



HOUSE OF REPRESENTATIVES

H. No. 9206

BY REPRESENTATIVES GONZALES (A.), BARZAGA AND YAP (E.), PER COMMITTEE REPORT NO. 916

**“AN ACT
DECLARING MT. ARAYAT LOCATED IN THE PROVINCE OF
PAMPANGA, AS A PROTECTED AREA WITH THE CATEGORY OF
PROTECTED LANDSCAPE UNDER THE NATIONAL
INTEGRATED PROTECTED AREAS SYSTEM (NIPAS), AND
PROVIDING FOR ITS MANAGEMENT”**

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

ARTICLE I

GENERAL PROVISIONS

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

5 **SEC. 2. *Declaration of Policy.*** – In recognition of the richness of the
6 biological resources, both flora and fauna, that are native and distinct to Mt.
7 Arayat in the province of Pampanga, as well as their aesthetic and ecological
8 importance, it is hereby declared the policy of the State to ensure the conservation,
9 protection, management and rehabilitation of this area. The State shall ensure the
10 full implementation of this Act, the mobilization of resources for the institutional
11 mechanism herein established, and the full scientific and technical support needed
12 for the conservation of biodiversity and the integrity of the ecosystem, culture and
13 religious practices.

14 **SEC. 3. *Definition of Terms.*** – As used in this Act:

15 a. *Buffer zones* refer to identified areas outside the boundaries of and

1 immediately adjacent to designated protected areas that need special
2 development control in order to avoid or minimize harm to the protected
3 area;

4 b. *Conservation* refers to any act or acts of preservation and sustainable
5 utilization of wildlife or maintenance, restoration and enhancement of
6 habitats;

7 c. *Indigenous cultural communities/Indigenous peoples* refer to a group of
8 people sharing common bonds of language, customs, traditions, and other
9 distinctive cultural traits, and who have, since time immemorial occupied,
10 possessed and utilized a territory;

11 d. *Protected area* refers to identified portions of land and water set aside by
12 reason of their unique physical and biological significance, managed to
13 enhance biological diversity and protected against destructive human
14 exploitation;

15 e. *Protected landscape or seascape* refers to an area of national significance
16 which is characterized by the harmonious interaction of humans, and land
17 and water while providing opportunities for public enjoyment through
18 recreation, tourism, and other economic activities; and

19 f. *Tenured migrants* refer to protected area occupants who have been actually,
20 continuously and presently occupying a portion of the protected area for five
21 (5) years before the proclamation or law establishing the same as a
22 protected area, and are solely dependent therein for subsistence.

23 **SEC. 4. Declaration as Protected Area.** – The Mt. Arayat Protected
24 Landscape (MAPL), bordering the Municipalities of Arayat and Magalang in the
25 Province of Pampanga, is hereby declared a protected area with the category of
26 protected landscape pursuant to Republic Act No. 7586, or the “National
27 Integrated Protected Areas System Act of 1992”, as amended by Republic Act No.
28 11038, or the “Expanded National Integrated Protected Areas System Act of 2018”.
29 All lands of the public domain within the coverage and scope of this Act shall fall
30 under the classification of national park as provided for in the Constitution.

31 **SEC. 5. Scope and Coverage.** – The boundaries of the MAPL are more
32 particularly described as follows:

1 a. Lot I pertains to the area beginning at a point marked "1" on the Map,
 2 which is S 56°56'42" E, 125.875 meters from PRS'92 Control Monument "PMG-
 3 73", with geographic coordinates of 15°10'19.58023" Latitude and
 4 120°45'36.60799" Longitude located at the Barangay San Juan Baño, Municipality
 5 of Arayat, Province of Pampanga,

6	thence N69°08'09"W	612.131	meters to corner 2;
7	thence N69°27'22"W	536.23	meters to corner 3;
8	thence N64°35'57"W	133.934	meters to corner 4;
9	thence S66°06'46"W	523.011	meters to corner 5;
10	thence S75°24'27"W	696.106	meters to corner 6;
11	thence N75°26'16"W	1017.796	meters to corner 7;
12	thence N77°28'22"W	166.215	meters to corner 8;
13	thence N88°35'34"W	894.287	meters to corner 9;
14	thence N40°17'46"W	765.383	meters to corner 10;
15	thence N40°45'18"W	1077.689	meters to corner 11;
16	thence N39°43'42"W	576.005	meters to corner 12;
17	thence N39°43'42"W	216.223	meters to corner 13;
18	thence N37°39'57"W	593.06	meters to corner 14;
19	thence N44°08'47"E	258.075	meters to corner 15;
20	thence N42°18'55"E	1182.858	meters to corner 16;
21	thence N43°04'58"E	1059.675	meters to corner 17;
22	thence N41°24'26"E	1067.178	meters to corner 18;
23	thence N41°24'26"E	631.256	meters to corner 19;
24	thence N09°07'56"E	1049.962	meters to corner 20;
25	thence N76°54'20"E	141.753	meters to corner 21;
26	thence N41°57'39"E	440.24	meters to corner 22;
27	thence N74°10'58"E	611.396	meters to corner 23;
28	thence N53°58'15"E	152.948	meters to corner 24;
29	thence S65°16'43"E	228.131	meters to corner 25;
30	thence S65°16'43"E	1154.261	meters to corner 26;
31	thence S67°38'21"E	861.707	meters to corner 27;
32	thence S47°43'40"E	767.634	meters to corner 28;

1 thence S42°47'37"E 470.518 meters to corner 29;
2 thence S23°39'30"E 592.717 meters to corner 30;
3 thence S23°39'30"E 714.729 meters to corner 31;
4 thence S18°41'17"E 518.149 meters to corner 32;
5 thence S26°05'38"E 324.828 meters to corner 33;
6 thence S87°03'49"W 909.88 meters to corner 34;
7 thence S04°26'00"W 732.224 meters to corner 35;
8 thence S02°17'46"W 109.852 meters to corner 36;
9 thence S72°14'18"E 246.853 meters to corner 37;
10 thence S23°42'08"W 340.667 meters to corner 38;
11 thence S23°42'08"W 364.433 meters to corner 39;
12 thence S24°37'57"W 587.191 meters to corner 40;
13 thence S82°49'15"W 440.745 meters to corner 41;
14 thence S06°51'15"E 449.242 meters to corner 42;
15 thence S33°23'02"E 350.192 meters to corner 43;
16 thence S00°06'26"E 616.447 meters to corner 44;
17 thence S39°40'50"W 210.602 meters to corner 45;
18 thence S60°14'35"E 157.967 meters to corner 46;
19 thence S01°34'25"W 90.492 meters to corner 1,
20 and comprises three thousand seven hundred eleven and 34/100 (3,711.34)
21 hectares, more or less.

22 b. Lot II pertains to the area beginning at a point marked "1" on the
23 Map, which is N16°15'07"W, 104.288 meters from PRS'92 Control Monument
24 "PMG-73", with geographic coordinates of 15°10'19.58023" Latitude and
25 120°45'36.60799" Longitude located at the Barangay San Juan Baño, Municipality
26 of Arayat, Province of Pampanga,

27 thence N39°40'26"E 225.621 meters to corner 2;
28 thence N39°40'26"E 49.858 meters to corner 3;
29 thence N01°32'34"W 289.163 meters to corner 4;
30 thence N57°33'26"E 59.821 meters to corner 5;
31 thence N57°33'26"E 15.516 meters to corner 6;
32 thence N54°50'26"E 29.25 meters to corner 7;

1	thence	S83°01'34"E	42.335	meters to corner 8;
2	thence	N66°46'26"E	118.442	meters to corner 9;
3	thence	S47°11'34"E	11.644	meters to corner 10;
4	thence	S17°03'34"E	11.814	meters to corner 11;
5	thence	S14°16'26"W	97.745	meters to corner 12;
6	thence	S04°01'26"W	198.971	meters to corner 13;
7	thence	S17°23'34"E	32.912	meters to corner 14;
8	thence	S30°38'34"E	32.562	meters to corner 15;
9	thence	S53°53'34"E	65.413	meters to corner 16;
10	thence	S88°42'26"W	122.974	meters to corner 17;
11	thence	S23°51'26"W	29.11	meters to corner 18;
12	thence	S40°14'26"W	11.824	meters to corner 19;
13	thence	S13°15'26"W	32.201	meters to corner 20;
14	thence	S07°08'34"E	12.745	meters to corner 21;
15	thence	S17°42'26"W	37.743	meters to corner 22;
16	thence	S05°57'26"W	58.161	meters to corner 23;
17	thence	S75°10'26"W	8.583	meters to corner 24;
18	thence	N71°36'34"W	3.781	meters to corner 25;
19	thence	S20°31'26"W	7.153	meters to corner 26;
20	thence	S55°00'26"W	12.064	meters to corner 27;
21	thence	S11°54'26"W	8.413	meters to corner 28;
22	thence	S02°52'35"E	10.484	meters to corner 29;
23	thence	S31°41'25"W	9.373	meters to corner 30;
24	thence	S19°13'35"E	7.343	meters to corner 31;
25	thence	S14°58'35"E	5.922	meters to corner 32;
26	thence	S51°19'35"E	31.201	meters to corner 33;
27	thence	S32°09'25"W	9.153	meters to corner 34;
28	thence	S42°20'25"W	85.471	meters to corner 35;
29	thence	S33°57'25"W	11.824	meters to corner 36;
30	thence	S08°57'25"W	15.956	meters to corner 37;
31	thence	S77°25'25"W	21.608	meters to corner 38;
32	thence	S77°25'25"W	40.985	meters to corner 39;

1	thence	S77°25'25"W	23.168	meters to corner 40;
2	thence	N16°53'35"W	6.812	meters to corner 41;
3	thence	N01°34'25"E	90.492	meters to corner 42;
4	thence	N60°16'32"W	157.957	meters to corner 1;

5 and comprises fifteen and 16/100 (15.16) hectares, more or less.

6 **SEC. 6. *Establishment of Buffer Zones.*** – The Secretary of the
 7 Department of Environment and Natural Resources (DENR), upon the
 8 recommendation of the Protected Area Management Board (PAMB), may
 9 designate areas surrounding the MAPL as buffer zones for the purpose of
 10 providing an extra layer of protection where restrictions may be applied: *Provided,*
 11 That, in cases where the designated buffer zone would cover private lands, the
 12 owners thereof shall be required to design their development with due
 13 consideration to the protected area management plan.

14 **ARTICLE II**

15 **MANAGEMENT MECHANISMS**

16 **SEC. 7. *Protected Area Management Board (PAMB).*** – Within three (3)
 17 months from the effectivity of this Act, a Protected Area Management Board
 18 (PAMB) shall be created for the MAPL. The PAMB shall be composed of the
 19 following:

- 20 a. DENR Regional Executive Director for Region III, as Chairperson;
- 21 b. Governor of the Province of Pampanga or a duly authorized
 22 representative;
- 23 c. Senators of the Republic of the Philippines who are a duly registered
 24 residents of Pampanga, or duly designated representatives, unless the
 25 Senators decline membership in the PAMB;
- 26 d. District Representatives of the Congressional District where the MAPL
 27 is located, or their duly designated representatives, unless the District
 28 Representatives decline the membership in the PAMB;
- 29 e. Mayors of the Municipalities of Arayat and Magalang, Province of
 30 Pampanga or their duly authorized representatives;
- 31 f. Chairpersons of all the *barangays* with territorial jurisdiction over the
 32 MAPL;

- 1 g. Regional Directors of the following government agencies, namely: the
2 Department of Agriculture (DA), the National Economic and
3 Development Authority (NEDA), the Department of Science and
4 Technology (DOST), the Philippine National Police (PNP), and the
5 Department of National Defense (DND);
- 6 h. Three (3) representatives from either non-governmental organizations
7 (NGO) or people's organizations (PO), based in the Province of
8 Pampanga, duly accredited both by the DENR and the provincial
9 government. The NGO or PO represented should have been in existence
10 for at least five (5) years and with track record in or related to protected
11 area management;
- 12 i. At least one (1) but not more than three (3) representatives from all the
13 indigenous cultural community (ICC)/ indigenous people (IP) present in
14 the area and recognized by the National Commission on Indigenous
15 Peoples (NCIP);
- 16 j. One (1) representative from an academic institution, preferably from a
17 university or college in the Province of Pampanga, with proven track
18 record in or related to protected area management; and
- 19 k. One (1) representative from the private sector, preferably a resident of
20 the Province of Pampanga, who is distinguished in a profession or field
21 of interest relevant to the protected area management.

22 The terms of office of members of the PAMB, as well as the grounds for
23 their removal shall be in accordance with the provisions of Republic Act No. 7586,
24 or the "National Integrated Protected Areas System Act of 1992", as amended by
25 Republic Act No. 11038, or the "Expanded National Integrated Protected System
26 Act of 2018".

27 **SEC. 8. *Functions of the PAMB.*** – The PAMB shall have the following
28 powers and functions:

- 29 a. Oversee the management of the protected area;
- 30 b. Approve policies, plans and programs, proposals, agreements, and other
31 related documents for the management of the protected areas;
- 32 c. Approve the management plan of the protected area and ensure its

- 1 harmonization and integration with the Ancestral Domain Sustainable
2 Development and Protection Plan, land use plan and other development
3 plan, public or private, and its implementation;
- 4 d. Adopt a manual of operations to include rules of procedures in the conduct
5 of business, and the creation of committees and their respective terms of
6 reference;
- 7 e. Recommend the deputation of appropriate agencies and individuals for the
8 enforcement of the laws, rules and regulations governing the management
9 of the protected area;
- 10 f. Allocate financial resources for the implementation of the management plan
11 and manage the Protected Area Retention Income Account and other funds
12 in accordance with the accounting and budgeting rules and regulations;
- 13 g. Set fees and charges in accordance with existing guidelines;
- 14 h. Issue rules and regulations for the resolution of conflicts through
15 appropriate and effective means;
- 16 i. Recommend appropriate policy changes to the DENR and other government
17 authorities;
- 18 j. Monitor and assess the performance of the Protected Area Superintendent
19 (PASu) and other protected area personnel and compliance of partners with
20 the terms and conditions of any undertaking, contract or agreement;
- 21 k. Recommend from among a shortlist of qualified candidates, the designation
22 or appointment of the PASu; and
- 23 l. Assess the effectiveness of the management of the protected area: *Provided,*
24 That the members of the management board representing the LGUs and
25 national agencies in the PAMB shall inform their respective constituents,
26 offices or sectors, of PAMB-approved or other relevant policies, rules,
27 regulations, programs, and projects and shall ensure that the provisions of
28 this Act and the rules and regulations issued to implement it are complied
29 with and used as reference and framework in their respective plans,
30 policies, programs, and projects. Failure to comply with the foregoing shall
31 be the basis for disciplinary action against such member according to
32 administrative rules and regulations and such penalties as the PAMB may

1 provide: *Provided, further*, That the DENR, through the Regional Director,
2 shall ensure that the PAMB acts within the scope of its powers and
3 functions. In case of conflict between the resolutions issued by the PAMB
4 and the existing administrative orders of national application, the latter
5 shall prevail.

6 **SEC. 9. *The Protected Area Management Office (PAMO)*.** – There is
7 hereby established a Protected Area Management Office (PAMO) to be headed by
8 a Protected Area Superintendent (PASu) who shall supervise the day to day
9 management, protection, and administration of the AMPL. The PASu shall hold
10 a permanent plantilla position and shall be appointed by the DENR Secretary. A
11 sufficient number of support staff with permanent plantilla positions shall
12 likewise be appointed by the DENR Secretary to assist the PASu in the
13 management of the protected area.

14 The PASu shall be primarily accountable to the PAMB and the DENR for
15 the management and operations of the MAPL. Pursuant thereto, the PASu shall
16 have the following duties and responsibilities:

- 17 a. Prepare the management plan, in consultation with the stakeholders,
18 including the annual work and financial plan, and ensure its
19 implementation;
- 20 b. Ensure the integration of the protected area management plans, programs,
21 projects, and policies with relevant national and LGUs' plans and programs;
- 22 c. Provide secretariat services to the PAMB and its committees and ensure the
23 availability of relevant and timely information for decision-making;
- 24 d. Formulate and recommend to the PAMB proposed policies, rules,
25 regulations, and programs;
- 26 e. Establish, operate, and maintain a database management system which
27 shall be an important basis for decision-making;
- 28 f. Enforce the laws, rules and regulations relevant to the protected area,
29 commence and institute administrative and legal actions in collaboration
30 with other government agencies or organizations, and assist in the
31 prosecution of offenses committed in violation of the provisions this Act;

- 1 g. Monitor, evaluate, and report the implementation of management activities
2 of the protected area;
- 3 h. Request for and receive any technical assistance, support or advice from any
4 agency or instrumentality of the government as well as academic
5 institutions, NGOs, and the private sector, as may be necessary for the
6 effective management, protection and administration of the protected area;
- 7 i. Issue permits and clearances for activities that implement the management
8 plan and other permitted activities in accordance with terms, conditions,
9 and criteria established by the PAMB: *Provided*, That all permits for
10 extraction activities, including collection for research purposes, shall also
11 continue to be issued by relevant authorities, subject to prior clearance from
12 the PAMB, through the PASu, in accordance with the specific acts to be
13 covered;
- 14 j. Collect and receive pertinent fees, charges, donations, and other income for
15 the protected area: *Provided*, That such fees, charges, donations, and other
16 income collected and received shall be reported regularly to the PAMB and
17 the DENR in accordance with existing guidelines;
- 18 k. Prepare and recommend to the PAMB, approval of the annual work and
19 financial plans of the protected area based on the management plan; and
- 20 l. Perform such other functions as the PAMB and the DENR may assign.

21 The PAMO may be augmented by the deputized local environment and
22 natural resources officers upon the recommendation of the PAMB and approval of
23 the DENR.

24 ARTICLE III

25 PROCEEDS AND FEES

26 **SEC. 10. *The Mt. Arayat Protected Landscape Fund.*** – There is hereby
27 established a trust fund to be known as the Mt. Arayat Protected Landscape Fund
28 for purposes of financing projects of the MAPL and the NIPAS. All income
29 generated from the operation and management of wild flora and fauna in the
30 MAPL shall accrue to the fund. The income shall be derived from fees from
31 permitted sale and export of flora and fauna and other resources from the MAPL,
32 proceeds from lease of multiple-use areas, contributions from industries and

1 facilities directly benefiting from the MAPL, and such other fees and income
2 derived from the operation of the MAPL.

3 The PAMB shall retain seventy-five percent (75%) of all revenues raised
4 through the above means, which shall be deposited in the Protected Area-Retained
5 Income Account (PA-RIA) in any authorized government depository bank within
6 the locality: *Provided*, That disbursements out of such deposits shall be used solely
7 for the protection, maintenance, administration, and management of the protected
8 area and implementation of duly approved projects of the PAMB. The remaining
9 twenty-five percent (25%) of revenues shall be deposited as a special account in
10 the general fund in the National Treasury for purposes of financing the programs
11 and projects of the System.

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

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

22 ARTICLE IV

23 TRANSITORY AND MISCELLANEOUS PROVISIONS

24 **SEC. 11. Appropriations.** – The Secretary of the DENR shall immediately
25 include in the Department's program the implementation of this Act, the funding
26 of which shall be included in the annual General Appropriations Act.

27 **SEC. 12. Suppletory Application of the NIPAS Law.** – In all matters
28 not provided under this Act, Republic Act No. 7586, or the "National Integrated
29 Protected Areas System Act of 1992", as amended by Republic Act No. 11038, or
30 the "Expanded National Integrated Protected Areas System Act of 2018" shall
31 apply in suppletory character, or by analogy whenever practicable and convenient.

32 **SEC. 13. Implementing Rules and Regulations.** – Within ninety (90)

1 days from the effectivity of this Act, the Secretary of the DENR shall, in
2 consultation with local governments of the Municipalities of Arayat and
3 Magalang, the provincial government of Pampanga, and concerned national
4 government agencies, issue the corresponding rules and regulations for the
5 effective implementation of this Act.

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

9 **SEC. 15. *Repealing Clause.*** – All laws, decrees, letters of instruction,
10 executive orders, rules and regulations and other issuances or parts thereof
11 inconsistent with this Act are hereby repealed or modified accordingly.

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

14 Approved,