Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 916

Submitted by the Committees on Natural Resources and Appropriations on April 16, 2021
Re: House Bill No. 9206
Recommending its approval, in substitution of House Bill Numbered 4420

Mr. Speaker:

The Committees on Natural Resources and Appropriations, to which was referred House Bill No. 4420, introduced by Representative Aurelio D. Gonzales, Jr., entitled:

“AN ACT
ESTABLISHING MT. ARAYAT IN THE PROVINCE OF PAMPANGA AS PROTECTED AREA UNDER THE CATEGORY OF PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES”

have considered the same and recommend that the attached House Bill No. 9206 entitled:

“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 approved in substitution of House Bill No. 4420, with Representatives Gonzales, Barzaga, and Yap (E.) as authors thereof.
Respectfully submitted,

REP. ERIC GO YAP  
Chairperson  
Committee on Appropriations

REP. ELPIDIO F. BARZAGA JR.  
Chairperson  
Committee on Natural Resources

THE HONORABLE SPEAKER  
House of Representatives  
Quezon City
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9206
(in substitution of House Bill No. 4420)

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Introduced by Representatives Aurelio D. Gonzales, Jr.,
Elpidio F. Barzaga Jr. and Eric Go Yap

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“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

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

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

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

a. Buffer zones refer to identified areas outside the boundaries of and
immediately adjacent to designated protected areas that need special
development control in order to avoid or minimize harm to the protected
area;

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

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

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

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

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

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

SEC. 5. Scope and Coverage. – The boundaries of the MAPL are more
particularly described as follows:
a. Lot I pertains to the area beginning at a point marked “1” on the Map, which is $S 56^\circ 56'42''$ $E$, 125.875 meters from PRS'92 Control Monument “PMG-73”, with geographic coordinates of $15^\circ 10'19.58023''$ Latitude and $120^\circ 45'36.60799''$ Longitude located at the Barangay San Juan Baño, Municipality of Arayat, Province of Pampanga,

thence $N69^\circ 08'09''W$ 612.131 meters to corner 2;

thence $N69^\circ 27'22''W$ 536.23 meters to corner 3;

thence $N64^\circ 35'57''W$ 133.934 meters to corner 4;

thence $S66^\circ 06'46''W$ 523.011 meters to corner 5;

thence $S75^\circ 24'27''W$ 696.106 meters to corner 6;

thence $N75^\circ 26'16''W$ 1017.796 meters to corner 7;

thence $N77^\circ 28'22''W$ 166.215 meters to corner 8;

thence $N88^\circ 35'34''W$ 894.287 meters to corner 9;

thence $N40^\circ 17'46''W$ 765.383 meters to corner 10;

thence $N40^\circ 45'18''W$ 1077.689 meters to corner 11;

thence $N39^\circ 43'42''W$ 576.005 meters to corner 12;

thence $N39^\circ 43'42''W$ 216.223 meters to corner 13;

thence $N37^\circ 39'57''W$ 593.06 meters to corner 14;

thence $N44^\circ 08'47''E$ 258.075 meters to corner 15;

thence $N42^\circ 18'55''E$ 1182.858 meters to corner 16;

thence $N43^\circ 04'58''E$ 1059.675 meters to corner 17;

thence $N41^\circ 24'26''E$ 1067.178 meters to corner 18;

thence $N41^\circ 24'26''E$ 631.256 meters to corner 19;

thence $N09^\circ 07'56''E$ 1049.962 meters to corner 20;

thence $N76^\circ 54'20''E$ 141.753 meters to corner 21;

thence $N41^\circ 57'39''E$ 440.24 meters to corner 22;

thence $N74^\circ 10'58''E$ 611.396 meters to corner 23;

thence $N53^\circ 58'15''E$ 152.948 meters to corner 24;

thence $S65^\circ 16'43''E$ 228.131 meters to corner 25;

thence $S65^\circ 16'43''E$ 1154.261 meters to corner 26;

thence $S67^\circ 38'21''E$ 861.707 meters to corner 27;

thence $S47^\circ 43'40''E$ 767.634 meters to corner 28;
thence S42°47'37"E  470.518 meters to corner 29;
thence S23°39'30"E  592.717 meters to corner 30;
thence S23°39'30"E  714.729 meters to corner 31;
thence S18°41'17"E  518.149 meters to corner 32;
thence S26°05'38"E  324.828 meters to corner 33;
thence S87°03'49"W  909.88 meters to corner 34;
thence S04°26'00"W  732.224 meters to corner 35;
thence S02°17'46"W  109.852 meters to corner 36;
thence S72°14'18"W  246.853 meters to corner 37;
thence S23°42'08"W  340.667 meters to corner 38;
thence S23°42'08"W  364.433 meters to corner 39;
thence S24°37'57"W  587.191 meters to corner 40;
thence S82°49'15"W  440.745 meters to corner 41;
thence S06°51'15"E  449.242 meters to corner 42;
thence S33°23'02"E  350.192 meters to corner 43;
thence S00°06'26"E  616.447 meters to corner 44;
thence S39°40'50"W  210.602 meters to corner 45;
thence S60°14'35"E  157.967 meters to corner 46;
thence S01°34'25"W  90.492 meters to corner 1,

and comprises three thousand seven hundred eleven and 34/100 (3,711.34) hectares, more or less.

b. Lot II pertains to the area beginning at a point marked “1” on the Map, which is N16°15'07"W, 104.288 meters from PRS’92 Control Monument “PMG-73”, with geographic coordinates of 15°10’19.58023’’ Latitude and 120°45’36.60799’’ Longitude located at the Barangay San Juan Baño, Municipality of Arayat, Province of Pampanga,
thence N39°40'26"E  225.621 meters to corner 2;
thence N39°40'26"E  49.858 meters to corner 3;
thence N01°32'34"W  289.163 meters to corner 4;
thence N57°33'26"E  59.821 meters to corner 5;
thence N57°33'26"E  15.516 meters to corner 6;
thence N54°50'26"E  29.25 meters to corner 7;
thence S83°01'34"E  42.335 meters to corner 8;

thence N66°46'26"E  118.442 meters to corner 9;

thence S47°11'34"E  11.644 meters to corner 10;

thence S17°03'34"E  11.814 meters to corner 11;

thence S14°16'26"W  97.745 meters to corner 12;

thence S04°01'26"W  198.971 meters to corner 13;

thence S17°23'34"E  32.912 meters to corner 14;

thence S30°38'34"E  32.562 meters to corner 15;

thence S53°53'34"E  65.413 meters to corner 16;

thence S88°42'26"W  122.974 meters to corner 17;

thence S23°51'26"W  29.11 meters to corner 18;

thence S40°14'26"W  11.824 meters to corner 19;

thence S13°15'26"W  32.201 meters to corner 20;

thence S07°08'34"E  12.745 meters to corner 21;

thence S17°42'26"W  37.743 meters to corner 22;

thence S05°57'26"W  58.161 meters to corner 23;

thence S75°10'26"W  8.583 meters to corner 24;

thence N71°36'34"W  3.781 meters to corner 25;

thence S20°31'26"W  7.153 meters to corner 26;

thence S55°00'26"W  12.064 meters to corner 27;

thence S11°54'26"W  8.413 meters to corner 28;

thence S02°52'35"E  10.484 meters to corner 29;

thence S31°41'25"W  9.373 meters to corner 30;

thence S19°13'35"E  7.343 meters to corner 31;

thence S14°58'35"E  5.922 meters to corner 32;

thence S51°19'35"E  31.201 meters to corner 33;

thence S32°09'25"W  9.153 meters to corner 34;

thence S42°20'25"W  85.471 meters to corner 35;

thence S33°57'25"W  11.824 meters to corner 36;

thence S08°57'25"W  15.956 meters to corner 37;

thence S77°25'25"W  21.608 meters to corner 38;

thence S77°25'25"W  40.985 meters to corner 39;
thence S77°25'25"W 23.168 meters to corner 40;
thence N16°53'35"W 6.812 meters to corner 41;
thence N01°34'25"E 90.492 meters to corner 42;
thence N60°16'32"W 157.957 meters to corner 1;
and comprises fifteen and 16/100 (15.16) hectares, more or less.

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

**ARTICLE II**

**MANAGEMENT MECHANISMS**

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

a. DENR Regional Executive Director for Region III, as Chairperson;
b. Governor of the Province of Pampanga or a duly authorized representative;
c. Senators of the Republic of the Philippines who are a duly registered residents of Pampanga, or duly designated representatives, unless the Senators decline membership in the PAMB;
d. District Representatives of the Congressional District where the MAPL is located, or their duly designated representatives, unless the District Representatives decline the membership in the PAMB;
e. Mayors of the Municipalities of Arayat and Magalang, Province of Pampanga or their duly authorized representatives;
f. Chairpersons of all the barangays with territorial jurisdiction over the MAPL;
g. Regional Directors of the following government agencies, namely: the Department of Agriculture (DA), the National Economic and Development Authority (NEDA), the Department of Science and Technology (DOST), the Philippine National Police (PNP), and the Department of National Defense (DND);

h. Three (3) representatives from either non-governmental organizations (NGO) or people’s organizations (PO), based in the Province of Pampanga, duly accredited both by the DENR and the provincial government. The NGO or PO represented should have been in existence for at least five (5) years and with track record in or related to protected area management;

i. At least one (1) but not more than three (3) representatives from all the indigenous cultural community (ICC)/indigenous people (IP) present in the area and recognized by the National Commission on Indigenous Peoples (NCIP);

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

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

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

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

a. Oversee the management of the protected area;

b. Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the protected areas;

c. Approve the management plan of the protected area and ensure its
harmonization and integration with the Ancestral Domain Sustainable Development and Protection Plan, land use plan and other development plan, public or private, and its implementation;

d. Adopt a manual of operations to include rules of procedures in the conduct of business, and the creation of committees and their respective terms of reference;

e. Recommend the deputation of appropriate agencies and individuals for the enforcement of the laws, rules and regulations governing the management of the protected area;

f. Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account and other funds in accordance with the accounting and budgeting rules and regulations;

g. Set fees and charges in accordance with existing guidelines;

h. Issue rules and regulations for the resolution of conflicts through appropriate and effective means;

i. Recommend appropriate policy changes to the DENR and other government authorities;

j. Monitor and assess the performance of the Protected Area Superintendent (PASu) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or agreement;

k. Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASu; and

l. Assess the effectiveness of the management of the protected area: Provided, That the members of the management board representing the LGUs and national agencies in the PAMB shall inform their respective constituents, offices or sectors, of PAMB-approved or other relevant policies, rules, regulations, programs, and projects and shall ensure that the provisions of this Act and the rules and regulations issued to implement it are complied with and used as reference and framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be the basis for disciplinary action against such member according to administrative rules and regulations and such penalties as the PAMB may
provide: *Provided, further,* That the DENR, through the Regional Director, shall ensure that the PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and the existing administrative orders of national application, the latter shall prevail.

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

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

a. Prepare the management plan, in consultation with the stakeholders, including the annual work and financial plan and ensure its implementation;

b. Ensure the integration of the protected area management plans, programs, projects, and policies with relevant national and LGUs’ plans and programs;

c. Provide secretariat services to the PAMB and its committees and ensure the availability of relevant and timely information for decision-making;

d. Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;

e. Establish, operate, and maintain a database management system which shall be an important basis for decision-making;

f. Enforce the laws, rules and regulations relevant to the protected area, commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the prosecution of offenses committed in violation of the provisions this Act;
g. Monitor, evaluate, and report the implementation of management activities of the protected area;

h. Request for and receive any technical assistance, support or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, and the private sector, as may be necessary for the effective management, protection and administration of the protected area;

i. Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with terms, conditions, and criteria established by the PAMB: Provided, That all permits for extraction activities, including collection for research purposes, shall also continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASu, in accordance with the specific acts to be covered;

j. Collect and receive pertinent fees, charges, donations, and other income for the protected area: Provided, That such fees, charges, donations, and other income collected and received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;

k. Prepare and recommend to the PAMB, approval of the annual work and financial plans of the protected area based on the management plan; and

l. Perform such other functions as the PAMB and the DENR may assign.

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

ARTICLE III

PROCEEDS AND FEES

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

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

The fund may be augmented by grants, donations, endowment from various sources, domestic or foreign: Provided, That the fund shall be deposited in full 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, budgeting and auditing rules and regulations: Provided, further, That the fund shall not be used to cover personal services expenditures.

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

ARTICLE IV
TRANSITORY AND MISCELLANEOUS PROVISIONS

SEC. 11. 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.

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

SEC. 13. Implementing Rules and Regulations. – Within ninety (90)
days from the effectivity of this Act, the Secretary of the DENR shall, in
consultation with local governments of the Municipalities of Arayat and
Magalang, the provincial government of Pampanga, and concerned national
government agencies, issue the corresponding rules and regulations for the
effective implementation of this Act.

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

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

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

Approved,