m.	to point 67
19	Thence	N 30°23'E	435.0 m.	to point 68
20	Thence	N 18°39'W	70.0 m.	to point 69
21	Thence	N 45°39'W	490.0 m.	to point 70
22	Thence	N 14°25'W	425.0 m.	to point 71
23	Thence	N 25°36'W	775.0 m.	to point 72
24	Thence	N 59°07'E	1125.0 m.	to point 73
25	Thence	S 60°57'E	338.0 m.	to point 74
26	Thence	S 03°37'W	139.0 m.	to point 75
27	Thence	S 53°44'E	2256.0 m.	to point 76
28	Thence	S 25°45'E	2148.0 m.	to point 77

1	Thence	N 90°00'E	160.0 m.	to point 78
2	Thence	S 10°41'E	160.0 m.	to point 79
3	Thence	S 18°06'E	265.0 m.	to point 80
4	Thence	S 14°41'E	260.0 m.	to point 81
5	Thence	S 22°35'E	270.0 m.	to point 82
6	Thence	S 21°10'E	270.0 m.	to point 83
7	Thence	S 42°17'E	228.0 m.	to point 84
8	Thence	S 30°08'E	231.0 m.	to point 85
9	Thence	S 09°58'E	100.0 m.	to point 86
10	Thence	S 18°32'E	200.0 m.	to point 87
11	Thence	S 16°31'E	340.0 m.	to point 88
12	Thence	S 18°52'E	127.0 m.	to point 89
13	Thence	S 45°05'E	20.0 m.	to point 90
14	Thence	S 09°09'E	331.8 m.	to point 91
15	Thence	S 19°32'E	275.0 m.	to point 92
16	Thence	S 17°22'E	291.0 m.	to point 93
17	Thence	S 26°32'E	224.0 m.	to point 94
18	Thence	S 21°40'E	210.0 m.	to point 95
19	Thence	S 49°39'E	241.0 m.	to point 96
20	Thence	S 90°00'W	76.0 m.	to point 97
21	Thence	N 49°39'W	195.2 m.	to point 98
22	Thence	N 21°40'W	225.02 m.	to point 99
23	Thence	N 26°32'W	220.7 m.	to point 100
24	Thence	N 17°22'W	290.2 m.	to point 101
25	Thence	N 39°32'W	282.0 m.	to point 102
26	Thence	N 09°09'W	322.0 m.	to point 103
27	Thence	N 45°05'W	15.2 m.	to point 104
28	Thence	N 18°52'W	174.3 m.	to point 105

1	Thence	N 16°31'W	323.3 m.	to point 106
2	Thence	N 18°32'W	206.3 m.	to point 107
3	Thence	N 09°58'W	84.2 m.	to point 108
4	Thence	N 30°08'W	202.7 m.	to point 109
5	Thence	N 42°17'W	230.4 m	to point 110
6	Thence	N 21°10'W	302.9 m.	to point 111
7	Thence	N 22°35'W	271.2 m.	to point 112
8	Thence	N 14°41'W	266.8 m.	to point 113
9	Thence	N 18°06'W	269.9 m.	to point 114
10	Thence	N 10°41'W	110.0 m.	to point 115
11	Thence	S 90°00'W	150.8 m.	to point 116
12	Thence	N 25°41'W	2167.0 m.	to point 117
13	Thence	N 53°44'W	2275.0 m.	to point 118
14	Thence	N 03°37'E	138.9 m.	to point 119
15	Thence	N 60°57'W	279.1 m.	to point 120
16	Thence	S 59°07'W	1052.5 m.	to point 121
17	Thence	S 25°36'E	730.3 m.	to point 122
18	Thence	S 14°25'E	400.6 m.	to point 123
19	Thence	S 45°39'E	503.5 m.	to point 124
20	Thence	S 18°39'E	95.0 m.	to point 125
21	Thence	S 30°23'W	475.3 m.	to point 126
22	Thence	S 63°25'W	111.8 m.	to point 127
23	Thence	N 30°36'W	515.1 m.	to point 128
24	Thence	N 06°51'W	186.7 m.	to point 129
25	Thence	N 37°05'W	308.5 m.	to point 130
26	Thence	N 50°29'W	324.4 m.	to point 131
27	Thence	N 43°29'W	516.3 m.	to point 132
28	Thence	N 28°02'W	257.1 m.	to point 133

1	Thence	N 53°04'W	240.0 m.	to point 134
2	Thence	N 36°39'W	305.7 m.	to point 135
3	Thence	N 12°10'W	377.7 m.	to point 136
4	Thence	N 14°18'W	404.4 m.	to point 137
5	Thence	N 18°25'W	355.2 m.	to point 138
6	Thence	N 24°18'W	413.4 m.	to point 139
7	Thence	N 31°47'W	211.8 m.	to point 140
8	Thence	N 32°49'W	539.3 m.	to point 141
9	Thence	N 25°23'W	313.5 m.	to point 142
10	Thence	N 26°27'W	384.8 m.	to point 143
11	Thence	N 24°16'W	264.0 m.	to point 144
12	Thence	N 20°08'W	103.0 m.	to point 145
13	Thence	N 23°05'W	91.9 m.	to point 146
14	Thence	N 21°40'W	163.9 m.	to point 147
15	Thence	N 40°01'W	131.4 m.	to point 148
16	Thence	N 33°01'W	80.5 m.	to point 149
17	Thence	N 13°56'W	450.3 m.	to point 150
18	Thence	N 01°57'W	267.0 m.	to point 151
19	Thence	N 01°56'W	93.0 m.	to point 152
20	Thence	N 00°58'W	52.0 m.	to point 153
21	Thence	N 01°57'W	247.0 m.	to point 154
22	Thence	N 04°37'W	298.9 m.	to point 155
23	Thence	N 09°07'W	134.7 m.	to point 156
24	Thence	N 08°28'W	246.7 m.	to point 157
25	Thence	N 04°36'W	277.9 m.	to point 158
26	Thence	N 04°50'E	62.0 m.	to point 159
27	Thence	N 03°30'E	411.2 m.	to point 160
28	Thence	N 03°23'E	288.1 m.	to point 161

1	Thence	N 00°58'W	319.0 m.	to point 162
2	Thence	N 30°57'E	311.1 m	to point 163
3	Thence	N 07°41'E	411.7 m.	to point 164
4	Thence	N 09°52'E	412.2 m.	to point 165
5	Thence	N 07°44'E	330.6 m.	to point 166
6	Thence	N 07°41'E	411.7 m.	to point 167
7	Thence	N 03°45'W	389.9 m.	to point 168
8	Thence	N 05°38'E	319.4 m.	to point 169
9	Thence	N 04°07'W	264.1 m.	to point 170
10	Thence	N 07°00'W	120.0 m.	to point 171
11	Thence	N 20°32'W	17.5 m.	to point 172
12	Thence	S 75°41'W	10.4 m.	to point 173
13	Thence	N 06°49'W	155.0 m.	to point 174
14	Thence	S 86°49'E	16.2 m.	to point 175
15	Thence	N 06°31'W	16.6 m.	to point 176
16	Thence	N 05°00'W	50.7 m.	to point 177
17	Thence	S 89°42'E	15.0 m.	to point 178
18	Thence	N 09°05'W	79.2 m.	to point 179
19	Thence	S 59°47'W	69.6 m.	to point 180
20	Thence	N 32°35'W	183.0 m	to point 181
21	Thence	S 80°57'W	17.6 m.	to point 182
22	Thence	N 29°47'W	45.0 m.	to point 183
23	Thence	N 29°46'W	146.1 m.	to point 184
24	Thence	N 27°22'W	82.8 m.	to point 185
25	Thence	N 52°59'E	09.1 m.	to point 186
26	Thence	N 42°48'W	71.7 m.	to point 187
27	Thence	S 43°31'W	37.5 m.	to point 188
28	Thence	N 07°28'W	110.1 m.	to point 189

1 Thence N 34°08'W 323.0 m. to point 1,
2 the point of beginning, containing an area of one hundred fifty-one and 92/100
3 (151.92) hectares, more or less, as buffer zone subject to ground verification.

4 The protected area and its buffer zone shall have a total aggregate area
5 of approximately ten thousand six hundred twenty-nine and 22/100 (10,629.22)
6 hectares, subject to actual ground survey.

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

11 SEC. 4. *Definition of Terms.* – For purposes of this Act, the following
12 terms are defined as follows:

13 (a) “Protected Area Management Board (PAMB)” refers to the
14 management body within the site, responsible for deciding the allocation for
15 budget, and decisions on matters relating to planning, peripheral protection,
16 and general administration of the protected area in accordance with the
17 General Management Plan.

18 (b) “General Management Plan” refers to the basic long-term
19 framework plan in the management of the protected area and serves as guide in
20 the preparation of the annual operations plan and budget.

21 (c) “Management manual” refers to the management plan for the
22 protected area containing basic background information, field inventory of the
23 resources, assessment of assets and limitations, regional interrelationships,
24 particular objectives for managing, appropriate division into management
25 zones, review of the boundaries and design of the management programs.

26 (d) “General Management Planning Strategy (GMPS)” refers to the
27 general guide in the formulation of site specific management plans including
28 buffer zones.

1 (e) "Tenured migrant" refers to any person who has actually and
2 continuously occupied an area for five years prior to its designation as
3 protected area in accordance with the NIPAS Act and is solely dependent
4 therein for subsistence.

5 (f) "Protected Area Superintendent (PASu)" refers to the chief
6 operating officer of the Department of Environment and Natural Resources
7 (DENR) in the protected area under the supervision of the Protected Area
8 Management Board (PAMB) and the concerned DENR Regional Executive
9 Director (RED).

10 (g) "Protected seascapes and landscapes" refer to areas of national
11 significance characterized by the harmonious interaction of man and land while
12 providing opportunities for enjoyment through recreation and tourism within
13 the normal lifestyle and economic activity of these areas

14 (h) "Nongovernment organization (NGO)" refers to any civic,
15 development or philanthropic organization which is multi-sectoral in character.

16 (i) "People's organization" refers to organizations of members of the
17 local community whose purpose for establishment is to protect or advance the
18 interest of specific sectors, such as, but not limited to farmers, fisherfolks,
19 women, and the like.

20 (j) "Protected species" refer to existing individuals of any species
21 listed under the Convention on International Trade of Endangered Species
22 (CITES), or any plants or animals that are declared to be protected under
23 Philippine laws, rules and regulations issued by the DENR or the PAMB or the
24 management plan herein provided for.

25 *SEC. 5. Control and Supervision.* – The Protected Area (PA) shall be
26 under the administrative jurisdiction of the DENR and shall be administered in
27 accordance with the provisions of this Act and the applicable provisions of the
28 NIPAS Act. The DENR shall address issues pertaining to the maintenance of

1 the ecological processes and life support systems, preservation of genetic
2 diversity, and the sustainable use of the resources within the PA.

3 SEC. 6. *Management.* – The PA shall be under the management of a
4 PAMB composed of the following members:

5 (a) The DENR Regional Executive Director (RED) of Region II as
6 chairman and advisor on matters related to the technical aspects of protected
7 area management;

8 (b) The Provincial Development Officer of the Province of La Union;

9 (c) One representative from each of the Municipal Governments of
10 Agoo, Sto. Tomas and La Union, to be appointed by the respective
11 sangguniang bayan;

12 (d) The Regional Director of the Bureau of Fisheries and Aquatic
13 Resources (BFAR) Region II, or his or her permanent representative;

14 (e) One representative from each of the nineteen (19) barangays within
15 the PA, to be appointed by their respective sanggunian; and

16 (f) Three representatives from local nongovernment, community and
17 people's organizations, to be chosen by their respective sectors in an election
18 called for the purpose by the DENR, in coordination with the local government
19 units.

20 A PAMB Executive Committee is likewise hereby created which shall
21 be composed of the DENR, Region II, Regional Technical Director as
22 chairman, a representative of the Regional Director of the BFAR, and two
23 representatives from the local governments and concerned NGOs to be
24 appointed by their respective sectors.

25 Each member of the PAMB shall serve a term of five years without
26 compensation, except for actual and necessary traveling and subsistence
27 expenses incurred in the performance of their duties. Whenever a vacancy
28 occurs during the term of a member, a new member shall be appointed in the

1 same manner as the original appointment in order to complete such unfinished
2 term.

3 The following are the duties and functions of the PAMB:

4 (a) Decide matters relating to planning, resource protection and general
5 administration of the area in accordance with the GMPS;

6 (b) Approve proposals, work plans, action plans and guidelines for the
7 management of the protected area in accordance with the approved
8 *Management Plan*;

9 (c) Delineate and demarcate protected area boundaries and buffer
10 zones pursuant to the technical description provided in this Act;

11 (d) Promulgate rules and regulations to promote development programs
12 and projects on biodiversity conservation and sustainable development
13 consistent with the management manual of the protected area;

14 (e) Ensure the implementation of programs as prescribed in the
15 *Management Plan* in order to provide employment to the people dwelling in
16 and around the protected area;

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

20 (g) Monitor and evaluate the performance of protected area personnel,
21 NGOs, and the communities in biodiversity conservation and sociocultural and
22 economic development and report their assessments to the NIPAS Policy and
23 Program Steering Committee (NPPSC) and the Integrated Protected Areas
24 Fund (IPAF) Governing Board.

25 The PASu shall prepare the *Management Plan* in consultation with the
26 appropriate offices of the DENR and local experts who may donate their
27 services such as people's organizations, nongovernment organizations and
28 local government agencies. The *Management Plan* shall be reviewed, approved

1 and adopted by the PAMB and shall be certified by the Secretary of the
2 DENR. Such certification shall declare that the Management Plan conforms to
3 all laws, rules and regulations of national application issued by the DENR. In
4 no case shall the DENR revise or modify the Management Plan without prior
5 consultation with the PAMB.

6 The PASu, in coordination with all concerned offices, shall likewise
7 prepare all successor plans. One year before the expiration of the period of
8 applicability of the plan effect, the PASu shall cause publication of notices for
9 comments and suggestions on the next successor plan in a newspaper of local
10 circulation and the posting of such notices in the provincial, municipal and
11 barangay halls and in three other areas frequented by the public. Public
12 hearings may be conducted on the successor plan upon the written request of
13 any interested party. The final plan shall be made available for public
14 comment at the office of the PASu upon its approval by the PAMB.

15 The zoning of the PA shall give primary consideration to the traditional
16 zones used and recognized by tenured migrants unless such uses are deemed
17 detrimental to biodiversity and the protection of the natural characteristics of
18 the protected area.

19 The plan shall be prepared in a language understandable in the area,
20 plainly written and available for comments to the general public at the PASu
21 office.

22 *SEC. 7. Special Prosecutors.* – Within thirty (30) days from the
23 effectivity of this Act, the Department of Justice shall appoint a special
24 prosecutor to whom all cases of violation of the laws and rules and regulations
25 in the protected area shall be assigned. Such special prosecutor shall
26 coordinate with the PAMB and the PASu in the performance of his/her duties
27 and assist in the training of rangers in apprehension and criminal procedures.

1 SEC. 8. *Agoo-Damortis Protected Areas Fund.* – There is hereby
2 established a trust fund to be known as Agoo-Damortis Protected Areas Fund
3 for purposes of financing projects of the system. All income generated from
4 the operation of the system or management of wild flora and fauna in the PA
5 shall accrue to the Fund. These income shall be derived from fees from
6 permitted sale and export of flora and fauna and other resources from the
7 protected area, proceeds from lease of multiple-use areas, contributions from
8 industries and facilities directly benefiting from the protected area; and such
9 other fees and incomes derived from the operation of the protected area.

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

18 The LGUs shall continue to impose and collect all other fees not
19 enumerated herein which they have traditionally collected, such as business
20 permits, property tax, and rentals of LGUs facilities. Furthermore, LGUs may
21 charge add-ons to fees imposed by the PAMB provided that such add-ons shall
22 be based on the contribution of the LGUs in the maintenance and protection of
23 the protected area.

24 SEC. 9. *Existing Facilities within the PA.* – Within sixty (60) days from
25 the effectivity of this Act, existing facilities such as roads, buildings, airports,
26 seaports, water systems, power plants, transmission lines, communication
27 facilities, heavy equipment, irrigation facilities, commercial sea vessels,
28 medical facilities and junk shops of government organizations or agencies,

1 NGOs, and private individuals and institutions within the protected area shall
2 be assessed in terms of their significance to national interest and their impact
3 on the PA. The owners of these facilities shall be required to submit their
4 individual project descriptions including their future plans to the PAMB
5 through the PASu. For those facilities found significant to national interest, a
6 contract shall be negotiated between the PAMB and the operator and the
7 payment of fees for the use of the land shall be based on profit-sharing
8 principle or other measures in accordance with law. Other facilities whose
9 purposes are found inconsistent with the protected area management plan shall
10 be directed to vacate such area, if possible, at the earliest possible time.

11 Upon review and evaluation of all existing facilities, the PAMB shall
12 impose conditions on the operation of those that are detrimental to the
13 protected area. If such conditions are violated, the owner of such facilities
14 shall be liable to pay a fine of Five thousand pesos (P5,000.00) for every day
15 of violation. Upon reaching a total fine of Five hundred thousand pesos
16 (P500,000.00), the PAMB through the PASu and deputized government
17 entities shall cause the cessation and demolition of the facility at the cost of its
18 owners. Fees collected shall accrue to the Agoo-Damortis Protected Areas
19 Fund established in Section 9 hereof.

20 *SEC. 10. Utilization of Energy Resources.* – Consistent with the
21 policies declared in Republic Act No. 7586, the PA may be subjected to
22 exploration for the purpose of gathering information on energy resources and
23 only if such activity is carried out with the least damage to surrounding areas.
24 Surveys shall be conducted only in accordance with a program approved by the
25 DENR, and the results of such surveys shall be made available to the public
26 and submitted to the President for recommendation to Congress. Any
27 exploitation and utilization of energy resources found within the PA shall be
28 allowed only through a law passed by Congress.

1 SEC. 11. *Tenured Migrants.* – Those who have actually and
2 continuously occupied portions of the protected area since June 30, 1987 and
3 are solely dependent therein for subsistence are considered as tenured
4 migrants. Their proof and length of occupancy shall be documented through a
5 tenure instrument over such areas as have been occupied or cultivated and/or
6 developed since June 30, 1987. In case the areas occupied by tenured migrants
7 fall within management zones that do not allow occupancy or other critical
8 management activities, the said migrants shall be transferred to multiple use
9 zones, for humanitarian considerations.

10 The rights, interests and activities of tenured migrants within the PA and
11 its adjoining buffer zones shall be governed by the principles of biodiversity
12 protection and sustainable development and by the guidelines prescribed in the
13 management plan as well as the prohibitions set out in the NIPAS Act and its
14 implementing rules and regulations (IRR) or Department Order No. 25, series
15 of 1992: *Provided*, That all plans, policies and guidelines affecting tenured
16 migrants shall be developed and implemented in partnership with them. When
17 a tenured migrant instrument is cancelled for cause, abandonment and/or by
18 voluntary surrender of rights, the PASu shall take immediate steps to
19 rehabilitate the area in order to return it to its natural state prior to the
20 cultivation or other developmental activities by the tenured migrant.

21 SEC. 12. *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.

25 SEC. 13. *Reporting Responsibility.* – The PASu, through the PAMB,
26 shall be responsible in the preparation of accomplishment reports on all
27 activities undertaken in the PA for submission to the DENR Secretary.

1 SEC. 14. *Prohibited Acts and Penalties.* – The following acts are
2 hereby prohibited within the PA:

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

5 (b) *Dumping of any waste products detrimental to the PA, or to the*
6 *plants and animals or inhabitants therein;*

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

8 (d) *Mutilating, defacing or destroying objects of natural beauty or*
9 *objects of interest to cultural communities;*

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

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

12 (g) *Constructing or maintaining any kind of structure, fence or*
13 *enclosure, conducting any business enterprise without a permit from the*
14 *PAMB;*

15 (h) *Leaving in exposed or unsanitary conditions refuse or debris, or*
16 *depositing them in ground or in bodies of water; and*

17 (i) *Altering, removing, destroying or defacing boundary marks or*
18 *signs.*

19 SEC. 15. *Penalties.* – Whoever violates this Act or any rules and
20 regulations issued by the DENR or the PAMB pursuant to this Act or whoever
21 is found guilty by a competent court of justice of any of the offenses in the
22 preceding section shall be fined in the amount of not less than Five thousand
23 pesos (P5,000.00), nor more than Five hundred thousand pesos (P500,000.00),
24 exclusive of the value of the thing damaged, or imprisoned for not less than
25 one year but not more than six years, or both, as determined by the court:
26 *Provided,* That if the area requires rehabilitation or restoration as determined
27 by the court, the offender shall also be required to restore or compensate for
28 *the restoration to the damage: Provided, further,* That the court shall order the

1 eviction of the offender from the area and the forfeiture in favor of the
2 government of all minerals, timber, or any terrestrial or marine species
3 collected or removed, including all equipment, devices and firearms used in
4 connection therewith and any construction or improvement made thereon by
5 the offender. If the offender is an association or corporation, the president or
6 manager shall be directly liable for the act of his employees and laborers:
7 *Provided, finally,* That the DENR may impose administrative fines and
8 penalties consistent with this Act.

9 SEC. 16. *Separability Clause.* – If any part or section of this Act is
10 declared unconstitutional, such declaration shall not affect the other parts or
11 sections of this Act.

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

15 SEC. 18. *Effectivity Clause.* – This Act shall take effect fifteen (15)
16 days after its complete publication in two newspapers of general circulation.
17 It shall be translated in Pilipino, Ilocano and Pangasinense during local
18 publication.

Approved,