

1 its biodiversity; advance, respect and protect the customs and interests of its
 2 legitimate inhabitants; and foster partnerships among government,
 3 nongovernment organizations (NGOs) and people's organizations (POs).

4 SEC. 3. *Scope.* – The Pasonanca Natural Park, including its buffer
 5 zone, covers a total area of about seventeen thousand four hundred fourteen
 6 (17,414) hectares. Its technical description, subject to actual ground survey
 7 and demarcation, begins at a point marked “1” which is S. 11° 27' W., at one
 8 thousand nine hundred four point eighty-eight (1,904.88) meters from
 9 FNSP-ZS 75 Ashtech point monument;

10	Corner	Bearing	Distance (meters)
11	1	N. 36° 44' 00" W.	670.00
12	2	N. 36° 44' 00" W.	233.86
13	3	N. 36° 44' 00" W.	272.74
14	4	N. 36° 04' 00" W.	1,774.66
15	5	N. 36° 04' 00" W.	1,074.66
16	6	N. 74° 15' 00" W.	1,000.00
17	7	N. 14° 45' 00" W.	338.34
18	8	N. 38° 00' 00" W.	1,920.00
19	9	N. 61° 00' 00" W.	460.00
20	10	N. 22° 00' 00" W.	300.00
21	11	N. 13° 00' 00" W.	180.00
22	12	N. 14° 00' 00" E.	280.00
23	13	N. 50° 00' 00" E.	220.00
24	14	N. 63° 00' 00" E.	240.00
25	15	N. 80° 00' 00" E.	220.00
26	16	N. 17° 00' 00" W.	220.00
27	17	N. 53° 00' 00" W.	290.00
28	18	N. 27° 00' 00" W.	260.00

1	19	N. 11° 00' 00" E.	220.00
2	20	N. 49° 00' 00" E.	240.00
3	21	N. 25° 00' 00" E.	280.00
4	22	N. 08° 00' 00" W.	260.00
5	23	N. 22° 00' 00" E.	680.00
6	24	N. 17° 00' 00" W.	24.00
7	25	N. 36° 00' 00" E.	210.00
8	26	N. 05° 00' 00" E.	240.00
9	27	N. 12° 00' 00" E.	220.00
10	28	N. 40° 00' 00" W.	140.00
11	29	N. 26° 00' 00" W.	240.00
12	30	N. 54° 00' 00" W.	290.00
13	31	N. 02° 00' 00" W.	260.00
14	32	N. 11° 00' 00" E.	300.00
15	33	N. 12° 00' 00" W.	360.00
16	34	N. 20° 00' 00" W.	360.00
17	35	N. 30° 00' 00" W.	420.00
18	36	N. 29° 00' 00" W.	1,050.00
19	37	N. 63° 00' 00" E.	1,870.00
20	38	N. 00° 00' 00" E.	50.00
21	39	N. 62° 00' 00" E.	200.00
22	40	N. 56° 00' 00" E.	130.00
23	41	N. 39° 00' 00" E.	140.00
24	42	N. 32° 00' 00" E.	240.00
25	43	N. 10° 00' 00" E.	230.00
26	44	N. 72° 00' 00" E.	160.00
27	45	N. 70° 00' 00" E.	280.00
28	46	N. 09° 14' 00" E.	2,269.30

1	47	N. 06° 02' 00" E.	2,567.50
2	48	N. 15° 37' 00" W.	2,089.80
3	49	N. 89° 35' 00" E.	3,119.80
4	50	N. 44° 06' 00" E.	2,048.80
5	51	S. 43° 07' 00" E.	346.10
6	52	S. 23° 49' 00" E.	566.40
7	53	S. 44° 43' 00" E.	273.30
8	54	S. 07° 30' 00" E.	933.20
9	55	S. 06° 34' 00" W.	227.30
10	56	S. 06° 32' 00" W.	258.80
11	57	S. 01° 07' 00" W.	398.40
12	58	S. 01° 14' 00" E.	335.80
13	59	S. 40° 13' 00" E.	332.50
14	60	S. 37° 47' 00" E.	241.40
15	61	S. 44° 15' 00" E.	242.40
16	62	S. 44° 15' 00" E.	242.40
17	63	S. 44° 15' 00" E.	242.40
18	64	S. 43° 17' 00" E.	282.30
19	65	S. 44° 15' 00" E.	242.40
20	66	S. 45° 58' 00" E.	202.50
21	67	S. 65° 51' 00" E.	67.40
22	68	S. 44° 50' 00" E.	232.30
23	69	S. 41° 16' 00" E.	259.30
24	70	S. 42° 56' 00" E.	199.10
25	71	S. 41° 16' 00" E.	259.20
26	72	S. 41° 16' 00" E.	259.20
27	73	S. 23° 41' 00" E.	374.10
28	74	S. 00° 04' 00" E.	288.40

1	75	S. 00° 24' 00" E.	235.90
2	76	S. 00° 18' 00" W.	351.40
3	77	S. 08° 12' 00" W.	317.60
4	78	S. 41° 29' 00" W.	324.70
5	79	S. 57° 34' 00" W.	357.60
6	80	S. 83° 29' 00" W.	256.50
7	81	S. 25° 32' 00" W.	357.00
8	82	S. 23° 15' 00" W.	188.40
9	83	S. 34° 43' 00" W.	229.60
10	84	S. 31° 39' 00" W.	329.80
11	85	S. 38° 26' 00" W.	272.30
12	86	S. 44° 47' 00" W.	314.10
13	87	S. 44° 47' 00" W.	314.10
14	88	S. 11° 33' 00" W.	243.00
15	89	S. 19° 25' 00" W.	241.80
16	90	S. 06° 03' 00" W.	632.00
17	91	S. 53° 20' 00" W.	2,308.20
18	92	S. 58° 29' 00" E.	788.60
19	93	S. 74° 28' 00" E.	815.20
20	94	S. 12° 58' 00" E.	1,268.50
21	95	S. 38° 39' 00" W.	752.10
22	96	S. 00° 20' 00" E.	1,509.50
23	97	S. 02° 00' 00" E.	880.00
24	98	S. 48° 15' 00" W.	230.00
25	99	S. 43° 20' 00" E.	50.00
26	100	S. 50° 15' 00" W.	970.00
27	101	S. 31° 30' 00" W.	240.00
28	102	S. 02° 45' 00" E.	250.00

1	103	S. 72° 05' 00" E.	380.00
2	104	S. 15° 00' 00" E.	850.00
3	105	N. 16° 00' 00" W.	250.00
4	106	N. 35° 20' 00" W.	170.00
5	107	N. 12° 15' 00" W.	260.00
6	108	N. 56° 45' 00" W.	390.00
7	109	N. 79° 30' 00" W.	370.00
8	110	S. 19° 45' 00" W.	345.00
9	111	S. 24° 30' 00" W.	270.00
10	112	S. 04° 30' 00" W.	350.00
11	113	S. 04° 30' 00" W.	360.00
12	114	S. 04° 30' 00" E.	235.00
13	115	S. 19° 00' 00" E.	425.00
14	116	S. 00° 00' 00" W.	140.00
15	117	S. 23° 45' 00" W.	1,150.00
16	118	S. 09° 21' 57" W.	1,695.37

17 The protected area has two (2) buffer zones. Buffer zone 1 begins at a
 18 point marked "corner 1" on the map, which is identical to perimeter corner No. 8
 19 of Pasonanca Natural Park;

20	Corner	Bearing	Distance (meters)
21	2	N. 69° 23' 00" W.	670.00
22	3	S. 76° 25' 00" W.	233.86
23	4	N. 49° 35' 00" W.	272.74
24	5	S. 69° 36' 00" W.	1,774.66
25	6	S. 21° 53' 00" E.	1,074.66
26	7	S. 62° 56' 00" W.	1,000.00
27	8	S. 07° 09' 00" E.	338.34
28	9	N. 75° 17' 00" W.	1,920.00

1	10	S. 43° 18' 00" W.	460.00
2	11	S. 20° 06' 00" E.	300.00
3	12	S. 82° 15' 00" W.	180.00
4	13	S. 61° 05' 00" W.	280.00
5	14	N. 41° 53' 00" W.	220.00
6	15	S. 34° 05' 00" W.	240.00
7	16	N. 59° 31' 00" W.	220.00
8	17	N. 23° 19' 00" E.	220.00
9	18	N. 75° 35' 00" W.	290.00
10	19	N. 04° 05' 00" W.	260.00
11	20	N. 28° 08' 00" E.	220.00
12	21	N. 49° 35' 00" W.	240.00
13	22	N. 06° 07' 00" W.	280.00
14	23	N. 47° 05' 00" E.	260.00
15	24	S. 89° 34' 00" E.	680.00
16	25	N. 23° 19' 00" E.	24.00
17	26	N. 58° 32' 00" W.	210.00
18	27	N. 68° 40' 00" E.	240.00
19	28	N. 07° 45' 00" E.	220.00
20	29	S. 65° 59' 00" W.	140.00
21	30	N. 32° 52' 00" W.	240.00
22	31	N. 57° 10' 00" E.	290.00
23	32	N. 06° 06' 00" E.	260.00
24	33	N. 74° 36' 00" W.	300.00
25	34	N. 18° 26' 00" E.	360.00
26	35	N. 56° 47' 00" W.	360.00
27	36	N. 85° 52' 00" E.	420.00
28	37	N. 02° 14' 00" E.	1,050.00

1	38	N. 50° 24' 00" E.	1,870.00
2	39	N. 81° 45' 00" E.	50.00
3	40	N. 42° 05' 00" E.	200.00
4	41	S. 87° 11' 00" E.	180.00
5	42	S. 22° 00' 00" W.	140.00
6	43	S. 08° 00' 00" E.	240.00
7	44	S. 25° 00' 00" W.	230.00
8	45	N. 23° 49' 00" W.	566.40
9	46	N. 37° 07' 00" E.	346.10
10	47	S. 27° 00' 00" E.	2,269.30
11	48	S. 53° 00' 00" E.	2,567.50
12	49	S. 17° 00' 00" E.	2,089.80
13	50	S. 80° 00' 00" W.	3,119.80
14	51	S. 63° 00' 00" W.	2,048.80
15	52	S. 50° 00' 00" W.	346.10
16	53	S. 14° 00' 00" W.	566.40
17	54	S. 13° 00' 00" E.	273.30
18	55	S. 22° 00' 00" E.	933.20
19	56	S. 61° 00' 00" E.	227.30
20	57	S. 38° 00' 00" E.	1,920.00.

21 the point of beginning, containing an area of six hundred eighty-one (681.00)
 22 hectares, more or less.

23 Buffer zone 2 begins at a point marked "corner 1", which is identical to
 24 perimeter corner No. 97 of Pasonanca Natural Park;

25	Corner	Bearing	Distance (meters)
26	2	N. 00° 20' 00" W.	1,509.50
27	3	N. 38° 39' 00" E.	752.10
28	4	N. 12° 58' 00" W.	1,268.50

1	5	N. 74° 28' 00" W.	815.20
2	6	N. 58° 29' 00" W.	788.60
3	7	N. 53° 20' 00" E.	2,308.20
4	8	N. 06° 03' 00" E.	632.00
5	9	N. 19° 25' 00" E.	241.80
6	10	N. 11° 33' 00" E.	243.00
7	11	N. 44° 47' 00" E.	314.10
8	12	N. 44° 47' 00" E.	314.10
9	13	N. 38° 26' 00" E.	272.30
10	14	N. 31° 39' 00" E.	324.80
11	15	N. 34° 43' 00" E.	229.60
12	16	N. 23° 15' 00" E.	188.40
13	17	N. 25° 32' 00" E.	357.00
14	18	N. 83° 29' 00" E.	256.50
15	19	N. 57° 34' 00" E.	357.60
16	20	N. 41° 29' 00" E.	324.70
17	21	N. 08° 12' 00" E.	317.60
18	22	N. 00° 18' 00" E.	351.40
19	23	N. 00° 24' 00" W.	235.90
20	24	N. 00° 24' 00" W.	288.40
21	25	N. 23° 41' 00" W.	374.10
22	26	N. 41° 16' 00" W.	259.20
23	27	N. 41° 16' 00" W.	259.20
24	28	N. 42° 56' 00" W.	199.10
25	29	N. 41° 16' 00" W.	259.30
26	30	N. 44° 50' 00" W.	232.30
27	31	N. 65° 51' 00" W.	67.40
28	32	N. 45° 58' 00" W.	202.50

1	33	N. 44° 15' 00" W.	242.40
2	34	N. 43° 17' 00" W.	282.30
3	35	N. 44° 15' 00" W.	242.40
4	36	N. 44° 15' 00" W.	242.40
5	37	N. 44° 15' 00" W.	242.40
6	38	N. 37° 47' 00" W.	241.40
7	39	N. 40° 13' 00" W.	332.50
8	40	N. 01° 14' 00" W.	335.80
9	41	N. 01° 07' 00" E.	398.40
10	42	N. 06° 32' 00" E.	258.80
11	43	N. 06° 34' 00" E.	227.30
12	44	N. 07° 30' 00" W.	933.20
13	45	N. 44° 43' 00" W.	273.30
14	46	N. 43° 07' 00" W.	346.10
15	47	N. 23° 49' 00" W.	566.40
16	48	N. 44° 05' 00" E.	2,310.00
17	49	S. 50° 35' 00" E.	2,220.00
18	50	S. 17° 00' 00" E.	680.00
19	51	S. 52° 50' 00" W.	640.00
20	52	S. 19° 32' 00" E.	960.00
21	53	S. 40° 05' 00" W.	568.00
22	54	S. W. direction	1,380.00
23	55	S.W. and S.E. directions	12,409.02
24	56	S. 50° 20' 06" W.	3,171.21
25	57	S. 07° 50' 00" W.	980.00
26	58	S. 60° 00' 00" W.	400.00
27	59	S. 15° 00' 00" E.	600.00
28	60	S. 26° 00' 00" E.	890.00

1	61	S. 35° 00' 00" E.	500.00
2	62	S. 21° 00' 00" W.	340.00
3	63	S. 80° 00' 00" W.	260.00
4	64	S. 75° 00' 00" W.	210.00
5	65	S. 73° 25' 00" W.	180.00
6	66	S. 55° 00' 00" W.	118.00
7	67	S. 85° 30' 00" W.	194.00
8	68	S. 29° 00' 00" W.	405.00
9	69	S. 64° 30' 00" W.	360.00
10	70	S. 21° 00' 00" W.	550.00
11	71	S. 11° 00' 00" E.	220.00
12	72	S. 56° 15' 00" E.	380.00
13	73	S. 05° 30' 00" W.	400.00
14	74	N. 88° 00' 00" W.	460.00
15	75	N. 86° 00' 00" W.	290.00
16	76	N. 18° 00' 00" W.	368.00
17	77	N. 67° 00' 00" W.	230.00
18	78	N. 55° 00' 00" W.	200.00
19	79	S. 86° 10' 00" W.	264.00

20 the point of beginning, containing an area of four thousand six hundred
 21 twenty-six (4,626) hectares, more or less.

22 SEC. 4. *Land Classification.* – Subject to private rights if there be
 23 any, all lands of the public domain declared within the coverage and scope of
 24 the Pasonanca Natural Park shall fall under the land classification of national
 25 park: *Provided, however,* That the present land classification of any area
 26 within its buffer zone, as defined and delimited herein, shall be retained and is
 27 hereby respected.

1 SEC. 5. *Definition of Terms.* -- For purposes of this Act, the following
2 terms are defined as follows:

3 (a) *Biodiversity or biological diversity* shall refer to the variability
4 among living organisms, including genetic and structural differences,
5 including the variability within and between species, and within and between
6 ecosystems.

7 (b) *Buffer zone* shall refer to identified areas outside the boundaries of
8 and immediately adjacent to designated protected areas pursuant to Section 8
9 of Republic Act No. 7586 or the "National Integrated Protected Areas System
10 Act of 1992" that need special development control in order to avoid or
11 minimize harm to the protected area.

12 (c) *Conservation* shall refer to the optimum utilization and
13 management of natural resources in order to meet the needs and aspirations of
14 the present and the future.

15 (d) *Environmental Impact Assessment* shall refer to the procedures
16 undertaken pursuant to the Environmental Impact Assessment System
17 established under Presidential Decree No. 1586 or supervening legislation.

18 (e) *Integrated Protected Area Fund* shall refer to the trust fund which
19 shall be established for purposes of financing projects of the protected area.

20 (f) *Management plan* shall refer to the fundamental plan, strategy
21 and/or scheme which shall guide all activities relating to the Pasonanca
22 Natural Park in order to attain the objectives of this Act as stated in Section 2
23 hereof.

24 (g) *Multiple-use zone* shall refer to areas identified in a plan or map
25 where settlement, traditional and/or sustainable land-use, including agriculture,
26 agro-forestry, extraction activities and other income generating or livelihood
27 activities, may be allowed to the extent prescribed in the management plan.
28 Within multiple-use zones, land tenure may be granted to actual residents,

1 whether members of indigenous communities or migrants residing or
2 occupying any land within the protected area and acknowledged as members
3 of the local community.

4 (h) *National Integrated Protected Areas System (NIPAS)* shall refer to
5 the classification and administration of all designated protected areas to
6 maintain essential ecological processes and life-support systems, to preserve
7 genetic diversity, to ensure sustainable use of resources found therein and to
8 maintain their natural conditions to the greatest extent possible.

9 (i) *National park* shall refer to one (1) of the four (4) classifications of
10 lands of the public domain, the others being agricultural, forest or timber and
11 mineral lands, pursuant to the Philippine Constitution.

12 (j) *Natural park* shall refer to a relatively large area not materially
13 altered by human activity where extractive resource uses are not allowed, and
14 maintained to protect outstanding natural and scenic areas of national or
15 international significance for scientific, educational and recreational use.

16 (k) *PAMB* shall refer to the Protected Area Management Board.

17 (l) *Protected area* shall refer to identified portions of land and water
18 set aside by reason of their unique physical and biological significance
19 managed to enhance biological diversity and protected against destructive
20 human exploitation.

21 (m) *Protected Area Superintendent (PASu)* shall refer to the chief
22 operating officer of the Pasonanca Natural Park and its buffer zones.

23 (n) *Recreation zone* shall refer to an area of high recreational, tourism,
24 educational or environmental awareness value where ecotourism, recreational,
25 conservation, educational or public awareness activities may be allowed.

26 (o) *Restoration zone* shall refer to an area of degraded habitat or where
27 the long-term goal is to restore natural habitat with its associated biodiversity

1 and to rezone the area to a more strict protection level, and excludes the use or
2 introduction of exotic species in the restoration process.

3 (p) *Stakeholders* shall refer to individuals, communities, organizations
4 or aggrupation of specific interests or sectors which have particular interest in
5 the achievement of the objectives of this Act or which, through time, has
6 established dependence, access or utilization of resources within the protected
7 area such as, but not limited to, the local government units (LGUs), the NGOs,
8 the POs, the indigenous cultural communities, the Department of Environment
9 and Natural Resources (DENR) and other concerned government agencies.

10 (q) *Strict protection zone* shall refer to an area with a high biodiversity
11 value, which shall be closed to all human activity except for scientific studies
12 and/or ceremonial or religious use by indigenous communities.

13 (r) *Tenured migrant communities* shall refer to communities within
14 protected areas, which have actually and continuously occupied such areas for
15 five (5) years before their designation as protected areas in accordance with
16 the NIPAS Act and are solely dependent therein for subsistence.

17 CHAPTER II

18 PROTECTED AREA MANAGEMENT

19 SEC. 6. *Management Mechanism.* – The management and
20 administration of the Pasonanca Natural Park shall be consultative and
21 participatory. The sole policy-making authority is vested in the PAMB, which
22 shall be chaired by the DENR Regional Executive Director (RED) for Region
23 IX. From time to time, the PAMB may also create committees to which it may
24 delegate some of its powers and functions. The PASu shall be the chief
25 operating officer of the Pasonanca Natural Park and its buffer zones.

26 SEC. 7. *The Protected Area Management Board (PAMB).* – The
27 PAMB shall be composed of the following:

1 (a) The DENR RED for Region IX, who shall sit as PAMB
2 chairperson;

3 (b) The mayor of Zamboanga City or his/her duly designated
4 representative, as vice chairperson;

5 (c) The chairperson of the Committee on Natural Resources and
6 Environmental Protection of the Sangguniang Panlungsod of Zamboanga City,
7 as member;

8 (d) The general manager of the Zamboanga City Water District
9 (ZCWD) or his/her duly designated representative, as member;

10 (e) The city planning and development officer of Zamboanga City, as
11 member;

12 (f) The barangay chairperson in Zamboanga City whose areas of
13 jurisdiction are within the protected area, as members;

14 (g) Three (3) representatives from Zamboanga City-based NGOs and
15 community organizations, including POs, church or civic organizations, with
16 interests within the protected area;

17 (h) Three (3) representatives from national government agencies with
18 offices in Zamboanga City, involved in protected area management or whose
19 mandate affects the protection and conservation of the park, to be appointed
20 by the DENR Secretary upon the recommendation of their respective heads of
21 office; and

22 (i) Three (3) representatives from local stakeholders, who can assist
23 and contribute in the protection and conservation of the park, to be appointed
24 by the DENR Secretary.

25 In selecting the representatives from the NGOs and the POs, the
26 following criteria shall be primarily considered:

27 (1) Active involvement in the ecological conservation, preservation,
28 rehabilitation and protection of the park;

1 (2) Good potential in community organizing and other development
2 works;

3 (3) Favorable track record in community work; and

4 (4) Duly accredited by the local government of Zamboanga City and
5 the DENR.

6 SEC. 8. *Term of Office of PAMB Members.* – Except for the
7 government officials who shall serve *ex officio* and whose term of office as
8 PAMB members are coterminous with their employment in the agency being
9 represented, the members of the PAMB shall be appointed by the DENR
10 Secretary and shall serve for a term of five (5) years: *Provided*, That said
11 PAMB members remain connected with the organization being represented.
12 Whenever a vacancy occurs during the term of a PAMB member who is not a
13 government agency representative, a new member shall be chosen in the same
14 manner as the original selection process: *Provided, further*, That the substitute
15 shall only serve for the remaining term.

16 The members of the PAMB shall not receive any compensation but
17 shall be entitled to reasonable *per diem* in accordance with existing accounting
18 and auditing rules and regulations.

19 SEC. 9. *Duties and Functions of the PAMB.* – As the highest
20 policy-making body for the protected area, the PAMB shall exercise the
21 following powers and functions:

22 (a) Approve or decide on all matters related to or based on the
23 approved management plan, proposals, work and action plans, resource
24 protection, delineation and demarcation of protected area boundaries, buffer
25 zones, ancestral domains, recognition of rights and privileges, and guidelines
26 and policies for the management and conservation of the protected area;

1 (b) Review and adopt the management plan and development program
2 and their implementing rules and regulations, and ensure strict compliance
3 therewith;

4 (c) Control and regulate the construction and maintenance of roads,
5 trails, waterworks, sewerage, fire protection and sanitation systems and other
6 utilities within the park;

7 (d) Control and supervise the office of the PASu and monitor and
8 evaluate the performance of the protected area personnel, NGOs and
9 communities involved in conservation and development work;

10 (e) Issue all necessary permits within the park, including its buffer
11 zones, and collect reasonable fees therefor in accordance with the management
12 plan and consistent with the conservation and protection of the park. The
13 PAMB may delegate this authority to the PASu under proper guidelines;

14 (f) Deputize, through the PASu, individuals for the enforcement of all
15 laws, rules and regulations governing conduct within the park and its buffer
16 zones, and prescribe the qualifications therefor;

17 (g) Accept donations and grants and approve proposals for funding
18 and budget allocation, and exercise accountability over all funds that may
19 accrue;

20 (h) Coordinate with the appropriate agencies of the government, local
21 or national, on all matters related to the protection and conservation of the
22 protected area and its buffer zones, and request their assistance for the same
23 purpose;

24 (i) Retain a legal counsel, either on permanent, temporary or part-time
25 basis, to defend cases against the PAMB, the PASu office and staff, and
26 deputized individuals whenever they are sued in connection with the
27 performance of their duties under this Act, and to assist the PAMB on all legal
28 matters; and

1 (j) Adopt rules and procedures for the conduct of business, including
2 the creation of committees to which certain powers of the PAMB may be
3 delegated.

4 The DENR, through the RED for Region IX, shall ensure that the
5 PAMB acts within the scope of its powers and functions. In case of conflict
6 between administrative orders issued by the DENR pursuant to Republic Act
7 No. 7586, otherwise known as the "National Integrated Protected Areas
8 System Act of 1992", the rules and regulations issued pursuant thereto and
9 other relevant laws on environmental protection and natural resources
10 management and the resolutions and issuances of the PAMB, the DENR
11 Secretary shall decide as to which rule, regulation or resolution shall prevail.

12 SEC. 10. *Protected Area Superintendent (PASu) Office.* – There is
13 hereby established a PASu office in charge of the management, protection and
14 administration of the protected area. The PASu office shall be supported by
15 the existing personnel of the DENR. The head of office shall be the chief
16 operating officer of the Pasonanca Natural Park and shall be accountable to
17 the DENR RED for Region IX and the PAMB. The PASu shall have the
18 following powers and functions:

19 (a) Prepare the management plan and its successor plans as herein
20 provided;

21 (b) Serve as secretariat to the PAMB with the duty to provide the
22 PAMB with all information necessary to make appropriate decisions for the
23 implementation of this Act;

24 (c) Supervise the necessary personnel to support operations as the
25 budget may allow;

26 (d) Establish a productive partnership with local communities,
27 including groups supporting the achievement of the goals and objectives of
28 this Act;

1 (e) Develop and implement park information, education and visitor
2 programs;

3 (f) Enforce the laws, rules and regulations and PAMB resolutions
4 relevant to the protected area and its buffer zones, and assist in the prosecution
5 of offenses;

6 (g) Monitor all activities within the protected area and its buffer zones
7 in conformity with the management plan; and

8 (h) Perform such other functions as the PAMB may assign.

9 SEC. 11. *Management Plan.* – Within one (1) year from the
10 effectivity of this Act, the PASu shall prepare a management plan in
11 accordance with the General Management Planning Strategy (GMPS) and in
12 coordination with the appropriate offices of the DENR, local communities, the
13 city government of Zamboanga, NGOs, other government agencies and
14 available experts with socio-environmental, economics and ecological
15 experience in the area. The plan shall contain, among others, the following:

16 (a) The period of its applicability, at least for ten (10) years, subject to
17 review anytime as may be determined necessary by the PAMB;

18 (b) The analysis of key management issues and problems considered as
19 threats to conservation, management and maintenance, including impacts on
20 the important features of the area;

21 (c) Broad and long-term vision in the form of goals, a “vision
22 statement”, guiding policies for management, sets of objectives and specific
23 statements on what management can achieve within the timeframe of the plan;

24 (d) Site management strategies;

25 (e) Zoning plan, illustrating the boundaries, classification and
26 management of specific zones and other activities allowed or prohibited for
27 each zone;

1 (f) Management programs to include the enforcement of laws, habitat
2 and wildlife management, ecotourism, sustainable use of resources,
3 infrastructure development and maintenance, fire prevention and pest control;

4 (g) Mechanisms for the protection of tenured migrants in the exercise
5 of their rights;

6 (h) Sustainable and non-destructive livelihood activities; and

7 (i) Regulations in the furtherance of the preservation and conservation
8 objectives, such as the scheme in the issuance of permits and rules on the
9 restrictions of resource use.

10 The management plan shall be reviewed and adopted by the PAMB and
11 certified by the DENR Secretary that it conforms to all laws, rules and
12 regulations issued by the DENR. In no case shall the management plan be
13 revised or modified without the prior approval of the PAMB and in
14 accordance with the procedures herein set forth.

15 One (1) year before the expiration of the management plan, the office
16 of the PASu shall prepare a successor *management plan* which shall be done in
17 the same manner as the procedure and principles herein set forth and in
18 accordance with the GMPS. In the same period, the PASu shall cause the
19 publication of notices for comments and suggestions on the successor plan in a
20 newspaper of local circulation and the posting of such notices in the city and
21 barangay halls of the barangay units comprising the protected area and in three
22 (3) other conspicuous places frequented by the public within the protected
23 area. At least two (2) public hearings shall be conducted on the successor
24 plan.

25 The management plan shall be written in English and Chabacano,
26 plainly written and available for public perusal at the office of the PASu.

27 SEC. 12. *Management Zoning*. – Management zones shall be
28 established in the protected area to provide protection for critical or

1 representative habitats. Within each management zone, similar management
2 emphasis shall be applied, comparable levels of use shall be permitted
3 and different uses shall be segregated. Each management zone shall be
4 demarcated on the ground and indicated on the maps after undertaking such
5 steps as land and resource-use mapping and dialogue with the communities,
6 the city government of Zamboanga and other stakeholders. Within each zone,
7 management prescriptions shall be reasonably uniform but may differ in type
8 or intensity from those in other zones in order to accommodate multiple
9 objectives.

10 CHAPTER III

11 TENURED MIGRANTS

12 SEC. 13. *Tenured Migrants.* – Any person who has been actually and
13 continuously occupying an area within the Pasonanca Natural Park for a
14 period of five (5) years prior to the issuance of Proclamation No. 199,
15 dated December 17, 1987, proclaiming the Pasonanca Watershed Forest
16 Reservation, and is solely dependent on the protected area for subsistence
17 shall be considered a tenured migrant.

18 A tenured migrant shall be eligible to become a steward of a reasonable
19 portion of land within the multiple-use or buffer zones of the Pasonanca
20 Natural Park from which he may derive subsistence: *Provided, however,* That
21 current occupants who do not qualify as tenured migrants shall be resettled
22 outside the protected area.

23 The PAMB shall review all tenure instruments, land claims or permits
24 issued for resource-use within the protected area, if any, and recommend the
25 issuance of appropriate tenure instrument consistent with the management or
26 successor plans. Those who have been cultivating land within the protected
27 area shall be considered to be occupying such lands and shall be entitled
28 to a tenure instrument limited to cultivation and residence: *Provided,* That the

1 rights accruing under such tenure instrument can only be transferred to direct
2 descendants.

3 Nothing herein shall be construed to mean any diminution of accrued
4 rights earned by tenured migrants. If areas occupied by tenured migrants are
5 designated as zones in which no occupation or other activities are allowed,
6 they shall be transferred to multiple-use areas or to the buffer zones under just
7 and humane conditions.

8 In the event of termination of a tenure instrument for cause or by
9 voluntary surrender of rights, the PASu shall take immediate steps to
10 rehabilitate the area in order to return it to its approximate natural state prior
11 to cultivation or other act by the tenured migrant.

12 SEC. 14. *Existing Rights.* – All prior property and private rights
13 within the protected area and its buffer zones and ancestral domains already
14 existing and/or vested prior to the effectivity of this Act shall be protected and
15 respected in accordance with existing laws.

16 CHAPTER IV

17 PROHIBITED ACTS AND PENALTIES

18 SEC. 15. *Special Prosecutor.* – Within thirty (30) days from the
19 effectivity of this Act, the Department of Justice (DOJ) shall appoint a special
20 prosecutor to whom all cases of violation of laws, rules and regulations in
21 the Pasonanca Natural Park shall be assigned. Such special prosecutor shall
22 coordinate with the PAMB and the PASu in the performance of his/her duties
23 and assist in the training of park personnel in arrest and criminal procedures.
24 The PAMB shall periodically submit an evaluation of the performance of the
25 special prosecutor of the DOJ.

26 SEC. 16. *Prohibited Acts.* – Except as may be allowed by the nature
27 of their categories and pursuant to the rules and regulations governing the
28 same, the following acts are prohibited within the Pasonanca Natural Park:

1 (a) Hunting, destroying, disturbing or mere possession of any plant or
2 animal and any product derived therefrom without a permit from the PAMB;

3 (b) Dumping of any waste product or any form of activity detrimental
4 to the protected area, or to the plants and animals or inhabitants therein;

5 (c) Use of any vehicle or equipment within the protected area without
6 a permit from the PAMB;

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

9 (e) Damaging or leaving roads and trails in a damaged condition;

10 (f) Squatting, undertaking mineral exploration or otherwise occupying
11 any portion of land;

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

15 (h) Altering, removing, destroying or defacing boundary marks or
16 signs.

17 SEC. 17. *Penalties.* – Any person found guilty of any offense
18 enumerated above shall be fined an amount of not less than Five thousand
19 pesos (P5,000.00) nor more than Five hundred thousand pesos (P500,000.00),
20 exclusive of the value of the thing damaged, and/or imprisonment of not less
21 than one (1) year nor more than six (6) years, as determined by the court:
22 *Provided,* That if the area requires rehabilitation or restoration, as determined
23 by the court, the offender shall also be required to restore or compensate for
24 the restoration of the damage: *Provided, further,* That the court shall order the
25 eviction of the offender from the land and the forfeiture in favor of the
26 government of all mineral, timber or any species collected or removed
27 including all equipment, devices and firearms used in connection therewith,
28 and any construction or improvement made thereon by the offender. If the

1 offender is an association or corporation, the president or manager shall
2 be directly responsible for the act of his/her employees and laborers:
3 *Provided, finally, That,* for such offenses, the DENR may conduct separate
4 administrative proceedings against the offender and impose the corresponding
5 fines and penalties in accordance with law.

6 CHAPTER V

7 PROTECTED AREA FUND

8 SEC. 18. *The Pasonanca Natural Park Fund.* -- There is hereby
9 established a trust fund to be known as the Pasonanca Natural Park
10 Fund (PNPF) for purposes of financing projects of the system. All income
11 generated from the operation of the system or the management of its wild flora
12 and fauna in the protected area shall accrue to the PNPF. These income shall
13 be derived from visitors/tourists fee, fees from permitted sale and export of
14 flora and fauna and other resources from the protected area, proceeds from the
15 registration and lease of multiple-use areas, including tourism concessions,
16 contributions from industries and facilities directly benefiting from the
17 protected area, and such other fees and income derived from the operation of
18 the protected area.

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

27 The LGUs shall continue to impose and collect all other fees not
28 enumerated herein which they have traditionally collected, such as business

1 permits, property tax and rentals of LGUs' facilities. Furthermore, LGUs may
2 charge add-ons to fees imposed by the PAMB: *Provided*, That such add-ons
3 shall be determined based on the contribution of the LGUs in the maintenance
4 and protection of the Pasonanca Natural Park.

5 CHAPTER VI

6 EXISTING FACILITIES, UTILIZATION OF RESOURCES, ENVIRONMENTAL 7 IMPACT ASSESSMENT AND PARTNERSHIPS

8 SEC. 19. *Existing Facilities Within the Protected Area.* -- Existing
9 facilities, if any, within the Pasonanca Natural Park shall be inventoried and
10 assessed by the PAMB in accordance with the objectives of this Act. Within
11 thirty (30) days from the effectivity of this Act, unless extended by the PAMB,
12 all commercial facilities existing within the boundaries of the protected area
13 with a total capitalization of not less than One hundred thousand pesos
14 (P100,000.00) shall submit to the PAMB, through the PASu, a sworn
15 statement containing the following information:

16 (a) Environmental impact assessment and/or environmental
17 management plan;

18 (b) Environmental Compliance Certificate; and

19 (c) Development plan.

20 Based on these submissions, the PAMB, with the assistance of the
21 DENR, shall determine whether the existence of such facilities and their future
22 plans and operations are detrimental to the Pasonanca Natural Park. Failure to
23 submit the required information shall constitute a violation of this Act
24 punishable, after proper administrative proceedings, by expulsion from the
25 area.

26 The PAMB may prescribe conditions for the operation of the facilities
27 to ensure that these do not conflict with the management objectives. If any of
28 such conditions are violated, a fine shall be imposed as prescribed by the

1 PAMB. The PAMB, through the PASu or other deputized government
2 entities, is hereby authorized to cause the immediate cessation of operations
3 and demolition of any facility within the Pasonanca Natural Park whose
4 continued operation is deemed detrimental to the area. The cost of the
5 demolition shall be borne by the owners or operators of these facilities.

6 The removal of existing facilities which provide basic services and
7 amenities to the public shall require the concurrence of the city government of
8 Zamboanga, consistent with the responsibility of the local government to
9 secure the welfare of its constituents.

10 Existing facilities within the Pasonanca Natural Park may be charged
11 reasonable fees by the PAMB, subject to the DENR approval, pursuant to
12 Section 10(f) of the NIPAS Act, based on the extent of their impact on the
13 environment and biodiversity. All income derived from such fees shall accrue
14 to the PNPf.

15 SEC. 20. *Utilization of Nonrenewable Resources.* – Any exploration
16 for or exploitation or utilization of nonrenewable resources within the
17 Pasonanca Natural Park shall not be allowed.

18 SEC. 21. *Environmental Impact Assessment System.* – Existing laws,
19 rules and regulations relating to environmental impact assessment shall apply
20 to all projects and activities intended in the Pasonanca Natural Park. The
21 issuance of the environmental compliance certificate or its exemptions shall be
22 undertaken in coordination with the PAMB.

23 SEC. 22. *Partnerships.* – For the purpose of attaining the objectives
24 of this Act, other government agencies or offices, NGOs and POs and their
25 personnel shall continuously foster and develop a strong and true partnership.

26 All NGOs, POs, and private entities implementing any park
27 conservation, protection and development program must be accredited by the
28 city government of Zamboanga and the DENR.

1 SEC. 23. *Roles of the Local Government Unit and National Agencies .*

2 – The city government of Zamboanga and relevant national agencies
3 represented in the PAMB shall have the following roles:

4 (a) Apprise their respective constituents, office or sector on activities
5 and programs for the protected area;

6 (b) Ensure consistency in the implementation of all activities in the
7 protected area;

8 (c) In the exercise of its ordinance-making power over any area within
9 the protected area, the city council of Zamboanga shall consider the
10 management plan and the rules and regulations adopted by the PAMB in the
11 legislative agenda relating to biodiversity, conservation, protection and
12 sustainable development;

13 (d) In the formulation of its development plan, the city government of
14 Zamboanga shall consult the PAMB for the Pasonanca Natural Park;

15 (e) Assist the PAMB in the implementation of the overall park
16 programs including, but not limited to, the imposition, collection and
17 utilization of park fees, enforcement of policies, rules and regulations and
18 other similar activities;

19 (f) Accredite NGOs, POs and other entities and groups involved in the
20 activities within the protected area;

21 (g) Provide the PAMB with relevant information and data for the
22 effective management of the protected area; and

23 (h) The city government of Zamboanga may provide financial
24 assistance for the protection and enhancement of the protected area.

25 SEC. 24. *Public Service Utilities and Projects.* – All existing and
26 future development projects of public service utilities involving water
27 services, communication facilities, power and energy generation, public
28 security, health and education services and others which will promote public

1 welfare shall be implemented within the areas designated and approved by the
2 PAMB.

3 CHAPTER VII

4 TRANSITORY AND MISCELLANEOUS PROVISIONS

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

8 SEC. 26. *Construction.* – The provisions of this Act shall be
9 construed liberally in favor of tenured migrants, with due consideration to the
10 prior property rights of the stakeholders to sustainable development, and the
11 conservation and protection of biodiversity. Existing forestry laws and their
12 corresponding rules and regulations not inconsistent herewith shall have
13 suppletory effect in the implementation of this Act.

14 SEC. 27. *Separability Clause.* – If any provision of this Act is
15 declared unconstitutional, such declaration shall not affect the other parts or
16 sections hereof.

17 SEC. 28. *Repealing Clause.* – All laws, rules and regulations
18 inconsistent with this Act are hereby repealed or modified accordingly.

19 SEC. 29. *Effectivity Clause.* – This Act shall take effect fifteen (15)
20 days after its publication in the *Official Gazette* or in a newspaper of general
21 circulation.

Approved,

0