


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

9 APR 16 12:00

SENATE

RECEIVED BY: 

Senate Bill No. 3164

Introduced by SENATOR PIA S. CAYETANO

EXPLANATORY NOTE

This bill seeks to declare the Pasonanca Watershed Forest Reserve in Zamboanga City as a Protected Area under the category of a natural park, to be known as the **Pasonanca Natural Park**.

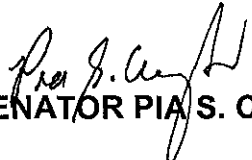
With a total area of 17,414 hectares, the Pasonanca Natural Park covers the following areas: Pasonanca, Lumayang, Tolosa, Bungiao, Dulian, Baluno, Salaan, Cacao, Lunzuran, La Paz, Lapacan, and Lamisahan. The dense secondary and primary growth dipterocarp forest is rich with floral and faunal species. Aside from the rich forest, Pasonanca Natural Park houses perennial springs/streams/creeks which traverse and drain the stretch of the Tumaga River. Pasonanca Natural Park also serves as a source of water for the residents of Zamboanga City

It was proclaimed as the Pasonanca Natural Park by virtue of Presidential Proclamation No. 132 dated July 5, 1999.

This bill, further, seeks to declare the Pasonanca Natural Park as a protected area in order to guard it from indiscriminate exploitation, maintain its ecological balance and preserve its source of water supply.

Given the importance of biodiversity, it is crucial that we act on this bill now to ensure that our children and the succeeding generations will inherit a living earth with all of its bountiful natural resources and vibrant wildlife.

In view of the foregoing, the passage of this measure is earnestly urged.


SENATOR PIA S. CAYETANO

FOURTEENTH CONGRESS OF THE)
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Senate Bill No. 3164

 Introduced by SENATOR PIA S. CAYETANO

AN ACT ESTABLISHING THE PASONANCA WATERSHED FOREST RESERVE SITUATED IN ZAMBOANGA CITY AS A PROTECTED AREA, UNDER THE CATEGORY OF NATURAL PARK PROVIDING FOR ITS MANAGEMENT, AND FOR OTHER PURPOSES

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

1
 2 **Section 1. Title** – This Act shall be known as the "Pasonanca Natural Park Act of
 3 2009".

4 **SEC. 2. Scope and Coverage.** – The Pasonanca Natural Park is hereby declared
 5 a protected area and categorized as a Natural Park pursuant to Republic Act No. 7586,
 6 otherwise known as the National Integrated Protected Areas System Act of 1992 or the
 7 NIPAS Act.

8 The Pasonanca Natural Park, including its buffer zone, covers a total area of about
 9 17,414.00 hectares; its technical description shall be subject to actual ground survey
 10 and demarcation. It begins at a point marked "1" which is S 11 27 W at 1,904.88 meters
 11 from FNSP-ZS 75 ASHTECH POINT MONUMENT;

12
 13
 14 Thence N 36°44' W 670.00 meters to corner 2;
 15 Thence N 36°44' W 233.86 meters to corner 3;
 16 Thence N 36°44' W 272.74 meters to corner 4;
 17 Thence N 36°04' W 1,774.66 meters to corner 5;
 18 Thence N 36°04' W 1,074.66 meters to corner 6;
 19 Thence N 74°15' W 1,000.00 meters to corner 7;
 20 Thence N 14°45' W 338.34 meters to corner 8;

1	Thence	N 38°00' W	1,920.00 meters	to corner 9;
2	Thence	N 61°00' W	460.00 meters	to corner 10;
3	Thence	N 22°00' W	300.00 meters	to corner 11;
4	Thence	N 13°00' W	180.00 meters	to corner 12;
5	Thence	N 14°00' E	280.00 meters	to corner 13;
6	Thence	N 50°00' E	220.00 meters	to corner 14;
7	Thence	N 63°00' E	240.00 meters	to corner 15;
8	Thence	N 80°00' E	220.00 meters	to corner 16;
9	Thence	N 17°00' W	220.00 meters	to corner 17;
10	Thence	N 53°00' W	290.00 meters	to corner 18;
11	Thence	N 27°00' W	260.00 meters	to corner 19;
12	Thence	N 11°00' E	220.00 meters	to corner 20;
13	Thence	N 49°00' E	240.00 meters	to corner 21;
14	Thence	N 25°00' E	280.00 meters	to corner 22;
15	Thence	N 08°00' W	260.00 meters	to corner 23;
16	Thence	N 22°00' E	680.00 meters	to corner 24;
17	Thence	N 17°00' W	240.00 meters	to corner 25;
18	Thence	N 36°00' E	210.00 meters	to corner 26;
19	Thence	N 05°00' E	240.00 meters	to corner 27;
20	Thence	N 12°00' E	220.00 meters	to corner 28;
21	Thence	N 40°00' W	140.00 meters	to corner 29;
22	Thence	N 26°00' W	240.00 meters	to corner 30;
23	Thence	N 54°00' W	290.00 meters	to corner 31;
24	Thence	N 02°00' W	260.00 meters	to corner 32;
25	Thence	N 11°00' E	300.00 meters	to corner 33;
26	Thence	N 12°00' W	360.00 meters	to corner 34;
27	Thence	N 20°00' W	360.00 meters	to corner 35;

1	Thence	N 30°00' W	420.00 meters	to corner 36;
2	Thence	N 29°00' W	1,050.00 meters	to corner 37;
3	Thence	N 63°00' E	1,870.00 meters	to corner 38;
4	Thence	Due North	50.00 meters	to corner 39;
5	Thence	N 62°00' E	200.00 meters	to corner 40;
6	Thence	N 56°00' E	180.00 meters	to corner 41;
7	Thence	N 39°00' E	140.00 meters	to corner 42;
8	Thence	N 32°00' E	240.00 meters	to corner 43;
9	Thence	N 10°00' E	230.00 meters	to corner 44;
10	Thence	N 72°00' E	160.00 meters	to corner 45;
11	Thence	N 70°00' E	280.00 meters	to corner 46;
12	Thence	N 09°14' E	2,269.30 meters	to corner 47;
13	Thence	N 06°02' E	2,567.50 meters	to corner 48;
14	Thence	N 15°37' W	2,089.80 meters	to corner 49;
15	Thence	N 89°35' E	3,119.80 meters	to corner 50;
16	Thence	N 44°05' E	2,048.80 meters	to corner 51;
17	Thence	S 43°07' E	346.10 meters	to corner 52;
18	Thence	S 23°49' E	566.40 meters	to corner 53;
19	Thence	S 44°43' E	273.30 meters	to corner 54;
20	Thence	S 07°30' E	933.20 meters	to corner 55;
21	Thence	S 06°34' W	227.30 meters	to corner 56;
22	Thence	S 06°32' W	258.80 meters	to corner 57;
23	Thence	S 01°07' W	398.40 meters	to corner 58;
24	Thence	S 01°14' E	335.80 meters	to corner 59;
25	Thence	S 40°13' E	332.50 meters	to corner 60;
26	Thence	S 37°47' E	241.40 meters	to corner 61;
27	Thence	S 44°15' E	242.40 meters	to corner 62;

1	Thence	S 44°15' E	242.40 meters	to corner 63;
2	Thence	S 44°15' E	242.40 meters	to corner 64;
3	Thence	S 43°17' E	282.30 meters	to corner 65;
4	Thence	S 44°15' E	242.40 meters	to corner 66;
5	Thence	S 45°58' E	202.50 meters	to corner 67;
6	Thence	S 65°51' E	67.40 meters	to corner 68;
7	Thence	S 44°50' E	232.30 meters	to corner 69;
8	Thence	S 41°16' E	259.30 meters	to corner 70;
9	Thence	S 42°56' E	199.10 meters	to corner 71;
10	Thence	S 41°16' E	259.20 meters	to corner 72;
11	Thence	S 41°16' E	259.20 meters	to corner 73;
12	Thence	S 23°41' E	374.10 meters	to corner 74;
13	Thence	S 00°04' E	288.40 meters	to corner 75;
14	Thence	S 00°24' E	235.90 meters	to corner 76;
15	Thence	S 00°18' W	351.40 meters	to corner 77;
16	Thence	S 08°12' W	317.60 meters	to corner 78;
17	Thence	S 41°29' W	324.70 meters	to corner 79;
18	Thence	S 57°34' W	357.60 meters	to corner 80;
19	Thence	S 83°29' W	256.50 meters	to corner 81;
20	Thence	S 25°32' W	357.00 meters	to corner 82;
21	Thence	S 23°15' W	188.40 meters	to corner 83;
22	Thence	S 34°43' W	229.60 meters	to corner 84;
23	Thence	S 31°39' W	324.80 meters	to corner 85;
24	Thence	S 38°26' W	272.30 meters	to corner 86;
25	Thence	S 44°47' W	314.10 meters	to corner 87;
26	Thence	S 44°47' W	314.10 meters	to corner 88;
27	Thence	S 11°33' W	243.00 meters	to corner 89;

1	Thence	S 19°25' W	241.80 meters	to corner 90;
2	Thence	S 06°03' W	632.00 meters	to corner 91;
3	Thence	S 53°20' W	2,308.20 meters	to corner 92;
4	Thence	S 58°29' E	788.60 meters	to corner 93;
5	Thence	S 74°28' E	815.20 meters	to corner 94;
6	Thence	S 12°58' E	1,268.50 meters	to corner 95;
7	Thence	S 38°39' W	752.10 meters	to corner 96;
8	Thence	S 00°20' E	1,509.50 meters	to corner 97;
9	Thence	S 02°00' E	880.00 meters	to corner 98;
10	Thence	S 48°15' W	230.00 meters	to corner 99;
11	Thence	S 43°20' E	50.00 meters	to corner 100;
12	Thence	S 50°15' W	970.00 meters	to corner 101;
13	Thence	S 31°30' W	240.00 meters	to corner 102;
14	Thence	S 02°45' E	250.00 meters	to corner 103;
15	Thence	S 72°05' E	380.00 meters	to corner 104;
16	Thence	S 15°00' E	850.00 meters	to corner 105;
17	Thence	N 16°00' W	250.00 meters	to corner 106;
18	Thence	N 35°20' W	170.00 meters	to corner 107;
19	Thence	N 12°15' W	260.00 meters	to corner 108;
20	Thence	N 56°45' W	390.00 meters	to corner 109;
21	Thence	N 79°30' W	370.00 meters	to corner 110;
22	Thence	S 19°45' W	345.00 meters	to corner 111;
23	Thence	S 24°30' W	270.00 meters	to corner 112;
24	Thence	S 04°30' W	350.00 meters	to corner 113;
25	Thence	S 04°30' W	360.00 meters	to corner 114;
26	Thence	S 19°00' W	235.00 meters	to corner 115;
27	Thence	S 30°40' W	425.00 meters	to corner 116;

1	Thence	Due South	140.00 meters	to corner 117;
2	Thence	S 23°45' W	1,150.00 meters	to corner 118;
3	Thence	S 12°20' W	1,940.00 meters	to corner 1;

4
5

6 The point of beginning, containing an area of twelve thousand one hundred six and
7 point eighty seven (12,106.87) hectares, more or less.

8
9

10 The Buffer Zone 1 begins at a point marked "corner 1" on the map which is identical
to perimeter corner No. 8 of Pasonanca Natural Park;

11
12

Thence N 69°23' W 824.69 meters to corner 2;

13 Thence S 76°25' W 204.89 meters to corner 3;

14 Thence N 49°35' W 673.85 meters to corner 4;

15 Thence S 69°36' W 240.65 meters to corner 5;

16 Thence S 21°53' E 366.85 meters to corner 6;

17 Thence S 62°56' W 285.46 meters to corner 7;

18 Thence S 07°09' E 168.99 meters to corner 8;

19 Thence N 75°17' W 512.49 meters to corner 9;

20 Thence S 43°18' W 302.14 meters to corner 10;

21 Thence S 20°06' E 444.36 meters to corner 11;

22 Thence S 82°15' W 235.92 meters to corner 12;

23 Thence S 61°05' W 203.73 meters to corner 13;

24 Thence N 41°53' W 233.37 meters to corner 14;

25 Thence S 34°05' W 223.92 meters to corner 15;

26 Thence N 59°31' W 193.96 meters to corner 16;

27 Thence N 23°19' E 360.13 meters to corner 17;

28 Thence N 75°35' W 252.16 meters to corner 18;

29 Thence N 04°05' W 258.45 meters to corner 19;

30 Thence N 28°31' E 459.08 meters to corner 20;

31 Thence N 49°35' W 249.27 meters to corner 21;

1	Thence	N 06°07' W	341.97 meters	to corner 22;
2	Thence	N 47°05' E	138.33 meters	to corner 23;
3	Thence	S 89°34' E	516.03 meters	to corner 24;
4	Thence	N 23°19' E	460.16 meters	to corner 25;
5	Thence	N 58°32' W	204.11 meters	to corner 26;
6	Thence	N 68°40' E	283.53 meters	to corner 27;
7	Thence	N 07°45' E	359.77 meters	to corner 28;
8	Thence	S 65°59' W	224.59 meters	to corner 29;
9	Thence	N 32°52' W	359.10 meters	to corner 30;
10	Thence	N 57°10' E	353.78 meters	to corner 31;
11	Thence	N 06°06' E	239.23 meters	to corner 32;
12	Thence	N 74°36' W	128.11 meters	to corner 33;
13	Thence	N 18°26' E	641.42 meters	to corner 34;
14	Thence	N 56°47' W	560.99 meters	to corner 35;
15	Thence	N 85°52' E	1,012.76 meters	to corner 36;
16	Thence	N 02°14' E	784.28 meters	to corner 37;
17	Thence	N 50°24' E	315.61 meters	to corner 38;
18	Thence	N 81°45' E	165.63 meters	to corner 39;
19	Thence	N 42°05' E	252.67 meters	to corner 40;
20	Thence	S 87°11' E	332.13 meters	to corner 41;
21	Thence	S 22°00' W	680.00 meters	to corner 42;
22	Thence	S 08°00' E	260.00 meters	to corner 43;
23	Thence	S 25°00' W	280.00 meters	to corner 44;
24	Thence	S 49°00' W	240.00 meters	to corner 45;
25	Thence	S 11°00' W	220.00 meters	to corner 46;
26	Thence	S 27°00' E	260.00 meters	to corner 47;
27	Thence	S 53°00' E	290.00 meters	to corner 48;

1	Thence	S 17°00' E	220.00 meters	to corner 49;
2	Thence	S 80°00' W	220.00 meters	to corner 50;
3	Thence	S 63°00' W	240.00 meters	to corner 51;
4	Thence	S 50°00' W	220.00 meters	to corner 52;
5	Thence	S 14°00' W	280.00 meters	to corner 53;
6	Thence	S 13°00' E	180.00 meters	to corner 54;
7	Thence	S 22°00' E	300.00 meters	to corner 55;
8	Thence	S 61°00' E	460.00 meters	to corner 56;
9	Thence	S 38°00' E	1,920.00 meters	to corner 1;

10
11 The point of beginning containing an area of six hundred eighty one (681.00)
12 hectares, more or less.

13
14 The Buffer Zone 2 begins at a point marked "corner 1" which is identical to
15 perimeter corner 97 of Pasonanca Natural Park;

16				
17	Thence	N 00°20' W	1,509.50 meters	to corner 2;
18	Thence	N 38°39' E	752.10 meters	to corner 3;
19	Thence	N 12°58' W	1,268.50 meters	to corner 4;
20	Thence	N 74°28' W	815.20 meters	to corner 5;
21	Thence	N 58°29' W	788.60 meters	to corner 6;
22	Thence	N 53°20' E	2,308.20 meters	to corner 7;
23	Thence	N 06°03' E	632.00 meters	to corner 8;
24	Thence	N 19°25' E	241.80 meters	to corner 9;
25	Thence	N 11°33' E	243.00 meters	to corner 10;
26	Thence	N 44°47' E	314.10 meters	to corner 11;
27	Thence	N 44°47' E	314.10 meters	to corner 12;
28	Thence	N 38°26' E	272.30 meters	to corner 13;
29	Thence	N 31°39' E	324.80 meters	to corner 14;
30	Thence	N 34°43' E	229.60 meters	to corner 15;

1	Thence	N 23°15' E	188.40 meters	to corner 16;
2	Thence	N 25°32' E	357.00 meters	to corner 17;
3	Thence	N 83°29' E	256.50 meters	to corner 18;
4	Thence	N 57°34' E	357.60 meters	to corner 19;
5	Thence	N 41°29' E	324.70 meters	to corner 20;
6	Thence	N 08°12' E	317.60 meters	to corner 21;
7	Thence	N 00°18' E	351.40 meters	to corner 22;
8	Thence	N 00°24' W	235.90 meters	to corner 23;
9	Thence	N 00°04' W	288.40 meters	to corner 24;
10	Thence	N 23°41' W	374.10 meters	to corner 25;
11	Thence	N 41°16' W	259.20 meters	to corner 26;
12	Thence	N 41°16' W	259.20 meters	to corner 27;
13	Thence	N 42°56' W	199.10 meters	to corner 28;
14	Thence	N 41°16' W	259.30 meters	to corner 29;
15	Thence	N 44°50' W	232.30 meters	to corner 30;
16	Thence	N 65°51' W	67.40 meters	to corner 31;
17	Thence	N 45°58' W	202.50 meters	to corner 32;
18	Thence	N 44°15' W	242.40 meters	to corner 33;
19	Thence	N 43°17' W	282.30 meters	to corner 34;
20	Thence	N 44°15' W	242.40 meters	to corner 35;
21	Thence	N 44°15' W	242.40 meters	to corner 36;
22				
23	Thence	N 44°15' W	242.40 meters	to corner 37;
24	Thence	N 37°47' W	241.40 meters	to corner 38;
25	Thence	N 40°13' W	332.50 meters	to corner 39;
26	Thence	N 01°14' W	335.80 meters	to corner 40;
27	Thence	N 01°07' E	398.40 meters	to corner 41;
28	Thence	N 06°32' E	258.80 meters	to corner 42;

1	Thence	N 06°34' E	227.30 meters	to corner 43;
2	Thence	N 07°30' W	933.20 meters	to corner 44;
3	Thence	N 44°43' W	273.30 meters	to corner 45;
4	Thence	N 43°07' W	346.10 meters	to corner 46;
5	Thence	N 23°49' W	566.40 meters	to corner 47;
6	Thence	N 44°05' E	2,310.00 meters	to corner 48;
7	Thence	S 50°35' E	2,220.00 meters	to corner 49;
8	Thence	S 17°00' E	680.00 meters	to corner 50;
9	Thence	S 52°50' W	640.00 meters	to corner 51;
10	Thence	S 19°32' E	960.00 meters	to corner 52;
11	Thence	S 40°05' W	568.00 meters	to corner 53;
12	Thence	Following downstream of Cahumban River		
13		S.W. directions	1,380.00 meters	to corner 54;
14	Thence	Following downstream Manicahan River		
15		S.W. & E directions	6,600.00 meters	to corner 55;
16	Thence	S 44°35' W	2,820.00 meters	to corner 56;
17	Thence	S 07°50' W	980.00 meters	to corner 57;
18	Thence	S 60°00' W	400.00 meters	to corner 58;
19	Thence	S 15°00' E	600.00 meters	to corner 59;
20	Thence	S 26°00' E	890.00 meters	to corner 60;
21	Thence	S 35°00' E	500.00 meters	to corner 61;
22	Thence	S 21°00' W	340.00 meters	to corner 62;
23	Thence	S 80°00' W	260.00 meters	to corner 63;
24	Thence	S 75°00' W	210.00 meters	to corner 64;
25	Thence	S 73°25' W	180.00 meters	to corner 65;
26	Thence	N 55°00' W	118.00 meters	to corner 66;
27	Thence	S 85°30' W	194.00 meters	to corner 67;

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

13
14

15 The point of beginning containing an area of four thousand six hundred twenty
16 six (4, 626) hectares, more or less.

17 The Department of Environment and Natural Resources (DENR) shall establish
18 on the ground the technical descriptions provided in this Act through ground survey/
19 demarcation and shall prepare maps therefor. Any modification of the coverage of this
20 Act due to such factors as changing ecological situations, new scientific or archeological
21 findings, or discovery of traditional boundaries not previously taken into account shall be
22 made through an Act of Congress, after consultation with the affected public and
23 concerned government agencies.

24 **SEC. 3. Land Classification.** – All lands of the public domain comprising the
25 Pasonanca Natural Park shall fall under the classification of National Park as provided
26 for in the Philippine Constitution.

27 **SEC. 4. Definition of Terms.** – For purposes of this Act, the following terms
28 shall be defined as follows:

29 (a) "Biodiversity" refers to the variety and variability among living organisms and
30 the ecological complexes in which said organisms occur.

31 (b) "Biological Resources" include genetic resources, organisms or parts thereof,
32 population, or any other biotic component of ecosystems with actual or potential use or
33 value for humanity.

1 (c) "Bioprospecting" means the research, collection and utilization of biological
2 and genetic resources for purposes of applying the knowledge derived therefrom solely
3 for commercial purposes.

4 (d) "Buffer Zone" refers to the identified area outside the boundaries of
5 Pasonanca Natural Park and immediately adjacent to designated protected area that
6 need special development control in order to avoid or minimize harm to the Pasonanca
7 Natural Park.

8 (e) "By-product or Derivative" means any part taken or substance extracted from
9 wildlife, in raw or in processed form. This includes stuffed animals and herbarium
10 specimens.

11 (f) "Collection or Collecting" refers to the act of gathering or harvesting wildlife, its
12 by-products or derivatives.

13 (g) "Conservation" means sustainable utilization of wildlife, and/or maintenance,
14 restoration and enhancement of the habitat.

15 (h) "Endangered Species" refer to species or subspecies of flora and fauna that
16 are not critically endangered but whose survival in the wild are unlikely if the causal
17 factors continue operating.

18 (i) "Endemic Species" refer to species or subspecies of flora and fauna which are
19 naturally occurring and found only within specific areas in the country.

20 (j) "Exotic Species" refer to species or subspecies of flora and fauna which does
21 not naturally occur within the protected area at present or in historical time.

22 (k) "Habitat" means a place or type of environment where a species or
23 subspecies naturally occurs or has naturally established its population.

24 (l) "Hunting" refers to collection of wild fauna for food and/or recreational
25 purposes with the use of weapons such as guns, bow and arrow, spear and the like.

26 (m) "Management Board" refers to the Management Board of the Pasonanca
27 Natural Park.

28 (n) "Management Plan" refers to the fundamental plan, strategy and/or scheme
29 which shall guide all activities relating to the Pasonanca Natural Park in order to attain the
30 objectives of this Act.

31 (o) "Mineral" refers to all naturally occurring inorganic substance in solid, gas,
32 liquid, or any intermediate state including energy materials such as coal, petroleum,
33 natural gas, radioactive materials, and geothermal energy;

34 (p) "Multiple-Use Zone" refers to an area where settlement, traditional and/or
35 sustainable land use, including agriculture, agro-forestry, extraction activities and other
36 income generating or livelihood activities, may be allowed to the extent prescribed in the
37 Management Plan.

1 (q) "NIPAS Act" refers to the National Integrated Protected Areas System Act
2 (NIPAS) of 1992 or Republic Act No. 7586, and its Implementing Rules and
3 Regulations.

4 (r) "National Park" refers to the land of the public domain classified as such in the
5 1987 Constitution which include all areas under the National Integrated Protected Areas
6 System (NIPAS) pursuant to R.A. 7586 primarily designated for the conservation of
7 native plants and animals, their associated habitats and cultural diversity.

8 (s) "Non-Government Organization (NGO)" refers to an agency, institution,
9 foundation or a group of persons whose purpose is to assist people's
10 organizations/associations in various ways including, but not limited to, organizing,
11 education, training, research and/or resource accessing.

12 (t) "Pasonanca Natural Park Fund" refers to the revolving funds to be established
13 for the purpose of financing projects in the Pasonanca Natural Park.

14 (u) "People's Organization" refers to a group of organized migrant communities and
15 or interested indigenous peoples which may be an association, cooperative, federation, or
16 other legal entity, established to undertake collective action to address community
17 concerns and needs, and mutually share the benefits of the endeavor.

18 (v) "Protected Area" refers to the identified portions of land and/or water set aside
19 by reason of their unique physical and biological significance, managed to enhance
20 biological diversity and protected against destructive human exploitation.

21 (w) "Quarrying" means the process of extracting, removing and disposing quarry
22 resources found on or underneath the surface of private or public land.

23 (x) "Strict Protection Zone" refers to a natural area with high biodiversity value
24 which shall be closed to all human activity except for scientific studies and/or
25 ceremonial or religious use by the indigenous cultural communities/indigenous peoples;
26 may include habitats of threatened species, or degraded areas that have been
27 designated for restoration and subsequent protection, even if these areas are still in
28 various stages of regeneration.

29 (y) "Sustainable Use" means the use of components of biological diversity in a
30 way and rate that does not lead to the long-term decline of biological diversity, thereby
31 maintaining its potential to meet the needs and aspirations of present and future
32 generations.

33 (z) "Tenured Migrants" refers to occupants who have actually and continuously
34 occupied a portion of the Pasonanca Natural Park and are solely dependent therein for
35 subsistence. A Pasonanca Natural Park occupant is understood to be "solely dependent
36 for subsistence" when everything indispensable for survival for the household, including
37 food, clothing, shelter and health, come only from the utilization of resources from the
38 Pasonanca Natural Park.

1 (aa) "Wildlife" means wild forms and varieties of flora and fauna, in all
2 developmental stages, including those which are in captivity or are being bred or
3 propagated.

4 **SEC. 5. Management Plan.-** There shall be a Management Plan
5 promulgated for the Pasonanca Natural Park that shall serve as the basic long-term
6 framework plan in the management of the protected area and guide in the preparation
7 of its annual operations plan and budget.

8 Within one (1) year from the effectivity of this Act, the Management Plan shall
9 have been put into effect following the general management planning strategy provided
10 for under the NIPAS Act and according to the procedure herein set forth. It shall contain,
11 among others, the following:

- 12 (a) the category of the protected area;
- 13 (b) period of applicability of the plan;
- 14 (c) key management issues;
- 15 (d) goals and objectives of management in support of section 2 hereof;
- 16 (e) site management strategy;
- 17 (f) major management activities, such as, but not limited to enforcement of laws,
18 habitat and wildlife management, sustainable use management, infrastructure
19 development and maintenance and fire and pest control;
- 20 (g) zoning; and
- 21 (h) visitor management programs.

22 The Management Plan shall be prepared by the Protected Area
23 Superintendent (PASu) in coordination with the appropriate offices of the department,
24 local communities and the NGOs. It shall be reviewed and approved by the
25 Management Board and certified by the Secretary of the Department. Such certification
26 shall be mandatory to ensure that the plan conforms to all laws and the applicable rules
27 and regulations issued by the Department: *Provided, however,* That the Secretary may
28 revise and modify the protection and conservation plan, after consultation with the
29 Management Board, prior to certification to ensure conformity with applicable laws,
30 rules and regulations.

31 A year before the expiration of the period of the applicability of the plan in
32 effect, the PASu shall cause publication of notices for comments and suggestions on
33 the successor plan in a newspaper of general circulation in the concerned
34 municipalities. Notices shall be posted in the respective and municipal halls of the
35 concerned provinces and municipalities as well as in the barangay halls bounding or

1 immediately adjacent to the protected landscape. The proposed plan shall be made
2 available to the public during the period for comments and a final plan shall likewise be
3 made available for public perusal at the office of the PASu upon the approval of the
4 Management Board: *Provided*, That the plans shall be plainly written in a language
5 understandable in the area.

6 **SEC.6. Management of the Pasonanca Natural Park.** – There is hereby created
7 a Management Board which shall have jurisdiction, power and authority over the
8 Pasonanca Natural Park for all matters that may affect biodiversity conservation,
9 protection and sustainable development. It shall be composed of:

10 (1) the Regional Executive Director (RED) of the DENR Region IX, as Chairperson;

11 (2) the Provincial Planning and Development Coordinator (PPDC) of Zamboanga
12 City, as member;

13 (3) the City Mayor of Zamboanga, or his/ her duly designated representatives, as
14 members;

15 (4) one representative from each barangay covering the Pasonanca Natural Park,
16 as members;

17 (5) at least one (1) representative from local NGOs operating in the Pasonanca
18 Natural Park, which has been existing for five (5) years with track records related to the
19 protection and management of the Pasonanca Natural Park, chosen from among
20 themselves, as members;

21 (6) at least one (1) representative from local POs operating in the Pasonanca
22 Natural Park, which has been existing for five (5) years with track records related to the
23 protection and management of the Pasonanca Natural Park, chosen from among
24 themselves, as members;

25 (7) One representative from each government agency involved in the Pasonanca
26 Natural Park management, as members;

27 Each member of the Management Board shall serve for a term of five (5) years and
28 shall be considered to represent his or her sector and deemed to carry the vote of such
29 sector in all matters. In the case of members who are government officials, their
30 appointment shall be co-terminus with their term of office.

31 The members of the Management Board shall be appointed by the Secretary of the
32 DENR in conformity with the provisions of the NIPAS Act. As a transitory provision, the
33 initial members of the Management Board shall be nominated from the current members
34 of the interim Management Board of the Pasonanca Natural Park. *Provided*, That at least
35 one- third (1/3) of the members shall be women.

1 In the selection of the representatives of POs and NGOs, preference shall be
2 accorded to those organizations that are involved in the conservation, protection and
3 development of the Pasonanca Natural Park. Representation shall be by institution and
4 shall aim to achieve balance in representation by geographic location or areas.

5 The representatives from the Local Government Units (LGUs) and national
6 agencies in the Management Board shall include among their duty to inform their
7 respective constituents, office or sector, of Management Board-approved or other
8 relevant policies, rules, regulations, programs, and projects, and to ensure that the
9 provisions of this Act, the NIPAS Act and its Implementing Rules and Regulations are
10 observed, complied with, and used as reference and framework in their respective
11 plans, policies, programs and projects. Failure to comply with the foregoing shall subject
12 such representative to disciplinary action as the Management Board may provide.

13 The members of the Board shall not receive any salary but shall be entitled to
14 reimbursements to actual and necessary expenses incurred, either in their attendance
15 in meeting of the Board or in connection with other official business authorized by a
16 resolution of the Board, subject to existing rules and regulations.

17 **SEC. 7. Powers and Functions of the Management Board.** – The
18 Management Board of the Pasonanca Natural Park, which shall decide by consensus or
19 majority vote, shall have the following powers and functions in addition to those
20 provided in the NIPAS Act and its Implementing Rules and Regulations:

21 (a) Issue rules and regulations to prohibit acts that may be prejudicial to the
22 Pasonanca Natural Park and to the declaration of policy set forth under the NIPAS;

23 (b) Issue rules and regulations for the resolution of conflicts through appropriate
24 and effective means;

25 (c) Adopt rules and procedures in the conduct of business, including the creation of
26 committees to which its powers may be delegated;

27 (d) Approve the Management Plan and oversee the office of the PASu;

28 (e) Establish criteria and set fees for the issuance of permits for activities regulated
29 by this Act or the Management Plan;

30 (f) Recommend the deputization of appropriate individuals, including local
31 community leaders, for the enforcement of the laws, rules and regulations governing the
32 conduct or management of the Pasonanca Natural Park;

33 (g) Approve fees and charges in accordance with existing guidelines and raise funds
34 for the Pasonanca Natural Park;

1 (h) Manage the allocation of the Pasonanca Natural Park Fund, and other funds for
2 the protected landscape, ensure their proper administration and render accounting; and

3 (i) Recommend appropriate policy changes to the DENR and other government
4 authorities.

5 The DENR, through the Regional Executive Director (RED), shall ensure that the
6 Management Board acts within the scope of its powers and functions. In case of conflict
7 between administrative orders issued by the DENR pursuant to the NIPAS Act and the
8 resolutions issued by the Management Board, such conflict shall be referred by
9 Management Board to the Secretary of the DENR who shall decide whether to apply the
10 rule or withdraw its application in the Pasonanca Natural Park.

11 **SEC. 8. Protected Area Superintendent (PASu) Office.** – There is hereby
12 established a PASu office in charge of the implementation of the projects, programs and
13 policies for the management, protection and administration of the Pasonanca Natural
14 Park. It will be headed by a PASu and shall be supported by the existing personnel of
15 the DENR. The PASu shall be the Chief Operating DENR Officer of the Pasonanca
16 Natural Park and shall be accountable to the RED of the DENR-Region IX and the
17 Management Board.

18 The PASu shall have full responsibility for the protection of land, water, wildlife
19 and other natural physical and biological resources within the Pasonanca Natural Park.
20 As such, the PASu shall have the following duties and responsibilities in addition to
21 those provided under the NIPAS Act and its Implementing Rules and Regulations:

22 (1) Establish, operate, and maintain a database management system as a decision
23 support tool;

24 (2) Prepare the Management Plan as herein defined;

25 (3) Provide a secretariat for the Management Board and supply the Management
26 Board with all the necessary information to make appropriate decisions for the
27 implementation of this Act;

28 (4) Enforce the laws, rules and regulations relevant to the Pasonanca Natural Park,
29 institute and file legal action independently or in collaboration with other government
30 agencies or organizations and assist in the prosecution of offenses committed in
31 violation of this Act;

32 (5) Monitor all activities within the Pasonanca Natural Park to ensure its conformity
33 with the management plan;

34 (6) Ensure the integration of the Pasonanca Natural Park management policies,
35 regulations, programs and projects in all concerned national and local government unit
36 levels;

1 (7) Recommend the issuance of permits based on terms, conditions and criteria
2 established by the Management Board; and

3 (8) Perform such other functions as the Management Board may delegate.

4 The PASu shall be supported by a sufficient number of personnel who shall be
5 performing day to day management, protection and administration of Pasonanca
6 Natural Park. Upon the recommendation of the Management Board, the DENR-RED
7 shall deputize local community leaders and environment and natural resource officers.

8 **SEC. 9. Pasonanca Natural Park Fund.** – There is hereby established a
9 trust fund to be known as the Pasonanca Natural Park Fund for purposes of financing
10 projects of the Pasonanca Natural Park.

11 Income shall be derived from visitor/tourist fees, fees from permitted sale and
12 export of flora and fauna and other resources from the Pasonanca Natural Park,
13 proceeds from registration and lease of multiple-use areas, including tourism
14 concessions, fees, proceeds and contributions from industries and facilities directly
15 benefiting from the protected landscape, and such other fees and income derived from
16 the operation of the protected landscape. Provided, that the seventy-five percent (75%)
17 shall be set aside and retained by the Management Board which shall appropriate the
18 same exclusively for the management and operation of the Pasonanca Natural Park:
19 Provided, further, That the remaining twenty-five percent (25%) shall be remitted to the
20 Integrated Protected Areas Fund (IPAF).

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

28 The LGUs shall continue to impose and collect all other fees not enumerated
29 herein which they have traditionally collected, such as business permits and rentals of
30 LGUs facilities. *Provided*, That the LGU shall not impose property tax and issue tax
31 declaration for areas or properties located in forestland areas or areas previously
32 classified as National Parks. Furthermore, LGUs may charge add-ons to fees imposed
33 by the Management Board provided that such add-ons shall be based on the
34 contribution of the LGUs in the maintenance and protection of the Pasonanca Natural
35 Park.

36 **SEC. 10. Tenured Migrants and Other Stakeholders.** – Tenured migrants
37 shall be eligible to become stewards of portions of lands within allowable zones. The

1 Management Board shall identify, verify and review all tenurial instruments, land claims,
2 and issuances of permits for resource use within the Pasonanca Natural Park and
3 recommend the issuance of the appropriate tenurial instrument consistent with the
4 zoning provided in the management plan.

5 Should areas occupied by tenured migrants be designated as zones in which no
6 occupation or other activities are allowed pursuant to the attainment of sustainable
7 development, provision for the transfer of said tenured migrants to multiple-use zones or
8 buffer zones shall be accomplished through just and humane means.

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

12 Other Pasonanca Natural Park occupants who do not qualify as tenured migrants
13 shall be resettled outside the Pasonanca Natural Park as determined by the
14 Management Board. The Management Board shall determine, plan and implement a
15 definite schedule for resettling them outside of the Pasonanca Natural Park following
16 the procedures set forth by existing law.

17 **SEC. 11. Existing Facilities Within the Pasonanca Natural Park.** – Within sixty
18 (60) days from the effectivity of this Act, existing facilities such as roads, buildings,
19 water systems, transmission lines, communication facilities, heavy equipment, and
20 irrigation facilities existing within the boundaries of the Pasonanca Natural Park shall
21 submit project description to the Management Board through the PASu.

22 The Management Board, with the assistance of the DENR, shall determine
23 whether the existence of such facility and its future plan and operations will be
24 detrimental to the Pasonanca Natural Park or whether conditions for its operation shall
25 be imposed. If any such conditions are violated, the owner of the facility shall be liable
26 to pay a fine of Five Thousand Pesos (P5,000.00) for every violation. Upon reaching a
27 total fine of Five Hundred Thousand Pesos (P500,000.00), the Management Board
28 through the PASu and deputizing other government entities, shall cause the cessation
29 and demolition of the facility at the cost of its owner.

30 Existing facilities allowed to remain within the Pasonanca Natural Park may be
31 charged a reasonable royalty by the Management Board. All income from such royalty
32 shall accrue to the Pasonanca Natural Park Fund.

33 **SEC. 12. Renewable and Non-Renewable Resources.** – Any exploitation of or
34 utilization of nonrenewable resources within the Pasonanca Natural Park shall not be
35 allowed. Renewable Energy projects, within the protected landscape shall be permitted
36 only through an Act of Congress except energy from wind, sun, and water sources and

1 not more than one (1) megawatt capacity for mini-hydro power: *Provided*, That these
2 renewal energy projects are established outside the strict protection zone, adopt
3 reduced impact technologies, and undergo the Environmental Impact Assessment (EIA)
4 system as provided by law: *Provided, further*, That the Management Board
5 endorsement has been obtained.

6 **SEC. 13. *Special Prosecutor and Retained Counsel.*** – Within thirty (30) days
7 from the effectivity of this Act, the Department of Justice (DOJ) shall appoint a special
8 prosecutor to whom all cases of violation of laws, rules and regulations in the
9 Pasonanca Natural Park shall be assigned. Such Special Prosecutor shall coordinate
10 with the Management Board and the PASu in the performance of his/her duties and
11 assist in the training of wardens and rangers in arrest and criminal procedures. The
12 Management Board may retain the services of a counsel to prosecute and/or assist in
13 the prosecution of cases under the direct control and supervision of the regular or
14 special prosecutor and to defend the members of the Management Board, the PASu
15 and the staff, or any person assisting in the protection, conservation and sustainable
16 development of the Pasonanca Natural Park, against any legal action related to their
17 powers, functions and responsibilities as provided in this Act or as delegated or tasked
18 by the Management Board.

19 **SEC. 14. *Prohibited Acts and Penalties.*** – The following shall be the prohibitions
20 and penalties applicable to the Pasonanca Natural Park, in addition to the prohibited
21 acts as provided in the NIPAS Act and its Implementing Rules and Regulations:

22 (1) The penalties and qualifications prescribed in Articles 309 and 310 of the
23 Revised Penal Code depending on the value of the resources involved in connection
24 with the prohibited act and/or fine at least triple the value of the said resources shall be
25 imposed on any person who:

26 (a) Takes, destroys, collects, disturbs or possesses any wild terrestrial or aquatic
27 plants, animals, flora or fauna, sand, rocks or by-products derived therefrom, within
28 particularly identified regulated or prohibited areas zones in the Pasonanca Natural Park
29 including private lands without the necessary permit, authorization or exemption,
30 *Provided*, That the hunting of animals shall be absolutely prohibited except for scientific
31 research and for traditional hunting by the IPs/ICCs;

32 (b) Cuts, gathers, removes or collects timber or any forest products, within
33 particularly identified regulated or prohibited areas or zones in the Pasonanca Natural
34 Park including private lands without the necessary permit, authorization or exemption;

35 (c) Possesses or transports, within or outside the Pasonanca Natural Park of any
36 timber, forest products, wild terrestrial or aquatic plants, animals, or by-products derived
37 therefrom which is ascertained to have been taken from the Pasonanca Natural Park;

1 (d) Undertakes mineral exploration or extraction within the Pasonanca Natural
2 Park;

3 (e) Engages in quarrying of sand, gravel, guano, limestone or any material within
4 the Pasonanca Natural Park;

5 (f) Hunts, collects, removes or destroys endangered or protected species, except
6 when collection or removal is for scientific research and exempted from the prohibition
7 by the Management Board;

8 (g) Conducts bioprospecting within the Pasonanca Natural Park without the
9 necessary permit; or

10 (h) Establishes or introduces any exotic species, within the Pasonanca Natural
11 Park, which are detrimental to endemic species and the ecosystem therein.

12 (2) A fine of not less than Five Thousand Pesos (P5,000.00) but not more than
13 Five Hundred Thousand Pesos (P500,000.00) and/or imprisonment of not less than one
14 year nor more than six (6) years shall be imposed upon any person who:

15 (a) Violates any rules and regulations in the management plan or by the
16 Management Board or agreements reached before the Management Board in the
17 exercise of adjudicative functions;

18 (b) Erects any structure on land or on water for any purposes outside the
19 management plan, duly allowed by the Management Board: *Provided, That large-scale*
20 *private infrastructure and other projects such as medium to high density residential*
21 *subdivisions, medium to large commercial and industrial establishments, golf courses,*
22 *heavily mechanized commercial and non-traditional farming, and other activities that*
23 *cause increased in-migration and resource degradation are absolutely prohibited;*

24 (c) Possesses a chainsaw, hacksaw and other mechanized equipment within the
25 Pasonanca Natural Park without a permit;

26 (d) Throws, dumps or causes to be dumped into the Pasonanca Natural Park any
27 non-biodegradable material or waste whether liquid, solid or gas;

28 (e) Uses, dumps, places or causes to be placed into the Pasonanca Natural Park
29 toxic chemicals, including pesticides and other hazardous substances, unless the same
30 is expressly allowed in the management plan;

31 (f) Prospects, hunts or otherwise locates hidden treasures within the Pasonanca
32 Natural Park;

33 (g) Informally occupies or dwells in any land within the Pasonanca Natural Park;

34 (h) Possesses or uses blasting caps or explosives anywhere within the Pasonanca
35 Natural Park;

1 (i) Destroys, excavates, vandalizes or, in any manner, damages any natural
2 formation on land, religious, spiritual, historical sites, artifacts and other objects of
3 natural or scenic value;

4 (j) Alters, removes or destroys boundary marks or signs; or

5 (k) Engages in *kaingin*, or, in any manner, causing forest fires inside the
6 Pasonanca Natural Park; or

7 (l) Purchases, sells, mortgages or leases lands or other portions of the Pasonanca
8 Natural Park which are covered by any tenurial instrument.

9 Valuation of the damage for this Act shall take into account biodiversity and
10 conservation considerations as well as aesthetic and scenic value. Valuation assessed
11 by the DENR or the concerned government agency shall be presumed correct unless
12 otherwise proven by preponderant evidence.

13 Any person who shall induce another or conspire to commit any of the illegal acts
14 prohibited in this Act or suffer their workers to commit any of the same shall be liable in
15 the same manner as the one actually performing the act.

16 All conveyances, vessels, equipments, paraphernalia, implements, gears, tools
17 and similar devices shall be subject to immediate and administrative confiscation,
18 independent of the judicial proceedings by the PASu Office upon apprehension, subject
19 however to due process and substantial evidence requirements. When legal action is ,
20 however, filed in the regular courts, the said conveyances, vessels, equipments,
21 paraphernalia, implements, gears, tools and similar devices, independent of the
22 administrative proceedings, shall not be released until after judgment has been
23 rendered. Proceeds of the sale of all objects administratively or judicially confiscated
24 pursuant hereto shall accrue to the Pasonanca Natural Park Fund. Procedure for the
25 sale thereof shall be promulgated by the Management Board. However, in no case shall
26 any confiscated or rescued protected animal species be sold or in any manner disposed
27 of but shall be immediately turned over to the PASu Office for release in its natural
28 habitat, subject to existing regulations.

29 The penalties specified in this Section will be in addition to the penalties contained
30 in RA 9072 (National Caves and Cave Resources Management and Protection Act), RA
31 9147 (Wildlife Resources Conservation and Protection Act), and other related laws.

32 Conviction for any offense under this Act, of a public officer or officer of the law
33 shall carry the accessory penalty of perpetual disqualification from public office.

34 **SEC. 15. Reporting Responsibility.** – The PASu, through the Management
35 Board, shall submit an annual accomplishment report to the Secretary of the DENR on
36 the activities undertaken in the Pasonanca Natural Park.

1 **SEC. 16. Appropriations.** – The Secretary of the DENR shall immediately include
2 in the Department's program the implementation of this Act, the funding of which shall
3 be included in the annual General Appropriations Act.

4 **SEC. 17. Separability Clause.** – If, for any reason, any part or section of this Act
5 is declared unconstitutional or invalid, such other parts not affected thereby shall remain
6 in full force and effect.

7 **SEC. 18. Construction and Suppletory Application of Existing Laws.** -The
8 provisions of this Act shall be construed liberally in favor of the protection and
9 rehabilitation of the Pasonanca Natural Park and the conservation and restoration of its
10 biological diversity, taking into account the needs and interests of qualified tenured
11 migrants, for present and future Filipino generations.

12 The NIPAS Act shall have suppletory effect in the implementation of this Act.

13 **SEC. 19. Transitory Provision.** – In order to ensure the recovery and restoration
14 of biological diversity and to develop sustainable livelihood opportunities for tenured
15 migrants, the DENR shall henceforth cease to issue concessions, licenses, permits,
16 clearances, compliance documents or any other instrument that allows exploitation and
17 utilization of resources within the Pasonanca Natural Park until the management plan
18 shall have been put into effect.

19 All existing land use and resource use permits within the Pasonanca Natural Park
20 shall be reviewed and shall not be renewed upon their expiration unless consistent with
21 the management plan and approved by the Management Board.

22 **SEC. 20. Repealing Clause.** – All laws, decrees, proclamations, rules and
23 regulations inconsistent with this Act are hereby repealed or modified accordingly.

24 **SEC. 21. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
25 complete publication in the *Official Gazette* or in a national newspaper of general
26 circulation available in the Pasonanca Natural Park.

27

28 Approved