

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 MAY 23 A9:55

SENATE

RECEIVED BY: _____

S. No. 2226

Introduced by **SENATOR CYNTHIA A. VILLAR**

AN ACT
DECLARING A PARCEL OF LAND LOCATED IN THE MUNICIPALITIES OF PALOMPON, MATAG-OB AND VILLABA IN THE PROVINCE OF LEYTE, A PROTECTED AREA WITH THE CATEGORY OF PROTECTED LANDSCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS), TO BE REFERRED TO AS THE PALOMPON PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Under the 1987 Philippine Constitution, it is a declared policy that the State "shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."¹ In line with safeguarding a healthful ecology, the Constitution likewise provides that Congress shall determine the national parks, which shall be conserved and may not be increased nor diminished, except by law.²

Pursuant to the said constitutional provisions, the National Integrated Protected Areas System (NIPAS) was established by virtue of Republic Act (RA) No. 7586, as amended by RA No. 11038, otherwise known as the "Expanded NIPAS Act of 2018". Cognizant of the exacting impact of diverse human activities on all components of the natural environment, the NIPAS Act declared it the policy of the

¹ Article II, Section 16, 1987 Philippine Constitution

² Article XII, Sec. 3, 1987 Philippine Constitution

State "to secure for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution." The system shall encompass ecologically rich, unique and biologically important areas that are habitats of threatened species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine, all of which shall be designated as 'protected areas'.³

As of May 2023, 114 protected areas have been declared through legislation in the Philippines. Yet, the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR) identifies numerous additional sites that warrant protected area status to guarantee their preservation.

Among the sites necessitating protection is a parcel of land situated in the Municipalities of Palompon, Matag-Ob, and Villaba in the Province of Leyte. This parcel is recognized as the Palompon Watershed Forest Reserve (PWFR), established in 1988 under Proclamation No. 212. By virtue of the same proclamation, the PWFR is also considered as an initial component of the National Integrated Protected Areas System (NIPAS) Act pursuant to the provisions of RA No. 7586 or the NIPAS Act, as amended,

The Palompon Watershed Forest Reserve (PWFR) plays an indispensable role in maintaining the ecological balance of its vicinity. It serves as a vital irrigation source for the lowland areas of various barangays such as San Isidro, San Juan, Sabang, San Miguel, as well as the rice fields in Tabunok. Furthermore, the PWFR constitutes the principal source of water for the Water Administration and Services of Hinablayan (WASH). This public utility, under the management of the Municipality of Palompon, ensures water provision to its town center and an additional 30 barangays, highlighting the PWFR's substantial role in supporting the local water supply network.

³ Section 2, RA No. 7586, as amended by RA 11038

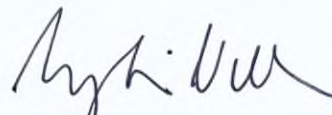
However, despite the PWFR's indisputable contributions to the water ecosystem services of the surrounding areas at large, the PWFR remains vulnerable and accessible to economic activities that degrade the source of water that supports the surrounding barangays, municipalities and perhaps even influence the hydrologic systems in areas as far as Ormoc City.

The PWFR remains susceptible to damaging human and economic activities. Issues have emerged such as illegal waste dumping and rezoning of forestland for industrial use. Additionally, inconsistencies and inaccuracies in territorial maps have inadvertently facilitated forestland reclassification.

The PWFR, a critical watershed area, needs to be legislated as a protected area, to be known as the Palompon Protected Landscape, to ensure its preservation and protection within the ambit of RA No. 7586 or the National Integrated Protected Areas System (NIPAS) Act, as amended by RA No. 11038.

In light of House Bill No. 7160 filed by Representative Richard I. Gomez of the 4th District of Leyte, which aims to designate the PWFR as the Palompon Protected Landscape, I see the wisdom of filing this counterpart bill in the Senate.

In view of all the foregoing, I seek the immediate approval of this bill.



CYNTHIA A. VILLAR

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

ARTICLE I
GENERAL PROVISIONS

1 Sec. 1. *Title.* – This Act shall be known as the "Palompon Protected
2 Landscape Act."

3 Sec. 2. *Declaration of Policy.* – Cognizant of the profound impact of human
4 activities on all components of the natural environment, it is hereby declared the
5 policy of the State to secure for the Filipino people of present and future
6 generations, the perpetual existence of all native plants and animals through the
7 declaration of protected areas under the National Integrated Protected Areas System
8 (NIPAS) within the classification of national park as provided for in the Constitution.

9 In recognition of the richness of the biological resources, both flora and

1 fauna, that are native and distinct to Palompon, Matag-ob and Villaba, as well as
2 their aesthetic and ecological importance, a parcel of land located in the
3 municipalities of Palompon, Matag-ob and Villaba in the Province of Leyte, and
4 covering the Palompon Watershed Forest Reserve, is hereby declared a protected
5 area with the category of protected landscape, and shall hereinafter be referred to
6 as the Palompon Protected Landscape (PPL). As such, the State shall ensure the
7 conservation, protection, management and rehabilitation of the area. It is likewise
8 recognized that effective administration of this area is possible only through
9 cooperation among national government, local government units (LGUs), concerned
10 nongovernmental organizations (NGOs), private entities and local communities. The
11 use and enjoyment of this area must be consistent with the principles of biological
12 diversity and sustainable development.

13 Towards this end, the State shall ensure the full implementation of this Act,
14 the mobilization of resources for the institutional mechanisms herein established,
15 and the full scientific and technical support needed for the conservation of
16 biodiversity and the integrity of the ecosystems, culture and indigenous practices.

17 *Sec. 3. Definition of Terms. – As used in this Act:*

- 18 a) *Biodiversity* refers to the variety and variability among all living
19 organisms and the ecological complexities in which they occur.
- 20 b) *Biological resources* shall include genetic resources, organisms or parts
21 thereof, population or any other biotic component of ecosystems with
22 actual or potential use or value for humanity.
- 23 c) *Buffer zones* refer to identified areas outside the boundaries of and
24 immediately adjacent to designated protected areas that need special
25 development control in order to avoid or minimize harm to the
26 protected area;
- 27 d) *Conservation* refers to any act or acts of preservation and sustainable

1 utilization of wildlife or maintenance, restoration and enhancement of
2 habitats;

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

9 f) *NIPAS Act* refers to the National Integrated Protected Areas System
10 (NIPAS) Act of 1992 or Republic Act No. 7586, as amended by RA No.
11 11038, and its implementing rules and regulations.

12 g) *National park* refers to land of the public domain classified as such in
13 the Constitution which includes all areas under the NIPAS, primarily
14 designated for the conservation of native plants and animals, their
15 associated habitats and cultural diversity;

16 h) *Protected area* refers to an identified portion of land and water set
17 aside by reason of its unique physical and biological significance,
18 managed to enhance biological diversity and protected against
19 destructive human exploitation;

20 i) *Protected landscape* refers to an area of national significance, which
21 are characterized by the harmonious interaction of human, land, and
22 water while providing opportunities for public enjoyment through
23 recreation, tourism, and other economic activities;

24 j) *Special-use zones* refer to areas containing existing installations of
25 national and local significance, such as telecommunication facilities,
26 irrigation canals, water supply infrastructure or electric power lines;

27 k) *Sustainable* refer to the use of components of biological diversity in a

1 way and at a rate that does not lead to the long-term decline of
2 biological diversity, thereby maintaining its potential to meet the needs
3 and aspirations of the present and future generations.;

4 l) *Strict protection zones* refer to natural areas with high biodiversity
5 value which shall be closed to all human activity except for scientific
6 studies and ceremonial or religious use by the indigenous cultural
7 communities/indigenous peoples; may include habitats of threatened
8 species, or degraded areas that have been designated for restoration
9 and subsequent protection, even if these areas are still in various
10 stages of regeneration;

11 m) *Tenured migrants* refer to protected area occupants who have been
12 actually, continuously and presently occupying a portion of the
13 protected area for five (5) years before the proclamation or law
14 establishing the same as a protected area, and are solely dependent
15 therein for subsistence; and

16 n) *Zones* refer to the divisions within the PPL consisting of levels of
17 protection and permitted use of natural resources such as strict
18 protection zone, sustainable-use zone, restoration zone, multiple-use
19 zone and special-use zone, as provided under existing rules and
20 regulations of the NIPAS.

21 *Sec. 4. Land Classification as a National Park.* – The PPL is comprised of a
22 parcel of land of the public domain located in the municipalities of Palompon, Matag-
23 ob and Villaba in the Province of Leyte, and covering the proclaimed Palompon
24 Watershed Forest Reserve. All lands within the coverage and scope of the PPL shall
25 fall under the classification of national park as provided for in Article XII, SEC. 3 of
26 the Constitution.

27 *Sec. 5. Scope and Coverage.* – The boundaries of the PPL are more
28 particularly described as the area beginning at a point marked "1" on S89-31-22E;

1 2,457.06 meters from PRS Control Monument "LYT-3199" (11°03'58.01277 N
2 Latitude, 124°22'43.14507 E" Longitude) located in Barangay San Juan, Palompon,
3 Leyte;

4	Thence	N 29-57-24 E,	861.06	meters to corner 2;
5	Thence	N 71-23-09 E,	450.05	meters to corner 3;
6	Thence	S 87-26-02 E,	695.53	meters to corner 4;
7	Thence	S 87-26-02 E,	268.47	meters to corner 5;
8	Thence	N 43-13-58 E,	150.51	meters to corner 6;
9	Thence	N 14-04-17 E,	275.28	meters to corner 7;
10	Thence	N 26-36-50 W,	200.02	meters to corner 8;
11	Thence	N 00-23-10 E,	200.02	meters to corner 9;
12	Thence	N 16-37-11 W,	350.41	meters to corner 10;
13	Thence	N 01-13-42 W,	254.55	meters to corner 11;
14	Thence	N 29-36-49 W,	139.86	meters to corner 12;
15	Thence	N 42-11-38 W,	253.07	meters to corner 13;
16	Thence	N 20-46-58 W,	633.69	meters to corner 14;
17	Thence	N 26-07-05 E,	313.32	meters to corner 15;
18	Thence	N 36-26-57 E,	530.01	meters to corner 16;
19	Thence	N 17-30-50 E,	482.59	meters to corner 17;
20	Thence	N 13-50-44 E,	454.68	meters to corner 18;
21	Thence	N 14-43-43 W,	387.53	meters to corner 19;
22	Thence	N 02-41-25 E,	635.45	meters to corner 20;
23	Thence	N 41-09-55 E,	349.44	meters to corner 21;
24	Thence	N 09-59-36 E,	255.3	meters to corner 22;
25	Thence	N 16-47-01 W,	555.81	meters to corner 23;

1	Thence	N 42-24-33 E,	367.78	meters to corner 24;
2	Thence	N 04-15-46 W,	295.07	meters to corner 25;
3	Thence	N 14-24-30 E,	347.33	meters to corner 26;
4	Thence	N 19-57-18 E,	625.66	meters to corner 27;
5	Thence	N 32-37-20 E,	787.22	meters to corner 28;
6	Thence	N 32-23-40 E,	202.04	meters to corner 29;
7	Thence	S 56-16-16 E,	519.28	meters to corner 30;
8	Thence	S 25-41-10 E,	504.76	meters to corner 31;
9	Thence	S 53-23-33 E,	569.85	meters to corner 32;
10	Thence	S 8-26-36 W,	595.48	meters to corner 33;
11	Thence	S 37-47-28 E,	236.3	meters to corner 34;
12	Thence	S 15-24-19 E,	541.02	meters to corner 35;
13	Thence	S 60-06-44 E,	279.21	meters to corner 36;
14	Thence	S 15-35-26 W,	299.18	meters to corner 37;
15	Thence	S 20-38-55 W,	354.8	meters to corner 38;
16	Thence	S 16-15-13 E,	509.95	meters to corner 39;
17	Thence	S 60-53-14 W,	300.03	meters to corner 40;
18	Thence	S 29-06-46 E,	224.47	meters to corner 41;
19	Thence	S 07-38-44 E,	218.84	meters to corner 42;
20	Thence	S 68-32-18 E,	429.6	meters to corner 43;
21	Thence	N 88-57-50 E,	426.15	meters to corner 44;
22	Thence	N 59-54-09 E,	352.19	meters to corner 45;
23	Thence	S 39-51-22 E,	471.19	meters to corner 46;
24	Thence	S 37-36-47 E,	325.03	meters to corner 47;
25	Thence	S 42-36-47 E,	300.02	meters to corner 48;

1	Thence	N 42-34-13 E,	171.13	meters to corner 49;
2	Thence	N 06-13-35 E,	468.13	meters to corner 50;
3	Thence	S 74-42-49 E,	381.05	meters to corner 51;
4	Thence	N 04-38-52 W,	266.11	meters to corner 52;
5	Thence	N 36-38-28 E,	246.1	meters to corner 53;
6	Thence	S 77-33-04 E,	409.4	meters to corner 54;
7	Thence	S 11-38-16 E,	194.69	meters to corner 55;
8	Thence	S 31-47-53 E,	509.93	meters to corner 56;
9	Thence	S 53-08-24 E,	473.84	meters to corner 57;
10	Thence	S 13-36-48 E,	499.76	meters to corner 58;
11	Thence	S 33-29-25 W,	484.69	meters to corner 59;
12	Thence	S 00-23-12 W,	150.01	meters to corner 60;
13	Thence	S 22-19-19 W,	394.38	meters to corner 61;
14	Thence	S 24-06-49 E,	250.02	meters to corner 62;
15	Thence	S 65-53-11 W,	190.84	meters to corner 63;
16	Thence	S 33-31-42 W,	367.21	meters to corner 64;
17	Thence	S 02-13-56 E,	708.3	meters to corner 65;
18	Thence	S 88-35-40 W,	326.99	meters to corner 66;
19	Thence	53-32-17 W,	139.15	meters to corner 67;
20	Thence	S 12-23-25 E,	237.15	meters to corner 68;
21	Thence	S 49-36-51 E,	150.01	meters to corner 69;
22	Thence	S 11-06-51 E,	200.01	meters to corner 70;
23	Thence	S 33-49-29 E,	324.93	meters to corner 71;
24	Thence	S 15-23-9 W,	250.02	meters to corner 72;
25	Thence	S 06-36-52 E,	200.01	meters to corner 73;

1	Thence	S 23-23-08 W,	200.01	meters to corner 74;
2	Thence	S 10-36-52 E,	223.12	meters to corner 75;
3	Thence	S 29-35-55 W,	379.3	meters to corner 76;
4	Thence	S 48-53-07 W,	515.01	meters to corner 77;
5	Thence	S 51-13-09 W,	527.69	meters to corner 78;
6	Thence	S 33-25-35 W,	255.58	meters to corner 79;
7	Thence	S 52-35-13 E,	207.36	meters to corner 80;
8	Thence	S 23-30-47 E,	313.93	meters to corner 81;
9	Thence	S 05-22-23 E,	452.97	meters to corner 82;
10	Thence	S 32-47-30 W,	330.98	meters to corner 83;
11	Thence	S 18-8-56 W,	210.68	meters to corner 84;
12	Thence	S 23-59-33 E,	286.52	meters to corner 85;
13	Thence	S 52-53-45 W,	438.42	meters to corner 86;
14	Thence	S 43-54-50 W,	453.04	meters to corner 87;
15	Thence	N 72-36-56 W,	150.01	meters to corner 88;
16	Thence	N 10-01-46 W,	287	meters to corner 89;
17	Thence	N 02-48-59,	338.51	meters to corner 90;
18	Thence	N 15-36-55 W,	225.02	meters to corner 91;
19	Thence	N 23-36-55 W,	325.03	meters to corner 92;
20	Thence	N 74-50-20 W,	255.19	meters to corner 93;
21	Thence	S 46-19-45 W,	340.58	meters to corner 94;
22	Thence	S 31-23-05 W,	458.56	meters to corner 95;
23	Thence	S 50-29-22 W,	342.87	meters to corner 96;
24	Thence	N 81-44-10 W,	215.83	meters to corner 97;
25	Thence	N 54-36-56 W,	550.05	meters to corner 98;

1	Thence	S 76-23-05 W,	250.02	meters to corner 99;
2	Thence	N 50-10-25 W,	149.15	meters to corner 100;
3	Thence	N 86-36-55 W,	375.04	meters to corner 101;
4	Thence	S 88-23-05 W,	350.03	meters to corner 102;
5	Thence	N 49-11-11 W,	397.59	meters to corner 103;
6	Thence	N 75-47-33 W,	291.44	meters to corner 104;
7	Thence	N 48-36-55 W,	150.02	meters to corner 105;
8	Thence	N 16-36-55 W,	350.04	meters to corner 106;
9	Thence	N 47-17-33 W,	332.22	meters to corner 107;
10	Thence	N 87-11-47 W,	341.69	meters to corner 108;
11	Thence	N 77-41-15 W,	376.01	meters to corner 109;
12	Thence	N 64-51-12 W,	473.83	meters to corner 110;
13	Thence	N 13-48-56 W,	285.97	meters to corner 111;
14	Thence	N 44-29-51 W,	370.25	meters to corner 112;
15	Thence	N 65-34-14 W,	470.85	meters to corner 113;
16	Thence	N 16-35-48 W,	231.03	meters to corner 114;
17	Thence	N 8-15-06 W,	150.72	meters to corner 115;
18	Thence	N 21-26-04 E,	419.46	meters to corner 116;

19 Thence N 28-38-42 E, 389.26 meters to corner 1, the point of beginning,
20 containing an area of TWO THOUSAND THREE HUNDRED NINETY TWO (2,392.0)
21 HECTARES, more or less.

22 The technical descriptions provided in this Act shall be subject to ground
23 survey and verification to be conducted by the DENR within ninety (90) days after
24 the effectivity of this Act. Once surveyed and verified on the ground, the Department
25 of Environment and Natural Resources (DENR) shall mark on the ground the
26 boundaries set forth in this Act which shall not be modified except by an act of

1 Congress. Any modification of the coverage of this Act due to such factors as
2 changing ecological situations, new scientific or archaeological findings, or discovery
3 of traditional boundaries not previously taken into account, and supported through
4 sound technical and scientific basis, shall be made through an act of Congress, after
5 consultation with the affected public and concerned government agencies.

6 *Sec. 6. Establishment of Buffer Zones.* – There is hereby established a 1,000
7 meters buffer zone extending from the boundaries based on the technical
8 descriptions provided in this Act, for the purpose of providing an extra layer of
9 protection where restrictions may be applied: Provided, That, in cases where the
10 designated buffer zone would cover private lands, the owners thereof shall be
11 required to design their development with due consideration to the protected area
12 management plan. The Department of Environment and Natural Resources (DENR)
13 Secretary, upon the recommendation of the Protected Area Management Board
14 (PAMB) created under SEC. 7 of this Act, may designate areas surrounding the PPL
15 as additional buffer zones.

16 **ARTICLE II**
17 **MANAGEMENT MECHANISMS**

18 *Sec. 7. Palompon Protected Landscape- Protected Area Management Board*
19 *(PPL-PPL-PAMB).* – Within ninety (90) days from the effectivity of this Act, a
20 Protected Area Management Board (PPL-PAMB) shall be created to oversee the
21 management of the PPL. The PPL-PPL-PAMB shall be composed of the following:

- 22 a) DENR Regional Executive Director for Region VIII, as Chairperson;
- 23 b) Governor of the Province of Leyte or his/her duly authorized
24 representative;
- 25 c) Senators of the Republic of the Philippines who are duly registered
26 residents of Leyte, or their duly designated representatives, unless the
27 Senators decline the membership in the PPL-PAMB;

- 1 d) District Representative of the Congressional District where the PPL is
2 located, or his/her duly designated representative, unless the District
3 Representative declines the membership in the PPL-PAMB;
- 4 e) Mayors of the municipalities of Palompon, Matag-ob and Villaba in the
5 Province of Leyte or their duly authorized representatives;
- 6 f) Chairpersons of all the barangays with territorial jurisdiction over the
7 PPL;
- 8 g) Regional Directors of the following government agencies, namely:
9 Department of Agriculture (DA), National Economic and Development
10 Authority (NEDA), Department of Science and Technology (DOST),
11 Philippine National Police (PNP), Department of National Defense
12 (DND), and the Department of Tourism (DOT);
- 13 h) Three (3) representatives from either NGOs, or people's organizations
14 (POs) based in the Province of Leyte, duly accredited both by the DENR
15 and the provincial government. The NGOs or POs represented should
16 have been in existence for at least five (5) years and must have a
17 record of accomplishments in the field of protected area management;
- 18 (i) One (1) representative from an academic institution, preferably from a
19 university or college in the Province of Leyte, with a record of
20 accomplishments in or related to protected area management; and
- 21 i) One (1) representative from the private sector, preferably a resident of
22 the Province of Leyte, who is distinguished in a profession or field of
23 interest relevant to the protected area management.

24 The terms of office of members of the PPL- PPL-PAMB, as well as the grounds
25 for their removal, shall be in accordance with the provisions of Republic Act No.
26 7586, otherwise known as the "National Integrated Protected Areas System Act of
27 1992," as amended by Republic Act No. 11038, otherwise known as the "Expanded

1 National Integrated Protected Areas System Act of 2018.

2 Sec. 8. *Powers and Functions of the PPL-PPL-PAMB.* – The PPL-PPL-PAMB
3 shall have the following powers and functions:

- 4 a) Oversee the management of the protected area;
- 5 b) Approve policies, plans and programs, proposals, agreements, and
6 other related documents for the management of the protected areas;
- 7 c) Adopt a manual of operations to include rules of procedures in the
8 conduct of business, and the creation of committees and their
9 respective terms of reference;
- 10 d) Recommend the deputation of appropriate agencies and individuals for
11 the enforcement of the laws, rules and regulations governing the
12 management of the protected area;
- 13 e) Allocate financial resources for the implementation of the management
14 plan and manage the Protected Area Retention Income Account and
15 other funds in accordance with government accounting, budgeting, and
16 auditing rules and regulations;
- 17 f) Set fees and charges in accordance with existing guidelines;
- 18 g) Issue rules and regulations for the resolution of conflicts through
19 appropriate and effective means;
- 20 h) Recommend appropriate policy changes to the DENR and other
21 government authorities with respect to the management of the PPL;
- 22 i) Monitor and assess the performance of the Protected Area
23 Superintendent (PASu) and other protected area personnel, and
24 compliance of partners with the terms and conditions of any
25 undertaking, contract or agreement relative to any project or activity

1 within the PPL;

2 j) Recommend from among a shortlist of qualified candidates, the
3 designation or appointment of the PASu; and

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

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

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

- 1 a) Prepare the management plan, in consultation with the stakeholders,
2 including the annual work and financial plan and ensure its
3 implementation;
- 4 b) Ensure the integration of the protected area management plans,
5 programs, projects, and policies with relevant national and LGUs' plans
6 and programs;
- 7 c) Provide secretariat services to the PPL-PAMB and its committees and
8 ensure the availability of relevant and timely information for decision-
9 making;
- 10 d) Formulate and recommend to the PPL-PAMB proposed policies, rules,
11 regulations, and programs;
- 12 e) Establish, operate, and maintain a database management system which
13 shall be an important basis for decision-making;
- 14 f) Enforce the laws, rules and regulations relevant to the protected area,
15 commence and institute administrative and legal actions in collaboration
16 with other government agencies or organizations, and assist in the
17 prosecution of offenses committed in violation of the provisions of this
18 Act;
- 19 g) Monitor, evaluate, and report the implementation of management
20 activities of the protected area;
- 21 h) Request for and receive any technical assistance, support or advice
22 from any agency or instrumentality of the government as well as
23 academic institutions, NGOs, and the private sector, as may be
24 necessary for the effective management, protection and administration
25 of the protected area;

- 1 (i) Issue permits and clearances for activities that implement the
2 management plan and other permitted activities in accordance with the
3 terms, conditions, and criteria established by the PPL-PAMB: *Provided,*
4 That all permits for extraction of natural resources, including collection
5 of wildlife, and its by-products or derivatives for research purposes,
6 shall continue to be issued by relevant authorities, subject to prior
7 clearance from the PPL-PAMB, through the PASu, in accordance with
8 the specific acts to be covered;
- 9 i) Collect and receive pertinent fees, charges, donations, and other
10 income for the protected area: *Provided,* That such fees, charges,
11 donations, and other income collected and received shall be reported
12 regularly to the PPL-PAMB and the DENR in accordance with existing
13 guidelines;]
- 14 j) Prepare and recommend to the PPL-PAMB, approval of the annual work
15 and financial plans of the protected area based on the management
16 plan; and
- 17 k) Perform such other functions as the PPL-PAMB and the DENR may
18 assign.

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

22 **ARTICLE III**
23 **PROCEEDS AND FEES**

24 *Sec. 10. The Palompon Protected Landscape Integrated Protected Area Fund.*
25 – There is hereby established a trust fund to be known as the Palompon Protected
26 Landscape Integrated Protected Area Fund (PPL-IPAF) for purposes of financing the
27 projects of the PPL and the NIPAS. All income generated from the operation and
28 management of wild flora and fauna in the PPL shall accrue to the PPL-IPAF. The

1 income shall be derived from fees from permitted sale and export of flora and fauna
2 and other resources; from the PPL proceeds; from lease of multiple-use areas;
3 contributions from industries and facilities directly benefiting from the PPL; and such
4 other fees and income derived from the operation of the PPL.

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

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

21 The LGUs shall continue to impose taxes and collect all other fees not
22 enumerated herein that they have traditionally collected, such as fees for business
23 permit applications, property taxes and rental fees of LGUs' facilities.

24 **ARTICLE IV**
25 **TRANSITORY AND MISCELLANEOUS PROVISIONS**

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

1 Sec. 12. *Supplementary Application of the NIPAS Law.* – The provisions of
2 Republic Act No. 7586, as amended by Republic Act No. 11038, shall have
3 supplementary application to this Act. All prohibited acts and corresponding penalties
4 imposed thereof as defined under Sections 20 and 21, including the applicable new
5 sections added after Section 21 of RA 7586 as amended by RA 11038 are hereby
6 integrated and shall form part of this Act.

7 Sec. 13. *Implementing Rules and Regulations.* – Within ninety (90) days from
8 the effectivity of this Act, the Secretary of the DENR shall, in consultation with the
9 local governments of the municipalities of Palompon, Matag-ob and Villaba, the
10 Provincial Government of Leyte, and concerned national government agencies, issue
11 the corresponding rules and regulations for the effective implementation of this Act.

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

15 Sec. 15. *Repealing Clause.* – All laws, decrees, executive orders, rules and
16 regulations, issuances and local ordinances or parts thereof that are contrary to or
17 inconsistent with the provisions of this Act are hereby repealed or modified
18 accordingly.

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

Approved,