

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

4 SEC. 3. *Category.* – Given the physical and natural features and
 5 sociocultural and economic importance that contribute to its valuable role as
 6 life support system in the City of Zamboanga, the protected area (PA)
 7 established pursuant to this Act is hereby categorized as a “natural park” in
 8 accordance with Sections 3(b) and 4(h) of Republic Act No. 7586, otherwise
 9 known as the “National Integrated Protected Areas System (NIPAS) Act”.

10 SEC. 4. *Scope.* – The Pasonanca Natural Park, including its buffer
 11 zone, covers a total area of about seventeen thousand four hundred fourteen
 12 hectares (17,414). Its technical description, subject to actual ground survey
 13 and demarcation, begins at a point marked “1” which is S 11° 27' W at
 14 1,904.88 meters from FNSP-ZS 75 ASHTECH POINT MONUMENT;

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

1	Thence	N 17° 00' W	220.00 meters	to corner 17;
2	Thence	N 53° 00' W	290.00 meters	to corner 18;
3	Thence	N 27° 00' W	260.00 meters	to corner 19;
4	Thence	N 11° 00' E	220.00 meters	to corner 20;
5	Thence	N 49° 00' E	240.00 meters	to corner 21;
6	<i>Thence</i>	N 25° 00' E	280.00 meters	to corner 22;
7	Thence	N 08° 00' W	260.00 meters	to corner 23;
8	Thence	N 22° 00' E	680.00 meters	to corner 24;
9	Thence	N 17° 00' W	240.00 meters	to corner 25;
10	Thence	N 36° 00' E	210.00 meters	to corner 26;
11	Thence	N 05° 00' E	240.00 meters	to corner 27;
12	Thence	N 12° 00' E	220.00 meters	to corner 28;
13	Thence	N 40° 00' W	140.00 meters	to corner 29;
14	Thence	N 26° 00' W	240.00 meters	to corner 30;
15	Thence	N 54° 00' W	290.00 meters	to corner 31;
16	Thence	N 02° 00' W	260.00 meters	to corner 32;
17	Thence	N 11° 00' E	300.00 meters	to corner 33;
18	Thence	N 12° 00' W	360.00 meters	to corner 34;
19	Thence	N 20° 00' W	360.00 meters	to corner 35;
20	Thence	N 30° 00' W	420.00 meters	to corner 36;
21	Thence	N 29° 00' W	1,050.00 meters	to corner 37;
22	Thence	N 63° 00' E	1,870.00 meters	to corner 38;
23	Thence	Due North	50.00 meters	to corner 39;
24	Thence	N 62° 00' E	200.00 meters	to corner 40;
25	Thence	N 56° 00' E	180.00 meters	to corner 41;
26	Thence	N 39° 00' E	140.00 meters	to corner 42;
27	Thence	N 32° 00' E	240.00 meters	to corner 43;
28	Thence	N 10° 00' E	230.00 meters	to corner 44;
29	Thence	N 72° 00' E	160.00 meters	to corner 45;

1	Thence	N 70° 00' E	280.00 meters	to corner 46;
2	Thence	N 09° 14' E	2,269.30 meters	to corner 47;
3	Thence	N 06° 02' E	2,567.50 meters	to corner 48;
4	Thence	N 15° 37' W	2,089.80 meters	to corner 49;
5	Thence	N 89° 35' E	3,119.80 meters	to corner 50;
6	Thence	N 44° 05' E	2,048.80 meters	to corner 51;
7	Thence	S 43° 07' E	346.10 meters	to corner 52;
8	Thence	S 23° 49' E	566.40 meters	to corner 53;
9	Thence	S 44° 43' E	273.30 meters	to corner 54;
10	Thence	S 07° 30' E	933.20 meters	to corner 55;
11	Thence	S 06° 34' W	227.30 meters	to corner 56;
12	Thence	S 06° 32' W	258.80 meters	to corner 57;
13	Thence	S 01° 07' W	398.40 meters	to corner 58;
14	Thence	S 01° 14' E	335.80 meters	to corner 59;
15	Thence	S 40° 13' E	332.50 meters	to corner 60;
16	Thence	S 37° 47' E	241.40 meters	to corner 61;
17	Thence	S 44° 15' E	242.40 meters	to corner 62;
18	Thence	S 44° 15' E	242.40 meters	to corner 63;
19	Thence	S 44° 15' E	242.40 meters	to corner 64;
20	Thence	S 43° 17' E	282.30 meters	to corner 65;
21	Thence	S 44° 15' E	242.40 meters	to corner 66;
22	Thence	S 45° 58' E	202.50 meters	to corner 67;
23	Thence	S 65° 51' E	67.40 meters	to corner 68;
24	Thence	S 44° 50' E	232.30 meters	to corner 69;
25	Thence	S 41° 16' E	259.30 meters	to corner 70;
26	Thence	S 42° 56' E	199.10 meters	to corner 71;
27	Thence	S 41° 16' E	259.20 meters	to corner 72;
28	Thence	S 41° 16' E	259.20 meters	to corner 73;
29	Thence	S 23° 41' E	374.10 meters	to corner 74;

1	Thence	S 00° 04' E	288.40 meters	to corner 75;
2	Thence	S 00° 24' E	235.90 meters	to corner 76;
3	Thence	S 00° 18' W	351.40 meters	to corner 77;
4	Thence	S 08° 12' W	317.60 meters	to corner 78;
5	Thence	S 41° 29' W	324.70 meters	to corner 79;
6	Thence	S 57° 34' W	357.60 meters	to corner 80;
7	Thence	S 83° 29' W	256.50 meters	to corner 81;
8	Thence	S 25° 32' W	357.00 meters	to corner 82;
9	Thence	S 23° 15' W	188.40 meters	to corner 83;
10	Thence	S 34° 43' W	229.60 meters	to corner 84;
11	Thence	S 31° 39' W	324.80 meters	to corner 85;
12	Thence	S 38° 26' W	272.30 meters	to corner 86;
13	Thence	S 44° 47' W	314.10 meters	to corner 87;
14	Thence	S 44° 47' W	314.10 meters	to corner 88;
15	Thence	S 11° 33' W	243.00 meters	to corner 89;
16	Thence	S 19° 25' W	241.80 meters	to corner 90;
17	Thence	S 06° 03' W	632.00 meters	to corner 91;
18	Thence	S 53° 20' W	2,308.20 meters	to corner 92;
19	Thence	S 58° 29' E	788.60 meters	to corner 93;
20	Thence	S 74° 28' E	815.20 meters	to corner 94;
21	Thence	S 12° 58' E	1,268.50 meters	to corner 95;
22	Thence	S 38° 39' W	752.10 meters	to corner 96;
23	Thence	S 00° 20' E	1,509.50 meters	to corner 97;
24	Thence	S 02° 00' E	880.00 meters	to corner 98;
25	Thence	S 48° 15' W	230.00 meters	to corner 99;
26	Thence	S 43° 20' E	50.00 meters	to corner 100;
27	Thence	S 50° 15' W	970.00 meters	to corner 101;
28	Thence	S 31° 30' W	240.00 meters	to corner 102;
29	Thence	S 02° 45' E	250.00 meters	to corner 103;

1	Thence	S 72° 05' E	380.00 meters	to corner 104;
2	Thence	S 15° 00' E	850.00 meters	to corner 105;
3	Thence	N 16° 00' W	250.00 meters	to corner 106;
4	Thence	N 35° 20' W	170.00 meters	to corner 107;
5	Thence	N 12° 15' W	260.00 meters	to corner 108;
6	Thence	N 56° 45' W	390.00 meters	to corner 109;
7	Thence	N 79° 30' W	370.00 meters	to corner 110;
8	Thence	S 19° 45' W	345.00 meters	to corner 111;
9	Thence	S 24° 30' W	270.00 meters	to corner 112;
10	Thence	S 04° 30' W	350.00 meters	to corner 113;
11	Thence	S 04° 30' W	360.00 meters	to corner 114;
12	Thence	S 19° 00' W	235.00 meters	to corner 115;
13	Thence	S 30° 40' W	425.00 meters	to corner 116;
14	Thence	Due south	140.00 meters	to corner 117;
15	Thence	S 23° 45' W	1,150.00 meters	to corner 118;
16	Thence	S 12° 20' W	1,940.00 meters	to corner 1, the
17	point of beginning, containing an area of twelve thousand one hundred six and			
18	eighty-seven hundredths (12,106.87) hectares, more or less.			

19 The PA has two buffer zones. Buffer Zone 1 begins at a point marked
20 "corner 1" on the map, which is identical to perimeter corner no. 8 of Pasonanca
21 Natural Park;

22	Thence	N 69° 23' W	824.69 meters	to corner 2;
23	Thence	S 76° 25' W	204.89 meters	to corner 3;
24	Thence	N 49° 35' W	673.85 meters	to corner 4;
25	Thence	S 69° 36' W	240.65 meters	to corner 5;
26	Thence	S 21° 53' E	366.85 meters	to corner 6;
27	Thence	S 62° 56' W	285.46 meters	to corner 7;
28	Thence	S 07° 09' E	168.99 meters	to corner 8;
29	Thence	N 75° 17' W	512.49 meters	to corner 9;

1	Thence	S 43° 18' W	302.14 meters	to corner 10;
2	Thence	S 20° 06' E	444.36 meters	to corner 11;
3	Thence	S 82° 15' W	235.92 meters	to corner 12;
4	Thence	S 61° 05' W	203.73 meters	to corner 13;
5	Thence	N 41° 53' W	233.37 meters	to corner 14;
6	Thence	S 34° 05' W	223.92 meters	to corner 15;
7	Thence	N 59° 31' W	193.96 meters	to corner 16;
8	Thence	N 23° 19' E	360.13 meters	to corner 17;
9	Thence	N 75° 35' W	252.16 meters	to corner 18;
10	Thence	N 04° 05' W	258.45 meters	to corner 19;
11	Thence	N 28° 31' E	459.08 meters	to corner 20;
12	Thence	N 49° 35' W	249.27 meters	to corner 21;
13	Thence	N 06° 07' W	341.97 meters	to corner 22;
14	Thence	N 47° 05' E	138.33 meters	to corner 23;
15	Thence	S 89° 34' E	516.03 meters	to corner 24;
16	Thence	N 23° 19' E	460.16 meters	to corner 25;
17	Thence	N 58° 32' W	204.11 meters	to corner 26;
18	Thence	N 68° 40' E	283.53 meters	to corner 27;
19	Thence	N 07° 45' E	359.77 meters	to corner 28;
20	Thence	S 65° 59' W	224.59 meters	to corner 29;
21	Thence	N 32° 52' W	359.10 meters	to corner 30;
22	Thence	N 57° 10' E	353.78 meters	to corner 31;
23	Thence	N 06° 06' E	239.23 meters	to corner 32;
24	Thence	N 74° 36' W	128.11 meters	to corner 33;
25	Thence	N 18° 26' E	641.42 meters	to corner 34;
26	Thence	N 56° 47' W	560.99 meters	to corner 35;
27	Thence	N 85° 52' E	1,012.76 meters	to corner 36;
28	Thence	N 02° 14' E	784.28 meters	to corner 37;
29	Thence	N 50° 24' E	315.61 meters	to corner 38;

1	Thence	N 81° 45' E	165.63 meters	to corner 39;
2	Thence	N 42° 05' E	252.67 meters	to corner 40;
3	Thence	S 87° 11' E	332.13 meters	to corner 41;
4	Thence	S 22° 00' W	680.00 meters	to corner 42;
5	Thence	S 08° 00' E	260.00 meters	to corner 43;
6	Thence	S 25° 00' W	280.00 meters	to corner 44;
7	Thence	S 49° 00' W	240.00 meters	to corner 45;
8	Thence	S 11° 00' W	220.00 meters	to corner 46;
9	Thence	S 27° 00' E	260.00 meters	to corner 47;
10	Thence	S 53° 00' E	290.00 meters	to corner 48;
11	Thence	S 17° 00' E	220.00 meters	to corner 49;
12	Thence	S 80° 00' W	220.00 meters	to corner 50;
13	Thence	S 63° 00' W	240.00 meters	to corner 51;
14	Thence	S 50° 00' W	220.00 meters	to corner 52;
15	Thence	S 14° 00' W	280.00 meters	to corner 53;
16	Thence	S 13° 00' E	180.00 meters	to corner 54;
17	Thence	S 22° 00' E	300.00 meters	to corner 55;
18	Thence	S 61° 00' E	460.00 meters	to corner 56;
19	Thence	S 38° 00' E	1,920.00 meters	to corner 1, the
20	point of beginning, containing an area of six hundred eighty-one (681.00)			
21	hectares, more or less.			

22 Buffer Zone 2 begins at a point marked "corner 1" which is identical to
 23 perimeter corner no. 97 of Pasonanca Natural Park;

24	Thence	N 00° 20' W	1,509.50 meters	to corner 2;
25	Thence	N 38° 39' E	752.10 meters	to corner 3;
26	Thence	N 12° 58' W	1,268.50 meters	to corner 4;
27	Thence	N 74° 28' W	815.20 meters	to corner 5;
28	Thence	N 58° 29' W	788.60 meters	to corner 6;
29	Thence	N 53° 20' E	2,308.20 meters	to corner 7;

1	Thence	N 06° 03' E	632.00 meters	to corner 8;
2	Thence	N 19° 25' E	241.80 meters	to corner 9;
3	Thence	N 11° 33' E	243.00 meters	to corner 10;
4	Thence	N 44° 47' E	314.10 meters	to corner 11;
5	Thence	N 44° 47' E	314.10 meters	to corner 12;
6	Thence	N 38° 26' E	272.30 meters	to corner 13;
7	Thence	N 31° 39' E	324.80 meters	to corner 14;
8	Thence	N 34° 43' E	229.60 meters	to corner 15;
9	Thence	N 23° 15' E	188.40 meters	to corner 16;
10	Thence	N 25° 32' E	357.00 meters	to corner 17;
11	Thence	N 83° 29' E	256.50 meters	to corner 18;
12	Thence	N 57° 34' E	357.60 meters	to corner 19;
13	Thence	N 41° 29' E	324.70 meters	to corner 20;
14	Thence	N 08° 12' E	317.60 meters	to corner 21;
15	Thence	N 00° 18' E	351.40 meters	to corner 22;
16	Thence	N 00° 24' W	235.90 meters	to corner 23;
17	Thence	N 00° 04' W	288.40 meters	to corner 24;
18	Thence	N 23° 41' W	374.10 meters	to corner 25;
19	Thence	N 41° 16' W	259.20 meters	to corner 26;
20	Thence	N 41° 16' W	259.20 meters	to corner 27;
21	Thence	N 42° 56' W	199.10 meters	to corner 28;
22	Thence	N 41° 16' W	259.30 meters	to corner 29;
23	Thence	N 44° 50' W	232.30 meters	to corner 30;
24	Thence	N 65° 51' W	67.40 meters	to corner 31;
25	Thence	N 45° 58' W	202.50 meters	to corner 32;
26	Thence	N 44° 15' W	242.40 meters	to corner 33;
27	Thence	N 43° 17' W	282.30 meters	to corner 34;
28	Thence	N 44° 15' W	242.40 meters	to corner 35;
29	Thence	N 44° 15' W	242.40 meters	to corner 36;

1	Thence	N 44° 15' W	242.40 meters	to corner 37;
2	Thence	N 37° 47' W	241.40 meters	to corner 38;
3	Thence	N 40° 13' W	332.50 meters	to corner 39;
4	Thence	N 01° 14' W	335.80 meters	to corner 40;
5	Thence	N 01° 07' E	398.40 meters	to corner 41;
6	Thence	N 06° 32' E	258.80 meters	to corner 42;
7	Thence	N 06° 34' E	227.30 meters	to corner 43;
8	Thence	N 07° 30' W	933.20 meters	to corner 44;
9	Thence	N 44° 43' W	273.30 meters	to corner 45;
10	Thence	N 43° 07' W	346.10 meters	to corner 46;
11	Thence	N 23° 49' W	566.40 meters	to corner 47;
12	Thence	N 44° 05' E	2,310.00 meters	to corner 48;
13	Thence	S 50° 35' E	2,220.00 meters	to corner 49;
14	Thence	S 17° 00' E	680.00 meters	to corner 50;
15	Thence	S 52° 50' W	640.00 meters	to corner 51;
16	Thence	S 19° 32' E	960.00 meters	to corner 52;
17	Thence	S 40° 05' W	568.00 meters	to corner 53;
18	Thence	Following downstream of Cahumban River		
19		S.W. directions	1,380.00 meters	to corner 54;
20	Thence	Following downstream Manicahan River		
21		S.W. and E directions	6,600.00 meters	to corner 55;
22	Thence	S 44° 35' W	2,820.00 meters	to corner 56;
23	Thence	S 07° 50' W	980.00 meters	to corner 57;
24	Thence	S 60° 00' W	400.00 meters	to corner 58;
25	Thence	S 15° 00' E	600.00 meters	to corner 59;
26	Thence	S 26° 00' E	890.00 meters	to corner 60;
27	Thence	S 35° 00' E	500.00 meters	to corner 61;
28	Thence	S 21° 00' W	340.00 meters	to corner 62;
29	Thence	S 80° 00' W	260.00 meters	to corner 63;

1	Thence	S 75° 00' W	210.00 meters	to corner 64;
2	Thence	S 73° 25' W	180.00 meters	to corner 65;
3	Thence	N 55° 00' W	118.00 meters	to corner 66;
4	Thence	S 85° 30' W	194.00 meters	to corner 67;
5	Thence	S 29° 00' W	405.00 meters	to corner 68;
6	Thence	S 64° 30' W	360.00 meters	to corner 69;
7	Thence	S 21° 00' W	550.00 meters	to corner 70;
8	Thence	S 11° 00' E	220.00 meters	to corner 71;
9	Thence	S 56° 15' E	380.00 meters	to corner 72;
10	Thence	S 05° 30' W	400.00 meters	to corner 73;
11	Thence	N 88° 00' W	460.00 meters	to corner 74;
12	Thence	N 86° 00' W	290.00 meters	to corner 75;
13	Thence	N 18° 00' W	368.00 meters	to corner 76;
14	Thence	N 67° 00' W	230.00 meters	to corner 77;
15	Thence	N 55° 00' W	200.00 meters	to corner 78;
16	Thence	S 86° 10' W	264.00 meters	to corner 1, the

17 point of beginning, containing an area of four thousand six hundred twenty-six
18 (4,626) hectares, more or less.

19 SEC. 5. *Definition of Terms.* – For purposes of this Act, the following
20 terms are defined as follows:

21 (a) “Biodiversity or biological diversity” refers to the variability among
22 living organisms, including genetic and structural differences, between
23 individuals and within and between species.

24 (b) “Buffer zone” refers to identified areas outside the boundaries of
25 and immediately adjacent to designated PAs pursuant to Section 8 of Republic
26 Act No. 7586 or the NIPAS Act that need special development control in order
27 to avoid or minimize harm to the PA.

1 (c) "Conservation" refers to the optimum utilization and management
2 of natural resources in order to meet the needs and aspirations of the present
3 and the future.

4 (d) "Environmental impact assessment" refers to the procedures
5 undertaken pursuant to the Environment Impact Assessment System
6 established under Presidential Decree No. 1586 or supervening legislation.

7 (e) "Integrated Protected Area Fund (IPAF)" refers to the trust fund
8 established for purposes of financing projects of the PA.

9 (f) "Management plan" refers to the fundamental plan, strategy and/or
10 scheme which shall guide all activities relating to the Pasonanca Natural Park
11 in order to attain the objectives of this Act as stated in Section 2 hereof.

12 (g) "Multiple-use zone" refers to areas where settlement, traditional
13 and/or sustainable land-use, including agriculture, agro-forestry, extraction
14 activities and other income generating or livelihood activities, may be allowed
15 to the extent prescribed in the management plan. Within multiple-use zones,
16 land tenure may be granted to actual residents, whether members of indigenous
17 communities or migrants residing or occupying any land within the PA and
18 acknowledged as members of the local community.

19 (h) "National Integrated Protected Areas System (NIPAS)" refers to the
20 classification and administration of all designated PAs to maintain essential
21 ecological processes and life-support systems, to preserve genetic diversity, to
22 ensure sustainable use of resources found therein and to maintain their natural
23 conditions to the greatest extent possible.

24 (i) "Natural park" refers to a relatively large area not materially altered
25 by human activity where extractive resource uses are not allowed, and
26 maintained to protect outstanding natural and scenic areas of national or
27 international significance for scientific, educational and recreational use.

28 (j) "PAMB" refers to the Protected Area Management Board.

1 (k) "Protected area (PA)" refers to identified portions of land and water
2 *set aside by reason of their unique physical and biological significance*
3 managed to enhance biological diversity and protected against destructive
4 human exploitation.

5 (l) "Protected Area Superintendent (PASu)" refers to the chief
6 operating officer of the PA.

7 (m) "Recreation zone" refers to an area of high recreational, tourism,
8 educational or environmental awareness values where eco-tourism,
9 recreational, conservation, education or public awareness activities may be
10 allowed.

11 (n) "Restoration zone" refers to an area of degraded habitat or where
12 the long-term goal will be to restore natural habitat with its associated
13 biodiversity and to rezone the area to a more strict protection level, and
14 excludes the use or introduction of exotic species in the restoration process.

15 (o) "Stakeholders" refers to individuals, communities, organizations or
16 aggrupation of specific interests or sectors which have particular interest in the
17 achievement of the objective of this Act or which, through time, has
18 established dependence, access or utilization of resources within the PA such
19 as, but not limited to, the local government units (LGUs), POs, NGOs,
20 indigenous cultural communities, the Department of Environment and Natural
21 Resources (DENR) and other concerned government agencies.

22 (p) "Strict protection zone" refers to an area with a high biodiversity
23 value, which shall be closed to all human activity except for scientific studies
24 and/or ceremonial or religious use by indigenous communities.

25 (q) "Tenured migrant communities" refers to communities within the
26 PA which have been actually and continuously occupied for five years before
27 the designation of the same as a PA in accordance with the NIPAS Act and are
28 solely dependent therein for subsistence.

1 (r) "Trust fund" refers to any account maintained in any government
2 depository bank for a specific purpose.

3 CHAPTER II

4 PROTECTED AREA MANAGEMENT

5 SEC. 6. *Management and Institutional Mechanism.* – The management
6 and administration of the Pasonanca Natural Park or the PA shall be
7 consultative and participatory. The sole policy-making authority is vested in
8 the PAMB, which shall be chaired by the DENR Regional Executive Director
9 of Region IX. From time to time, the PAMB may also create committees to
10 whom it may delegate some of its powers and functions. The PASu shall be
11 the chief operating officer of the entire park and its buffer zones.

12 SEC. 7. *The Members of the PAMB.* – The PAMB shall be composed
13 of the following:

14 (a) The Regional Executive Director (RED) of the DENR, Region IX,
15 who shall sit as the PAMB chairman;

16 (b) The mayor of Zamboanga City or his/her duly designated
17 representative as vice chairman;

18 (c) The chairman of the Committee on Natural Resources and
19 Environmental Protection of the Sangguniang Panlungsod of Zamboanga City,
20 member;

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

23 (e) The environmental and natural resources officer of Zamboanga
24 City, member;

25 (f) The barangay chairmen of Zamboanga City whose areas of
26 jurisdiction are within the PA, members;

27 (g) Three representatives from Zamboanga City-based NGOs and
28 community organizations, including POs, church or civic organizations, with
29 interests within the PA;

1 (h) Three representatives from the national government agencies with
2 offices in Zamboanga City, involved in PA management or whose mandate
3 affects the protection and conservation of the park, to be appointed by the
4 DENR Secretary upon the recommendation of their respective heads of office;
5 and

6 (i) Three representatives from local stakeholders who can assist and
7 contribute in the protection and conservation of the park.

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

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

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

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

15 (4) Duly accredited by the City Government of Zamboanga and the
16 DENR.

17 SEC. 8. *Term of Office of the PAMB Members.* -- Except for
18 government officials who shall serve as *ex officio*, the members of the PAMB
19 shall be appointed by the DENR Secretary and shall serve for a term of five
20 years without compensation: *Provided*, That said official remains connected
21 with the organization being represented. Whenever a vacancy occurs during
22 the term of a nongovernment PAMB member, a new member shall be chosen
23 in the same manner as the original selection process: *Provided, further*, That
24 the substitute shall only serve for the remaining term.

25 The PAMB members shall be entitled to reimbursement of actual and
26 necessary traveling and subsistence expenses incurred in attending meetings of
27 the PAMB or any of its committees, subject to government accounting,
28 auditing and budgeting rules and regulations, and subject further to the

1 availability of funds as reflected in the duly approved Work and Financial Plan
2 (WFP).

3 SEC. 9. *Duties and Functions of the PAMB.* -- As the highest policy-
4 making body of the PA, the PAMB shall exercise the following powers and
5 functions:

6 (a) Approve or decide on all matters related to or based on the
7 approved management plan, proposals, work and action plans, resource
8 protection, delineation and demarcation of PA boundaries, buffer zones,
9 ancestral domains, recognition of rights and privileges, and guidelines and
10 policies for the management and conservation of the PA;

11 (b) Review and adopt the management plan and development program
12 and their implementing rules and regulations, and ensure strict compliance
13 therewith;

14 (c) Control and regulate the construction and maintenance of roads,
15 trails, waterworks, sewerage, fire protection and sanitation systems and other
16 utilities within the PA;

17 (d) Control and supervise the office of the PASu and monitor and
18 evaluate the performance of the PA personnel, NGOs and communities
19 involved in conservation and development;

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

24 (f) Deputize, through the PASu, individuals for the enforcement of all
25 laws, rules and regulations governing conduct within the PA and its buffer
26 zones, and prescribe the qualifications therefor;

27 (g) Accept donations and grants and approve proposals for funding and
28 budget allocation and exercise accountability over all funds that may accrue;

1 (h) Coordinate with the appropriate agencies of the government, local
2 or national, on all matters related to the protection and conservation of the PA
3 and its buffer zones and request their assistance for the same purpose;

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

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

12 The DENR, through the RED of Region IX, shall ensure that the PAMB
13 acts within the scope of its powers and functions. In case of conflict between
14 administrative orders issued by the DENR pursuant to Republic Act No. 7586
15 and the rules and regulations issued pursuant thereto and the resolutions issued
16 by the PAMB, the DENR Secretary shall decide as to which rule, regulation or
17 resolution shall prevail.

18 The PAMB *en banc* shall hold regular meetings at least once every
19 quarter of the year.

20 SEC. 10. *The Protected Area Superintendent (PASu) Office.* -- There is
21 hereby established a PASu office in charge of the management, protection and
22 administration of the PA. The PASu office shall be supported by the existing
23 personnel of the DENR. The head of office shall be the chief operating officer
24 of the Pasonanca Natural Park or the PA and shall be accountable to the RED
25 of the DENR-Region IX and the PAMB. The PASu office shall have the
26 following powers and functions:

27 (a) Prepare the management plan and its successor plans as herein
28 provided;

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

4 (c) Supervise the necessary personnel to support operations as the
5 budget may allow;

6 (d) Establish a productive partnership with local communities,
7 including groups supporting the achievement of the goals and objectives of this
8 Act;

9 (e) Develop and implement park information, education and visitor
10 programs;

11 (f) Enforce the laws, rules and regulations and PAMB resolutions
12 relevant to the PA and its buffer zones, and assist in the prosecution of
13 offenses;

14 (g) Monitor all activities within the PA and its buffer zones in
15 conformity with the management plan; and

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

17 SEC. 11. *Management Plan.* – Within one year from the effectivity of
18 this Act, the PASu shall prepare a management plan in accordance with the
19 General Management Planning Strategy (GMPS) and in coordination with the
20 appropriate offices of the DENR, local communities, the City Government of
21 Zamboanga, the NGOs, other government agencies and available experts with
22 socioenvironmental, economics and ecological experience in the area. The
23 plan shall contain, among others, the following:

24 (a) Period of its applicability, at least for ten (10) years, subject to
25 periodic review as determined necessary by the Board;

26 (b) Analysis of key management issues and problems considered as
27 threats to conservation, management and maintenance, including impacts on
28 the important features of the area;

1 (c) Broad and long-term vision which take the form of goals, a “vision
2 statement”, guiding policies for management, sets of objectives and specific
3 statements on what management can achieve within the time frame of the plan;

4 (d) Site management strategies;

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

8 (f) Management programs to include enforcement of laws, habitat and
9 wildlife management, eco-tourism, sustainable use of resources, infrastructure
10 development and maintenance, fire prevention and pest control;

11 (g) Mechanisms for protection of tenured migrants in the exercise of
12 their rights;

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

14 (i) Regulations in furtherance of the preservation and conservation
15 objectives, such as the scheme in the issuance of permits and rules on the
16 restrictions of resource-use.

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

22 One year before the expiration of the management plan, the office of the
23 PASu shall prepare a successor management plan in the same manner as the
24 procedure and principles herein set forth and in accordance with the GMPS. In
25 the same period, the PASu shall cause the publication of notices for comments
26 and suggestions on the successor plan in a newspaper of local circulation and
27 the posting of such notices in the city and barangay halls of the barangay units
28 comprising the PA and in three other conspicuous places frequented by the

1 public within the PA. At least two public hearings shall be conducted on the
2 successor plan.

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

5 SEC. 12. *Management Zoning.* – Management zones shall be
6 established in the PA to provide protection for critical or representative
7 habitats. Within each management zone, similar management emphasis shall
8 be applied, comparable levels of use shall be permitted and different uses shall
9 be segregated. Each management zone shall be demarcated on the ground and
10 indicated on the maps after undertaking such steps as land and resource-use
11 mapping and dialogue with the communities, the City Government of
12 Zamboanga and other stakeholders. Within each zone, management
13 prescriptions shall be reasonably uniform but may differ in type or intensity
14 from those in other zones in order to accommodate multiple objectives.

15 CHAPTER III

16 TENURED MIGRANTS

17 SEC. 13. *Tenured Migrants.* – Any person who has been actually and
18 continuously occupying an area within the PA for a period of five years prior
19 to the issuance of Proclamation No. 199, dated December 17, 1987,
20 proclaiming the Pasonanca Watershed Forest Reservation, and is solely
21 dependent on the PA for subsistence, shall be considered a tenured migrant,
22 PA being an initial component of the NIPAS pursuant to Section 5(a) of the
23 NIPAS Act.

24 A tenured migrant shall be eligible to become a steward of a reasonable
25 portion of land within the multiple-use or buffer zones of the PA from which
26 he may derive subsistence: *Provided, however,* That those occupants who do
27 not qualify as tenured migrants shall be resettled outside the PA.

28 The PAMB shall review all tenure instruments, land claims or permits
29 issued for resource use within the PA, if any, and recommend the issuance of

1 appropriate tenure instrument consistent with the management or successor
2 plans. Those who have been cultivating land within the PA shall be considered
3 to be occupying such lands and shall be entitled to a tenure instrument limited
4 to cultivation and residence: *Provided*, That the rights accruing under such
5 tenure instrument can only be transferred to direct descendants.

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

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

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

19 CHAPTER IV

20 PROHIBITED ACTS AND PENALTIES

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

1 SEC. 16. *Prohibited Acts.* – Except as may be allowed by the nature of
2 their categories and pursuant to the rules and regulations governing the same,
3 the following acts are prohibited within the PA:

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

6 (2) Dumping of any waste product or any form of activity detrimental
7 to the PA, or to the plants and animals or inhabitants therein;

8 (3) Use of any vehicle or equipment within the PA without a permit
9 from the PAMB;

10 (4) Mutilating, defacing or destroying objects of natural beauty, or
11 objects of interest to cultural communities;

12 (5) Damaging or leaving roads and trails in a damaged condition;

13 (6) Squatting, undertaking mineral exploration or otherwise occupying
14 any portion of land;

15 (7) Constructing or maintaining any kind of structure, fence or
16 enclosure, or conducting any business enterprise without a permit duly issued
17 by the PAMB; and

18 (8) Altering, removing, destroying or defacing boundary marks or
19 signs.

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

1 including all equipment, devices and firearms used in connection therewith,
2 and any construction or improvement made thereon by the offender. If the
3 offender is an association or corporation, the president or manager shall be
4 directly responsible for the act of his employees and laborers: *Provided,*
5 *finally,* That for such offenses, the DENR may conduct separate administrative
6 proceedings against the offender and impose the corresponding fines and
7 penalties in accordance with law.

8 CHAPTER V

9 PROTECTED AREA FUND

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

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

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

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

5 CHAPTER VI

6 EXISTING FACILITIES, UTILIZATION OF RESOURCES, ENVIRONMENTAL IMPACT 7 ASSESSMENT AND PARTNERSHIP WITH OTHER AGENCIES

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

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

17 (b) Environmental compliance certificate; and

18 (c) Development plan.

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

24 The PAMB may prescribe conditions for the operation of the facilities
25 to ensure that they do *not conflict with the management objectives*. If any such
26 conditions are violated, a fine shall be imposed as prescribed by the PAMB.
27 The PAMB, through the PASu or other deputized government entities, is
28 hereby authorized to cause the immediate cessation and demolition of any
29 facility within the PA whose continued operation is deemed detrimental to the

1 area. The cost of the demolition shall be borne by the owners or operators of
2 these facilities.

3 The removal of existing facilities which provide basic services and
4 amenities to the public shall require the concurrence of the City Government of
5 Zamboanga, consistent with the responsibility of the local government to
6 secure the welfare of its constituents.

7 Existing facilities within the PA may be charged reasonable fees by the
8 PAMB, subject to DENR approval, pursuant to Section 10(f) of the NIPAS
9 Act based on the extent of their impact on the environment and biodiversity.
10 All incomes derived from such fees shall accrue to the PNPF.

11 SEC. 20. *Utilization of Nonrenewable Resources.* – Any exploration,
12 exploitation or utilization of nonrenewable resources within the PA shall not be
13 allowed.

14 SEC. 21. *Environmental Impact Assessment System.* – Existing laws,
15 rules and regulations relating to environmental impact assessment shall apply
16 to all projects and activities intended in the PA. The issuance of the
17 environmental compliance certificate or its exemptions shall be undertaken in
18 coordination with the PAMB.

19 SEC. 22. *Partnerships.* – For the purpose of attaining the objectives of
20 this Act, the government, the NGOs and POs and their personnel shall
21 continuously foster and develop a strong and true partnership.

22 All NGOs, POs and private entities implementing any park
23 conservation, protection and development program must be accredited by the
24 City Government of Zamboanga and the DENR.

25 SEC. 23. *Roles of the LGU and the National Agencies in the PA.* – The
26 City Government of Zamboanga and relevant national agencies represented in
27 the PAMB shall have the following roles:

28 (a) Apprise their respective constituents, office or sector on activities
29 and programs for the PA;

1 (b) Ensure consistency in the implementation of all activities in the PA;

2 (c) In the exercise of its ordinance-making power over any area within
3 the PA, the City Council of Zamboanga shall consider the management plan
4 and the rules and regulations adopted by the PAMB in the legislative agenda
5 relating to biodiversity, conservation, protection and sustainable development;

6 (d) In the formulation of its development plan, the City Government of
7 Zamboanga shall consider the PAMB for the PA;

8 (e) Assist the PAMB in the implementation of the overall park
9 programs including, but not limited to, the imposition, collection and
10 utilization of park fees, enforcement of policies, rules and regulations and other
11 similar activities;

12 (f) Accredite POs, NGOs and other entities and groups involved in the
13 activities within the PA;

14 (g) Provide the PAMB with relevant information and data for the
15 effective management of the PA; and

16 (h) The City Government of Zamboanga may provide an annual
17 financial assistance for the protection and enhancement of the PA.

18 SEC. 24. *Public Service Utilities, Projects.* – All existing and future
19 development projects of public service utilities involving water services,
20 communication facilities, power and energy generation, public security, health
21 and education services and others which will promote public welfare shall be
22 implemented within areas designated and approved by the PAMB.

23 CHAPTER VII

24 TRANSITORY AND MISCELLANEOUS PROVISIONS

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

28 SEC. 26. *Construction.* – The provisions of this Act shall be construed
29 liberally in favor of tenured migrants and with due consideration to the prior

1 property rights of the stakeholders to sustainable development, and the
2 conservation and protection of biodiversity. Existing forestry laws and their
3 corresponding rules and regulations not inconsistent herewith shall have
4 suppletory effect in the implementation of this Act.

5 SEC. 27. *Implementing Rules and Regulations.* – Ninety (90) days after
6 the effectivity of this Act, the DENR Secretary, in consultation with the Senate
7 Committee on Environment and Natural Resources, the House of
8 Representatives Committee on Natural Resources and the PAMB, shall
9 promulgate the necessary rules and regulations to effectively implement the
10 provisions of this Act.

11 SEC. 28. *Separability Clause.* – If any provision of this Act is declared
12 as unconstitutional, such declaration shall not affect the other parts or sections
13 hereof.

14 SEC. 29. *Repealing Clause.* – All laws, rules and regulations
15 inconsistent with this Act are hereby repealed or modified accordingly.

16 SEC. 30. *Effectivity Clause* – This Act shall take effect thirty (30) days
17 after its publication in the *Official Gazette* or in a newspaper of general
18 circulation available in and around the PA. It shall be translated in Chabacano
19 and shall be posted in both English and Chabacano for a continuous period of
20 thirty (30) days at the City Hall of Zamboanga and at the barangay halls of the
21 affected areas.

Approved,