

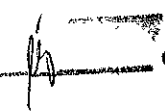
FOURTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*

SENATE  
OFFICE OF THE SECRETARY

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} 7 JUL -3 P6:14

SENATE

S. B. No. 901

RECEIVED BY: 

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Introduced by SENATOR EDGARDO J. ANGARA

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EXPLANATORY NOTE

*"Only when the last tree has died and the last river has been poisoned and the last fish has been caught will we realize that we cannot eat money."*

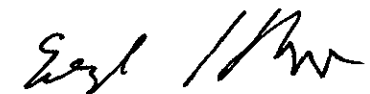
So goes the Cree Indian saying. Conservation of the earth's biological diversity is steadily being recognized as the most fundamental of all environmental issues, and its preservation as the most important challenge of the 21<sup>st</sup> century.

Our own Philippine ecosystem is the "hottest" among the bio-diversity "hotspots" because it has the most number of species per square kilometer of territory, but unfortunately, the rate of habitat destruction in our country is also one of the highest in the world.

As a strategic preventive and conservation measure, this bill seeks to provide for the establishment of the Subic Watershed Forest Reserve and the Bataan Natural Park as protected areas. The necessary action must be done so as not to allow such areas to turn into irreparable bio-diversity hotspots.

This imperative piece of legislation would supplement Republic Act No. 7586 or the National Integrated Protected Areas System Act and would also be a noteworthy compliance with our country's international commitments. Furthermore, its passage will be a major leap towards the sustainable development and management of our national ecological treasures, as the bill seeks to respond and balance the objectives of biodiversity and the needs of the upland and lowland residents in and around the protected and buffer areas.

With this backdrop, I urge my colleagues in this Chamber to rally for the passage of this bill.

  
EDGARDO J. ANGARA  
Senator



- 1 a) ***“Biodiversity”*** shall refer to the variety and variability among all  
2 living organisms and the ecological complexes in which they occur;
- 3 b) ***“Bioprospecting”*** shall refer to the research, collection and utilization  
4 of biological and genetic resources, for the purpose of applying the  
5 knowledge derived therefrom to make or modify products or processes  
6 and their derivatives for scientific, agricultural, industrial, and other  
7 applications;
- 8 c) ***“Buffer zone”*** shall refer to identified areas outside the boundaries of  
9 and immediately adjacent to the SBNP pursuant to Section 5 hereof  
10 that need special development control in order to avoid or minimize  
11 harm to the protected area;
- 12 d) ***“By-product”*** shall refer to any part taken from wild species such as,  
13 but not limited to, hides, antlers, feathers, fur, teeth, claws, internal  
14 organs, eggs, guano, roots, trunk, branches, leaves, stems, flowers and  
15 any other item produced out of or utilizing wildlife or any of its parts;
- 16 e) ***“Convention on International Trade of Endangered Species***  
17 ***(CITES)”*** shall refer to the international convention of flora and fauna  
18 including all its appendices referring to the lists of species regulated  
19 therein;
- 20 f) ***“Collection”*** shall refer to the act of gathering, harvesting, or catching  
21 wildlife, or the taking of any parts, derivatives or by-products;
- 22 g) ***“Commercial”*** shall refer to market sale in volume or value in excess  
23 of that required to maintain a basic subsistence for workers and their  
24 dependents;
- 25 h) ***“Department of Environment and Natural Resources (DENR)”***  
26 refers to the government agency created pursuant to Executive Order  
27 No. 192;
- 28 i) ***“Derivatives”*** shall refer to anything extracted from wild species such  
29 as, but not limited to, blood, oils, saliva, musks, resin, gum, seeds,  
30 spores, pollen and the like;
- 31 j) ***“Endangered species”*** shall refer to species or subspecies whose  
32 populations are in danger of extinction and whose survival is unlikely  
33 if the causal factors continue operating;
- 34 k) ***“Endemic species”*** shall refer to species or subspecies, which has  
35 limited distribution, often within the geographical limits of the State;

- 1       d) ***“Exotic species”*** shall refer to species or subspecies, which do not  
2       naturally occur within the biogeographic region of the SBNP at the  
3       present or historical time;
- 4       m) ***“Exploration”*** shall refer to searching or prospecting for mineral  
5       resources, as defined by law, by geological, geochemical or geophysical  
6       surveys, remote sensing, test pitting, trenching, shaft sinking,  
7       tunneling or any other means for the purpose of determining the  
8       existence, extent, quantity and quality thereof and feasibility of mining  
9       them for profit;
- 10      n) ***“Exploitation”*** shall refer to any mode of use, extraction,  
11      development, utilization or disposition of resources, for whatever  
12      purpose, whether commercial or otherwise;
- 13      o) ***“Habitat”*** shall refer to an area inhabited by wildlife in the natural  
14      state;
- 15      p) ***“ICC / IPs”*** shall refer to Indigenous Cultural  
16      Communities/Indigenous Peoples as defined in the IPRA, specifically  
17      the Agtas, Paranan and Kalinga within the SBNP;
- 18      q) ***“Indigenous species”*** shall refer to native Philippine species and/or  
19      subspecies with an existing or historical natural occurrence and  
20      distribution within the SBNP and its buffer zones;
- 21      r) ***“IPRA”*** shall refer to Republic Act No 8371 or the Indigenous Peoples  
22      Rights Act and its pertinent rules and regulations;
- 23      s) ***“Kaingin”*** shall refer to the slash and burn of vegetation to clear the  
24      land for agricultural purposes;
- 25      t) ***“Large-scale infrastructure projects”*** shall refer to major port  
26      facilities, major highways, tall edifice, major dams, and the like;
- 27      u) ***“Multiple-use zones”*** shall refer to areas where settlement,  
28      traditional and/or sustainable land use, including agriculture,  
29      agroforestry, extraction activities and other income generating or  
30      livelihood activities may be allowed to the extent prescribed in the  
31      management plan;
- 32      v) ***“Natural park”*** shall refer to a relatively large area not materially  
33      altered by human activity where extractive resource use and large-  
34      scale infrastructure projects are not allowed in its strict protection  
35      zones and maintained to protect outstanding natural and scenic areas

- 1 of national or international significance for educational, scientific and  
2 recreational use;
- 3 w) **“NIPAS Act”** shall refer to the National Integrated Protected Areas  
4 System Act of 1992 or Republic Act No. 7586, and its pertinent rules  
5 and regulations;
- 6 x) **“Non-government organization (NGO)”** shall refer to any civic,  
7 development, conservation or philanthropic, non-stock, no-profit  
8 organization, duly registered, having by-laws, a democratically elected  
9 representation and multi-sectoral in character;
- 10 y) **“Non-renewable resources”** shall refer to those resources within the  
11 SBNP and its buffer zones, the natural replenishment rate of which is  
12 not known;
- 13 z) **“PASu”** shall refer to the Protected Area Superintendent;
- 14 aa) **“PAMB”** shall refer to the Protected Area Management Board;
- 15 bb) **“People’s organization”** shall refer to any organized group of people  
16 residing within the SBNP and its buffer zones formed to advance the  
17 interest of the sector they represent;
- 18 cc) **“Protected area”** shall refer to identified portions of land and water  
19 set aside by reason of their unique physical and biological significance,  
20 managed to enhance biological diversity and protected against  
21 destructive human exploitation, and unless the context otherwise  
22 provides, shall refer to the SBNP;
- 23 dd) **“Protected Species”** shall refer to any plant or animal that is  
24 declared ‘protected’ under Philippine laws, rules and regulations.  
25 These also include all plants and animals listed under the Convention  
26 of International Trade of Endangered Species (CITES) and all its  
27 Annexes, the Bonn Convention on Migratory Animals, those specified  
28 under the red-list categories of the International Union for the  
29 Conservation of Nature (IUCN), or any plant or animal which the  
30 PAMB may deem necessary for conservation and preservation in the  
31 SBNP;
- 32 ee) **“Quarrying”** shall refer to the process of extracting, removing and  
33 disposing quarry resources, as defined by law, found on or underneath  
34 the surface of private or public land;
- 35 ff) **“Recreation zones”** shall refer to areas of high recreational, tourism,  
36 educational or environmental awareness values where sustainable eco-

- 1 tourism, recreational, conservation, education or public awareness  
2 activities may be allowed as prescribed in the management plan;
- 3 gg) ***“Special use zones”*** shall refer to areas containing existing  
4 installations of national significance such as telecommunication  
5 facilities, irrigation canals or electric power lines;
- 6 hh) ***“Sustainable use”*** shall refer to the use of components of  
7 biological diversity in a way and at a rate that does not lead the decline  
8 of the species used and not causing permanent or long-term  
9 diminishment or qualitative degradation of biological species,  
10 ecological functions or of other resources extracted or disturbed  
11 thereby maintaining its potential to meet the needs and aspirations of  
12 the present and future Filipino generations;
- 13 ii) ***“Strict protection zones”*** shall refer to areas with high biodiversity  
14 value which shall be closed to all human activity except for scientific  
15 studies and/or ceremonial or religious use ICCs/IPs;
- 16 jj) ***“Tenured migrants”*** shall refer to individuals and households within  
17 the SBNP who actually and continuously occupied such areas for five  
18 (5) YEARS PRIOR TO the Presidential Proclamation of the Subic  
19 Watershed Forest Reserve and Bataan Natural Park as protected area  
20 and are substantially dependent therein for subsistence;
- 21 kk) ***“Traditional”*** shall refer to using no power machinery resource  
22 in extraction process and consistent with historically customary  
23 techniques of production;
- 24 ll) ***“Wildlife”*** shall refer to wild forms and varieties of flora and fauna,  
25 including captive-bred or propagated individuals, parts, derivatives  
26 and by-products thereof; AND
- 27 mm) ***“Zones”*** shall refer to the divisions within the SBNP into levels  
28 of protection and permitted use of natural resources such as strict  
29 protection zone, sustainable use zone, restoration zone, habitat  
30 management zone, multiple-use zone, cultural zone, recreational zone  
31 and special use zone, as provided under existing rules and regulations;
- 32

33 **SECTION 4. *Declaration and Scope.*** – Pursuant to and in  
34 accordance with the NIPAS Act, the Subic-Bataan Natural Park within the  
35 Island of Luzon is hereby declared and established as a protected area and

1 part of the National Integrated Protected Area Systems under the category of  
2 a natural park as defined herein.

3 The boundaries of the Subic-Bataan Natural Park (SBNP) and its  
4 boundaries are hereby described as follows:

5 **PARCEL 1:** Beginning at point 1 on the Map which is marked on the  
6 Nabasan Wharf with coordinates of 120.2771 Latitude and 14.7963  
7 Longitude towards point 2 in the general direction of the Ilanin River,  
8 thence, the coordinates of the other corners of the boundary of Parcel 1 (Subic  
9 Watershed protected area) of the Subic-Bataan Natural Park are as follows:

10

11	CORNER/STATION	LATITUDE (000.0000°)	
12	LONGITUDE (000.0000°)		
13	001	120.2271	14.7963
14	002	120.2685	14.7922
15	003	120.2692	14.7899
16	004	120.2671	14.7880
17	005	120.2761	14.7855
18	006	120.2783	14.7810
19	007	120.2768	14.7782
20	008	120.2746	14.7793
21	009	120.2727	14.7788
22	010	120.2739	14.7766
23	011	120.2724	14.7765
24	012	120.2705	14.7758
25	013	120.2688	14.7759
26	014	120.2675	14.7768
27	015	120.2627	14.7771
28	016	120.2639	14.7748
29	017	120.2634	14.7727
30	018	120.2602	14.7723
31	019	120.2579	14.7723
32	020	120.2561	14.7737
33	021	120.3562	14.7751
34	022	120.2545	14.7756
35	023	120.2538	14.7729
36	024	120.2528	14.7720

1	025	120.2550	14.7706
2	026	120.2563	14.7709
3	027	120.2585	14.7685
4	028	120.2567	14.7669
5	030	120.2533	14.7660
6	031	120.2510	14.7667
7	032	120.2492	14.7668
8	033	120.2468	14.7675
9	034	120.2442	14.7669
10	035	120.2421	14.7656
11	036	120.2404	14.7639
12	037	120.2428	14.7616
13	038	120.2453	14.7598
14	039	120.2466	14.7574
15	040	120.2462	14.7551
16	041	120.2455	14.7533
17	042	120.2471	14.7517
18	043	120.2492	14.7505
19	044	120.2509	14.7485
20	045	120.2538	14.7467
21	046	120.2568	14.7466
22	047	120.2595	14.7461
23	048	120.2622	14.7460
24	049	120.2651	14.7469
25	050	120.2685	14.7469
26	051	120.2712	14.7458
27	052	120.2742	14.7464
28	053	120.2754	14.7446
29	054	120.2744	14.7420
30	055	120.2945	14.7386
31	056	120.2973	14.7390
32	057	120.3015	14.7392
33	058	120.3074	14.7390
34	059	120.3138	14.7385
35	060	120.3139	14.7387
36	061	120.3236	14.7381



1	062	120.3284	14.7394
2	063	120.3338	14.7423
3	064	120.3533	14.7440
4	065	120.3550	14.7468
5	066	120.3728	14.7460
6	067	120.3766	14.7485
7	068	120.3782	14.7503
8	069	120.3803	14.7554
9	070	120.3856	14.7576
10	071	120.3855	14.7614
11	072	120.3804	14.7618
12	073	120.3785	14.7649
13	074	120.3704	14.7629
14	075	120.3647	14.7602
15	076	120.3699	14.7650
16	077	120.3686	14.7662
17	078	120.3702	14.7691
18	079	120.3712	14.7728
19	080	120.3712	14.7745
20	081	120.3710	14.7769
21	082	120.3708	14.7807
22	083	120.3705	14.7831
23	084	120.3708	14.7853
24	085	120.3727	14.7894
25	086	120.3723	14.7925
26	087	120.3716	14.7954
27	088	120.3683	14.7997
28	089	120.3664	14.8030
29	090	120.3655	14.8087
30	091	120.3644	14.8101
31	092	120.3633	14.8105
32	093	120.3620	14.8107
33	094	120.3615	14.8114
34	095	120.3615	14.8127
35	096	120.3624	14.8147
36	097	120.3631	14.8166

1	098	120.3631	14.8191
2	099	120.3626	14.8213
3	100	120.3618	14.8228
4	101	120.3604	14.8245
5	102	120.3628	14.8263
6	103	120.3605	14.8298
7	104	120.3512	14.8294
8	105	120.3384	14.8182
9	106	120.3207	14.8352
10	107	120.3084	14.8359
11	108	120.3038	14.8381
12	109	120.2957	14.8398
13	110	120.2941	14.8430
14	111	120.2959	14.8464
15	112	120.2962	14.8488
16	113	120.2934	14.8486
17	114	120.2887	14.8462
18	115	120.2896	14.8435
19	116	120.2876	14.8412
20	117	120.2880	14.8387
21	118	120.2946	14.8358
22	119	120.2921	14.8343
23	120	120.2929	14.8328
24	121	120.2976	14.8318
25	122	120.3045	14.8205
26	123	120.3156	14.8207
27	124	120.3164	14.8170
28	125	120.3211	14.8160
29	126	120.3227	14.8098
30	127	120.3284	14.8054
31	128	120.3283	14.7940
32	129	120.3244	14.8016
33	130	120.3166	14.7986
34	131	120.3114	14.7986
35	132	120.3057	14.8031
36	133	120.3045	14.8067

1	134	120.3053	14.8082
2	135	120.3028	14.8091
3	136	120.3014	14.8119
4	137	120.2985	14.8128
5	138	120.2985	14.8152
6	139	120.3031	14.8160
7	140	120.3027	14.8188
8	141	120.2986	14.8187
9	142	120.2929	14.8167
10	143	120.2919	14.8135
11	144	120.2979	14.8100
12	145	120.2978	14.8049
13	146	120.3102	14.7936
14	147	120.3132	14.7853
15	148	120.2882	14.7947
16	149	120.2854	14.7918
17	150	120.2814	14.7915
18	151	120.2788	14.7936

19

20 Thence, from the last corner marked corner/station 151, a point on the  
 21 map at the Nabasan Mangrove, to corner/station 1, the point of beginning due  
 22 northwest, representing the perimeter of Parcel 1 of the Subic-Bataan  
 23 Natural Ark (Subic Watershed Forest Reserve) with an approximate area of  
 24 **Nine Thousand Two Hundred (9,200) hectares.**

25 **PARCEL 2:** Beginning at a point 1 on the Map which is marked as  
 26 corner "1" which is approximately 2,800 meters at S 22° E from MBM No. 1 in  
 27 the Morong Cadastre which lies beside the US Naval Base Radar  
 28 Station/Lighthouse located on the Mt. Sta. Rita Peak, Hermosa, Bataan with  
 29 the coordinates: *Latitude* and *Longitude* towards point 2 in the general  
 30 direction of the Ilanin River, thence, the coordinates of the other corners of  
 31 the boundary of Parcel 2 (Bataan Natural Park) of the Subic-Bataan Natural  
 32 Park are as follows:

33

34 CORNER/STATION	LATITUDE (000.00000)	LONGITUDE
35 (000.00000)		
36 001	120.36290	14.82633

1	002	120.36040	14.82454
2	003	120.36180	14.82279
3	004	120.36263	14.82125
4	005	120.36310	14.81905
5	006	120.36310	14.81664
6	007	120.36240	14.81467
7	008	120.36200	14.81357
8	009	120.36150	14.81269
9	010	120.36150	14.81137
10	011	120.36200	14.81072
11	012	120.36330	14.81050
12	013	120.36440	14.81006
13	014	120.36550	14.80874
14	015	120.36590	14.80676
15	016	120.36610	14.80479
16	017	120.36640	14.80304
17	018	120.36720	14.80150
18	019	120.36830	14.79974
19	020	120.37030	14.7973
20	021	120.37160	14.79535
21	022	120.37230	14.79250
22	023	120.37290	14.79031
23	024	120.37270	14.78943
24	025	120.37080	14.78526
25	026	120.37050	14.78307
26	027	120.37080	14.78065
27	028	120.37100	14.77692
28	029	120.37120	14.77451
29	030	120.37120	14.77275
30	031	120.37020	14.76913
31	032	120.36860	14.76623
32	033	120.36990	14.76497
33	034	120.36470	14.76020
34	035	120.37040	14.76288
35	036	120.27850	14.76488
36	037	120.38040	14.76182

1	038	120.38550	14.76137
2	039	120.38530	14.75764
3	040	120.38030	14.75542
4	041	120.37820	14.75026
5	042	120.37660	14.74853
6	043	120.37280	14.74600
7	044	120.35500	14.74678
8	045	120.35330	14.74403
9	046	120.33380	14.74231
10	047	120.33110	14.74093
11	048	120.32840	14.73940
12	049	120.32630	14.73874
13	050	120.32360	14.73808
14	051	120.31990	14.73874
15	052	120.31180	14.73852
16	053	120.30740	14.73896
17	054	120.30150	14.73918
18	055	120.29730	14.73896
19	056	120.29450	14.73864
20	057	120.28860	14.72762
21	058	120.28640	14.72701
22	059	120.28550	14.72836
23	060	120.28610	14.73113
24	061	120.28750	14.73213
25	062	120.28880	14.73263
26	063	120.29060	14.73248
27	064	120.29010	14.73403
28	065	120.29170	14.73482
29	066	120.29217	14.73641
30	067	120.29450	14.73864
31	068	120.36290	14.82633
32	069	120.37820	14.83143
33	070	120.37220	14.83143
34	071	120.37330	14.83033
35	072	120.37500	14.82903
36	073	120.37600	14.82836

1	074	120.37530	14.82666
2	075	120.37540	14.82624
3	076	120.37560	14.82061
4	077	120.37410	14.81968
5	078	120.37320	14.82024
6	079	120.37290	14.81920
7	080	120.37220	14.81839
8	081	120.38270	14.81720
9	082	120.37230	14.81556
10	083	120.37090	14.81197
11	084	120.37320	14.81258
12	085	120.37310	14.81133
13	086	120.37330	14.80952
14	087	120.37340	14.80848
15	088	120.37290	14.80762
16	089	120.37240	14.80628
17	090	120.37270	14.80497
18	091	120.37310	14.80979
19	092	120.37370	14.80145
20	093	120.37440	14.80063
21	094	120.37490	14.79111
22	095	120.37590	14.79735
23	096	120.37860	14.79650
24	097	120.37990	14.79647
25	098	120.38140	14.79646
26	099	120.38300	14.79651
27	100	120.38490	14.79670
28	101	120.39020	14.80169
29	102	120.39130	14.79501
30	103	120.39550	14.79572
31	104	120.39490	14.80161
32	105	120.40020	14.80636
33	106	120.40090	14.80724
34	107	120.40140	14.80883
35	108	120.40170	14.81003
36	109	120.40240	14.81129

1	110	120.40240	14.81265
2	111	120.40210	14.81402
3	112	120.40190	14.81523
4	113	120.40290	14.81602
5	114	120.40300	14.81703
6	115	120.40270	14.81828
7	116	120.40270	14.82007
8	117	120.40300	14.82140
9	118	120.40510	14.82250
10	119	120.40560	14.82464
11	120	120.40630	14.82520
12	121	120.41060	14.82669
13	122	120.41010	14.82173
14	123	120.40990	14.81875
15	124	120.40870	14.81580
16	125	120.40790	14.81417
17	126	120.40750	14.81189
18	127	120.40640	14.80961
19	128	120.40500	14.80889
20	129	120.40460	14.80504
21	130	120.40390	14.80384
22	131	120.40350	14.79945
23	132	120.40030	14.79866
24	133	120.40180	14.79594
25	134	120.40190	14.79258
26	135	120.40120	14.79118
27	136	120.40200	14.79045
28	137	120.40350	14.79017
29	138	120.40450	14.79088
30	139	120.40580	14.79162
31	140	120.40610	14.79281
32	141	120.40620	14.79499
33	142	120.40600	14.79639
34	143	120.40550	14.79815
35	144	120.40510	14.79988
36	145	120.40580	14.80147

1	146	120.40830	14.80068
2	147	120.40910	14.80003
3	148	120.40860	14.79914
4	149	120.40860	14.79802
5	150	120.40860	14.79643
6	151	120.41080	14.79509
7	152	120.41080	14.79672
8	153	120.41590	14.80379
9	154	120.41340	14.80415
10	155	120.41230	14.80400
11	156	120.40800	14.80280
12	157	120.40650	14.80500
13	158	120.40810	14.80540
14	159	120.40920	14.80561
15	160	120.41060	14.80587
16	161	120.41080	14.80703
17	162	120.41060	14.80814
18	163	120.41180	14.80923
19	164	120.41080	14.81117
20	165	120.41110	14.81452
21	166	120.41240	14.81687
22	167	120.41320	14.81866
23	168	120.41300	14.81975
24	169	120.41330	14.82240
25	170	120.41370	14.82427
26	171	120.41470	14.82551
27	172	120.41940	14.82096
28	173	120.41670	14.82137
29	174	120.41700	14.81859
30	175	120.41560	14.81783
31	176	120.41580	14.81593
32	177	120.41460	14.81370
33	178	120.41540	14.81225
34	179	120.41620	14.81105
35	180	120.41990	14.80782
36	181	120.42200	14.80939



1	182	120.42370	14.81396
2	183	120.42700	14.81910
3	184	120.42920	14.81767
4	185	120.42950	14.81241
5	186	120.42940	14.81132
6	187	120.42880	14.81014
7	188	120.42830	14.80926
8	189	120.42690	14.80807
9	190	120.42560	14.80693
10	191	120.42510	14.80594
11	192	120.42450	14.80470
12	193	120.42370	14.80342
13	194	120.42370	14.80342
14	195	120.42450	14.80238
15	196	120.42550	14.80124
16	197	120.42640	14.80212
17	198	120.42670	14.80343
18	199	120.42680	14.80471
19	200	120.42740	14.80560
20	201	120.42810	14.80655
21	202	120.42880	14.80750
22	203	120.42960	14.80836
23	204	120.43050	14.80981
24	205	120.43100	14.81108
25	206	120.43150	14.81245
26	207	120.43440	14.81359
27	208	120.43270	14.80812
28	209	120.43660	14.80549
29	210	120.43450	14.80193
30	211	120.43870	14.79872
31	212	120.44230	14.79624
32	213	120.44470	14.49488
33	214	120.44380	14.79408
34	215	120.44320	14.79271
35	216	120.44290	14.79166
36	217	120.44190	14.78879

1	218	120.44210	14.78624
2	219	120.44110	14.78040
3	220	120.43630	14.77415
4	221	120.43600	14.76996
5	222	120.43330	14.77034
6	223	120.43210	14.76386
7	224	120.43110	14.76130
8	225	120.42930	14.76448
9	226	120.42880	14.76314
10	227	120.42940	14.76168
11	228	120.42760	14.76052
12	229	120.42570	14.76202
13	230	120.42490	14.76384
14	231	120.42240	14.76374
15	232	120.42380	14.76110
16	233	120.42500	14.75868
17	234	120.42450	14.75671
18	235	120.42490	14.75292
19	236	120.42680	14.75082
20	237	120.42740	14.75160
21	238	120.42800	14.75239
22	239	120.42880	14.75297
23	240	120.42980	14.75263
24	241	120.43080	14.75248
25	242	120.43190	14.75243
26	243	120.43290	14.75237
27	244	120.43390	14.75226
28	245	120.43490	14.75229
29	246	120.43550	14.75145
30	247	120.43570	14.75044
31	248	120.43560	14.74940
32	249	120.43570	14.74536
33	250	120.43600	14.74729
34	251	120.43620	14.74630
35	252	120.43670	14.74542
36	253	120.43730	14.74458

1	254	120.43810	14.43900
2	255	120.43910	14.74365
3	256	120.44010	14.74351
4	257	120.44110	14.74358
5	258	120.44210	14.74370
6	259	120.44300	14.74423
7	260	120.44400	14.74450
8	261	120.44170	14.74196
9	262	120.43930	14.74078
10	263	120.42440	14.73093
11	264	120.43870	14.72184
12	265	120.44690	14.71679
13	266	120.43090	14.69522
14	267	120.41770	14.69048
15	268	120.41460	14.67740
16	269	120.41910	14.67305
17	270	120.41170	14.66917
18	271	120.40460	14.66953
19	272	120.39720	14.33984
20	273	120.39720	14.66984
21	274	120.38880	14.65960
22	275	120.37530	14.65890
23	276	120.37180	14.65835
24	277	120.37130	14.65749
25	278	120.37090	14.65654
26	279	120.37070	14.65551
27	280	120.37070	14.65448
28	281	120.37080	14.65345
29	282	120.37080	14.65243
30	283	120.37080	14.65141
31	284	120.37060	14.65042
32	285	120.37030	14.64945
33	286	120.37040	14.64844
34	287	120.37090	14.64752
35	288	120.37130	14.64656
36	289	120.37160	14.64556

1	290	120.37170	14.64456
2	291	120.37170	14.64354
3	292	120.37170	14.64253
4	293	120.37180	14.64151
5	294	120.37190	14.64052
6	295	120.37150	14.63958
7	296	120.37110	14.63864
8	297	120.37070	14.63770
9	298	120.37040	14.63673
10	299	120.37040	14.63573
11	300	120.37060	14.63471
12	301	120.37050	14.63367
13	302	120.36960	14.63309
14	303	120.36920	14.63214
15	304	120.36890	14.63118
16	305	120.36820	14.63018
17	306	120.36830	14.62920
18	307	120.36770	14.62838
19	308	120.36670	14.62848
20	309	120.36640	14.62944
21	310	120.36620	14.63042
22	311	120.36570	14.63135
23	312	120.36480	14.63110
24	313	120.36410	14.63036
25	314	120.36340	14.62956
26	315	120.36240	14.62927
27	316	120.36150	14.62901
28	317	120.36080	14.62829
29	318	120.36010	14.62756
30	319	120.35910	14.62716
31	320	120.35810	14.62733
32	321	120.35720	14.62694
33	322	120.35670	14.62605
34	323	120.35640	14.62508
35	324	120.35610	14.62411
36	325	120.35510	14.62414

1	326	120.35500	14.62514
2	327	120.35510	14.62614
3	328	120.35510	14.62714
4	329	120.35480	14.62812
5	330	120.35440	14.62902
6	331	120.35390	14.62991
7	332	120.35340	14.63083
8	333	120.35290	14.63167
9	334	120.35290	14.63167
10	335	120.35270	14.63069
11	336	120.35240	14.62972
12	337	120.35240	14.62871
13	338	120.35210	14.62774
14	339	120.35190	14.62676
15	340	120.35150	14.62584
16	341	120.35100	14.62493
17	342	120.35020	14.62436
18	343	120.34920	14.62413
19	344	120.34820	14.62391
20	345	120.34730	14.62343
21	346	120.34640	14.62308
22	347	120.34550	14.62350
23	348	120.34470	14.62180
24	349	120.34460	14.62518
25	350	120.34460	14.62620
26	351	120.34470	14.62721
27	352	120.34480	14.62821
28	353	120.34410	14.63918
29	354	120.34480	14.63015
30	355	120.34310	14.63081
31	356	120.34220	14.63131
32	357	120.34280	14.63224
33	358	120.34290	14.63323
34	359	120.34320	14.63420
35	360	120.34310	14.63522
36	361	120.34230	14.63522

1	362	120.34230	14.63570
2	363	120.34120	14.66357
3	364	120.24040	14.63562
4	365	120.33970	14.63509
5	366	120.38880	14.63431
6	367	120.33780	14.63378
7	368	120.33680	14.63372
8	369	120.33590	14.63344
9	370	120.33500	14.63319
10	371	120.33450	14.63363
11	372	120.33350	14.63449
12	373	120.33250	14.63481
13	374	120.33180	14.63498
14	375	120.33230	14.63576
15	376	120.33210	14.63667
16	377	120.33270	14.63766
17	378	120.33340	14.63842
18	379	120.33420	14.63921
19	380	120.33510	14.63984
20	381	120.33580	14.64085
21	382	120.33650	14.64162
22	383	120.33690	14.64254
23	384	120.33600	14.64291
24	385	120.33500	14.64328
25	386	120.33430	14.64392
26	387	120.33360	14.64474
27	388	120.33320	14.64567
28	389	120.33330	14.64668
29	390	120.33350	14.64765
30	391	120.33390	14.64861
31	392	120.33440	14.64944
32	393	120.33530	14.64987
33	394	120.33630	14.65010
34	395	120.33730	14.65046
35	396	120.33760	14.65142
36	397	120.33780	14.65240

1	398	120.33800	14.65338
2	399	120.33810	14.65439
3	400	120.33810	14.65540
4	401	120.33720	14.65576
5	402	120.33620	14.65599
6	403	120.33520	14.65613
7	404	120.33420	14.65593
8	405	120.33320	14.65567
9	406	120.3320	14.65475
10	407	120.33240	14.65386
11	408	120.33140	14.65401
12	409	120.33040	14.65435
13	410	120.32950	14.65484
14	411	120.32860	14.65530
15	412	120.32770	14.65569
16	413	120.32670	14.65616
17	414	120.32610	14.65505
18	415	120.32520	14.65115
19	416	120.32430	14.65360
20	417	120.32100	14.65347
21	418	120.31750	14.65348
22	419	120.31470	14.65336
23	420	120.31320	14.65030
24	421	120.30960	14.34952
25	422	120.30870	14.65297
26	423	120.31030	14.65402
27	424	120.31210	14.65585
28	425	120.31380	14.65802
29	426	120.31150	14.65907
30	427	120.31110	14.62249
31	428	120.31110	14.66397
32	429	120.31110	14.66501
33	430	120.31250	14.66605
34	431	120.31220	14.66730
35	432	120.30850	14.66832
36	433	120.30830	14.66950

1	434	120.31010	14.67067
2	435	120.31130	14.67235
3	436	120.31450	14.67377
4	437	120.31250	14.67429
5	438	120.31370	14.67524
6	439	120.31480	14.67631
7	440	120.31660	14.67797
8	441	120.31570	14.68046
9	442	120.31250	14.68108
10	443	120.30890	14.68004
11	444	120.30570	14.68068
12	445	120.30450	14.67963
13	446	120.60210	14.67795
14	447	120.29920	14.67607
15	448	120.29690	14.67695
16	449	120.29720	14.67882
17	450	120.29620	14.68067
18	451	120.29480	14.68226
19	452	120.29430	14.64859
20	453	120.29200	14.65831
21	454	120.29360	14.68746
22	455	120.29040	14.68716
23	456	120.29040	14.68934
24	457	120.29100	14.69119
25	458	120.29200	14.69258
26	459	120.29320	14.69464
27	460	120.29510	14.69834
28	461	120.29980	14.70051
29	462	120.30410	14.70147
30	463	120.30740	14.70141
31	464	120.31020	14.70132
32	465	120.31360	14.70161
33	466	120.31420	14.70246
34	467	120.31150	14.70253
35	468	120.30830	14.70400
36	469	120.30640	14.70461



1	470	120.30430	14.70564
2	471	120.30590	14.70745
3	472	120.30710	14.70844
4	473	120.30600	14.70967
5	474	120.30410	14.71044
6	475	120.30500	14.71247
7	476	120.30610	14.71514
8	477	120.30760	14.71646
9	478	120.30800	14.71924
10	479	120.30720	14.72013
11	480	120.30580	14.72099
12	481	120.30590	14.72263
13	482	120.30580	14.72385
14	483	120.30400	14.72419
15	484	120.30250	14.72557
16	485	120.29990	14.72565
17	486	120.29720	14.72658
18	487	120.29500	14.72589
19	488	120.29280	14.72506
20	489	120.29090	14.72397
21	490	120.28990	14.72244
22	491	120.28710	14.72239
23	492	120.28860	14.72412
24	493	120.28950	14.72579
25	494	120.28860	14.72762

26

27           Thence, to the point of beginning in the map marked Point 1  
28 representing MBM No. 1 in the Morong Cadastre, containing an approximate  
29 land area of Twenty-three Thousand (23,000) hectares of proclaimed Bataan  
30 National Park.

31

32           The adjacent areas of the Subic Watershed Forest Reserve and Bataan  
33 Natural Park is hereby proclaimed as a single protected area with Subic  
34 Watershed Forest Reserve as Parcel 1 and Bataan Natural Park as Parcel 2  
35 having a combined total area of Thirty-two Thousand Four-Hundred Seventy-  
36 eight (32,478.00) hectares.



- 1 e. D. A. for Trade and Tourism
- 2 f. D. A. for Ports
- 3 g. Head, Legal Department
- 4 h. Head, Ecology Center
- 5 i. Head, Strategic Planning Office
- 6 j. Head, Land and Estate Department
- 7 k. One representative from each IP/ICC within the Subic
- 8 Watershed and Forest Reserve
- 9 l. At least 4 representatives from NGOs operating within the
- 10 Subic Watershed and Forest Reserve, elected from among
- 11 themselves
- 12 m. At least 4 representatives from Pos operating within the Subic
- 13 Watershed and Forest Reserve, elected from among themselves
- 14 n. Others as may be designated by the SBMA Management Board.

15 The Chairman and Administrator of SBMA is hereby designated as the  
16 Chairman of the Protected Area Management Board for Parcel 1 of the  
17 SBNP. Membership of other representatives to the said PAMB of Parcel 1  
18 shall be subject to the approval and endorsement by the SBMA Board.

19 II. **Parcel 2** – Bataan Natural Park shall be under the administrative  
20 jurisdiction of the Department of Environment and Natural  
21 Resources (DENR) to be administered by the Protected Area  
22 Management Board (PAMB) composed of the following and duly  
23 appointed by the DENR:

- 24 a. The RED of the DENR Region III as chairperson
- 25 b. The Provincial Environment and Natural Resources Officer
- 26 (PENRO) of Bataan
- 27 c. The Provincial Environment and Natural Resources Officer
- 28 (PENRO) of Zambales
- 29 d. The Mayors of the Municipalities of Hermosa, Orani, Samal,
- 30 Abucay, Bagac and Morong. Each mayor may appoint a regular
- 31 representative whenever he/she cannot personally attend any of
- 32 the PAMB meetings
- 33 e. The Provincial Planning and Development Officers of Bataan
- 34 and Zamblaes

- 1 f. The chairpersons of the associations of barangay captains of the  
2 municipalities of Hermosa, Orani, Samal, Abucay, Bagac and  
3 Morong.
- 4 g. One (1) representative from the Sangguniang Kabataan to be  
5 chosen from among the chairpersons of each of the  
6 municipalities within the BNP
- 7 h. At least four (4) representatives from NGOs operating within  
8 the BNP, chosen from among themselves
- 9 i. At least four (4) representatives from POs from within the BNP,  
10 chosen form among themselves; and,
- 11 j. One representative from each ICC/IP within the BNP.

12 The Protected Area Management Board (PAMB) shall be the sole  
13 policy-making and permit granting body of the SBNP and its buffer zones.

14

15 **SECTION 7. *The Advisory and Coordinating Council (ACC)*** –

16 The SBMA and BNP PAMBs shall enter into a Memorandum of Agreement  
17 (MOA) to create an Advisory Coordinating Council (ACC) composed of RED of  
18 Region III, as chairperson, the SBMA chairman and the Provincial  
19 Environment and Natural Resources Officer of Bataan, as members. The  
20 duties and responsibilities of the ACC shall include the following:

- 21 a. Give advice, whenever necessary or upon request, to Parcel 1 and  
22 Parcel 2 management boards to ensure cooperation, coordination  
23 and complementation of protected area management planning and  
24 implementation in the two (2) sites;
- 25 b. Coordinate the activities of the two management boards and  
26 Protected Area Superintendent Offices and ensure harmony of site-  
27 based policies and regulations; and,
- 28 c. Evaluate, settle, mediate, and recommend resolutions to any  
29 conflicts, dispute, misunderstandings and disagreements related to  
30 the management of the two parcels of SBNP.

31

32 **SECTION 8. *The Executive Committee.*** – There shall be an  
33 Executive Committee (Execom) within the PAMB to whom the PAMB may  
34 delegate some of its powers and functions. It shall composed of:

35 **For Parcel 1:**

- 36 a. SBMA Chairman and Administator, as chairperson

- 1 b. SBMA Chief Operating Officer
- 2 c. Two (2) representatives from the SBMA Management Board
- 3 d. One (1) IP/ICC representative elected from themselves
- 4 e. One (1) representative from NGOs operating within the SBNP,
- 5 elected among themselves
- 6 f. One (1) representative from POs operating within the SBNP,
- 7 elected from themselves.

8 **For Parcel 2:**

- 9 a. The RED of the DENR Region III as chairperson
- 10 b. The Provincial Environment and Natural Resources Officer
- 11 (PENRO) of Bataan
- 12 c. The Provincial Environment and Natural Resources Officer
- 13 (PENRO) of Zambales
- 14 d. One (1) from among the mayors of the municipalities of
- 15 Hermosa, Orani, Samal, Abucay, Bagac and Morong, elected
- 16 among themselves
- 17 e. One (1) from among the chairpersons of the associations of
- 18 barangay captains of the municipalities of Hermosa, Orani,
- 19 Samal, Abucay, Bagac and Morong
- 20 f. One (1) representative from the sangguniang kabataan to be
- 21 chosen from among the chairpersons of each of the
- 22 municipalities within the BNP
- 23 g. One (1) from among the NGO representatives, elected among
- 24 themselves
- 25 h. One (1) from among the PO representatives, elected among
- 26 themselves
- 27 i. One (1) from among the ICC/IP representatives, elected among
- 28 themselves

29 The Execom may meet on a more regular basis to discuss day-to-day  
30 affairs and other matters delegated by the PAMB.

31  
32 **SECTION 9. Powers and Functions of the PAMB.** – In addition to  
33 the powers enumerated in the NIPAS Act, the PAMB shall decide by a  
34 majority vote and shall have the following powers and functions:

- 1 (a) Issue rules and regulations in accordance with the management plan  
2 to prohibit and regulate acts that may be prejudicial to the SBNP and  
3 its buffer zones pursuant to the policy declarations herein set forth;
- 4 (b) Issue land and resource permits and all the necessary permits within  
5 the SBNP and its buffer zones in accordance with the management  
6 plan and consistent with the nature of SBNP as a natural park. This  
7 authority may be delegated by the PAMB to the PASu upon prior  
8 determination of the conditions and qualifications necessary for the  
9 issuance therefore;
- 10 (c) Establish criteria and set fees for the issuance of permits for the  
11 activities regulated by this Act or the management plan. The PAMB  
12 shall only issue permits taking into consideration ecological and  
13 sustainability factors.
- 14 (d) Adopt rules of procedure for the conduct of business, including the  
15 creation of committees to which the PAMB's powers may be delegated;
- 16 (e) Supervise the office of the PASu;
- 17 (f) Deputize, through the PASu, individuals for the enforcement of the  
18 laws, rules and regulation governing conduct within the SBNP and its  
19 buffer zones, and prescribe the necessary qualifications therefore;
- 20 (g) To own and dispose property;
- 21 (h) Accept donations, approve proposals for funding, budget allocations  
22 and exercise accountability over all funds that may accrue to the  
23 SBNP;
- 24 (i) Coordinate with the appropriate agencies of the government; and
- 25 (j) To sue and retain legal counsel to defend cases against the PAMB and  
26 the Office of the PASu whenever they are sued in connection with the  
27 performance of their duties under this Act.
- 28 (k) *To impose administrative sanctions against any person found guilty of*  
29 *violating any provision of this Act: and;*
- 30 (l) Confiscate any species, item or property extracted or taken illegally  
31 from the protected area.

32 The DENR shall ensure that the PAMB acts within the scope of its  
33 powers and functions. In case of conflict between administrative orders  
34 issued by the DENR pursuant to the NIPAS Act and the resolutions issued by  
35 the PAMB, the DENR Secretary shall decide whether to apply the rule or  
36 withdraw its application within the SBNP.

1           **SECTION 10. *Terms of Office.*** – Except for SBMA-PAMB, each  
2 PAMB member shall serve for a term of five (5) years; *Provided*, That he / she  
3 remains connected with the sector he / she is supposed to represent.  
4 *Provided, further*, That representatives of the local government units shall  
5 only serve ex-officio. Whenever a vacancy occurs during the term of a member  
6 who does not represent the government, a new member shall be chosen in the  
7 same manner as the original selection process: *Provided, finally*, That he /  
8 she shall serve only for the remaining term.

9  
10           **SECTION 11. *Removal from Office*** – A PAMB member may be  
11 removed, for cause and upon majority vote, on the following ground:

- 12           (a) More than three (3) consecutive absences in regular PAMB en  
13                 banc meetings;
- 14           (b) Commission of any of the prohibited acts as provided herein, the  
15                 NIPAS Act or other laws and rules and regulations  
16                 governing protected areas and protected species;
- 17           (c) Graft and corruption;
- 18           (d) Conviction of any criminal offense;
- 19           (e) Acts inimical to the PAMB or the protected area as may be voted  
20                 upon by a majority of all the members of the PAMB.

21  
22           **SECTION 12. *The Office of the PASu.*** – There shall be a separate  
23 Protected Area Superintendents (PASu) for Parcel 1 and 2 who shall be  
24 appointed/designated and report to their respective management board  
25 chairman, and shall directly be responsible in the preparation,  
26 implementation of their respective PA management plans through their  
27 administrative and regulatory functions. The PASu shall have full  
28 responsibility for the protection of the land, water, wildlife and other  
29 resources within the SBNP.

30           As such, he shall have the duties and responsibilities in addition to  
31 those provided under the existing laws and regulations:

- 32           (a) Prepare the management plan and its successor plans as herein  
33                 provided;
- 34           (b) Serve as Secretariat to the PAMB with the duty to provide the PAMB  
35                 with all the information necessary to make appropriate decisions for the  
36                 implementation of this Act;

- 1 (c) Hire and supervise the necessary personnel to support operations as the  
2 budget may allow;
- 3 (d) Establish a productive partnership with local communities, including  
4 groups supporting the achievement of the goals and objectives of this  
5 Act;
- 6 (e) Develop and implement park information, education and visitor  
7 programs;
- 8 (f) Enforce the laws, rules and regulations and PAMB resolutions relevant  
9 to the protected area and its buffer zones and assist in the prosecution of  
10 offenses;
- 11 (g) Monitor all activities within the SBNP and its buffer zones in conformity  
12 with management plan; and
- 13 (h) Perform such other functions as the PAMB may assign.

14  
15 **ARTICLE III.**

16 **ADMINISTRATION, MANAGEMENT PLAN AND ZONING**

17  
18 **SECTION 13. *Management of the SBNP and its Buffer Zones.* –**

19 The management and administration of the SBNP and its buffer zones shall  
20 be vested with the PAMB, as herein provided. The management of zones to  
21 be established within the SBNP shall be consultative and participatory.

22  
23 **SECTION 14. *Management Plan.* –** Within one (1) year from the  
24 effectivity of this act and in accordance with the general management  
25 planning strategy as provided for in the NIPAS Act, there shall be a  
26 management plan to be prepared by the office of the PASu in coordination  
27 with the local communities, ICCs/Ips and experts with socioeconomic,  
28 anthropological and ecological experience in the area. It shall contain, among  
29 others:

- 30 a. A period of applicability for twenty-five (25) years subject to periodic  
31 review every three (3) years;
- 32 b. Goals and objectives of management in support of Section 2 hereof;
- 33 c. Key management issues such as, but not limited to, issuance of  
34 tenurial instruments; issuance, screening and approval of development  
35 and land-use activities within the SBNP and its buffer zones; and



1 adequate protection and restoration of endangered species and fragile  
2 ecosystems;

3 d. Site management strategy including, but not limited to, establishment  
4 of clear and simplified guidelines on activities, consistent with the  
5 NIPAS Act and this Act, that shall be allowed within the zones;

6 e. Major management activities such as, but not limited to, enforcement  
7 of laws, habitats and wildlife management, sustainable use  
8 management, infrastructure development and maintenance, fire  
9 prevention and pest and disease control;

10 f. Zoning

11 g. Mechanisms for the protection of the occupants therein in the exercise  
12 of their rights;

13 h. Regulations on the sustainable, ecologically sound use of non-protected  
14 species of flora and fauna and their habitats; harvesting, hunting and  
15 trapping with respect to the protection of fragile habitats, wild animal  
16 breeding seasons, roosting and feeding sites; and

17 i. Sustainable livelihood activities.

18 The management plan shall be consistent with the nature of the SBNP  
19 as a protected area under the category of a natural park. It shall be reviewed  
20 and approved by the PAMB and certified to by the DENR Secretary that it  
21 conforms to all laws and rules and regulations issued by the DENR. The  
22 management plan shall not be revised or modified except by prior  
23 consultation with the PAMB and in accordance with the procedure herein set  
24 forth.

25 Before the expiration of the initial management plan, there shall be a  
26 successor plan to be prepared by the office of the PASu in the same manner  
27 as the procedure and principles herein set forth and in accordance with the  
28 general management planning strategy as provided in the NIPAS Act. A year  
29 before the expiration of the management plan, the PASu shall cause the  
30 publication of notices for comments and suggestions on the successor plan in  
31 a newspaper of local circulation and the posting of such notices in the  
32 provincial, municipal and barangay halls and in three (3) other conspicuous  
33 areas frequented by the public. The successor plan to the management plan  
34 shall be made available for public perusal at the office of the PASu and the  
35 DENR provincial office.

1           **SECTION 15. *Integration of the Management Plan into Local***  
2 ***Government Development Plans.*** – Local government units (LGUs) shall  
3 participate in the management of the SBNP and its buffer zones through  
4 their representation in the PAMB. To ensure that the future development  
5 plans takes place in accordance with this Act, the provisions herein shall be  
6 incorporated into the barangay, municipal and provincial development plans  
7 as part of the environmental concerns. LGUs shall likewise ensure that their  
8 ordinances pertaining to the environment are consistent with this Act and  
9 the management plan, as herein provided.

10  
11           **SECTION 16. *Zoning*** – Zones shall be established within the SBNP  
12 and its buffer zones giving primary consideration to the preservation and  
13 conservation of all life forms while according respect to the traditional areas  
14 used and recognized by ICCs/IPs. Zoning shall also take into account the  
15 tenorial and livelihood concerns of other communities and must ensure the  
16 efficient protection of habitats, fragile ecosystems and unique areas.

17           All primary (old growth) forests within the SBNP, including portions  
18 which have been previously declared as alienable and disposable, shall be  
19 classified as strict protection zones and shall be free from all forms of logging  
20 or exploitation, whether commercial or otherwise. Strict protection zones  
21 shall also be established where necessary for the preservation of the  
22 biodiversity including, but not limited to, the survival of rare and endangered  
23 species.

24           Multiple-use zones shall be validated on the ground, demarcated on  
25 maps, and in the field with the assistance of communities and agencies  
26 concerned.

#### 27 28   **ARTICLE IV.**

#### 29           **ANCESTRAL LAND AND DOMAINS TENURED MIGRANTS**

30  
31           **SECTION 17. *Ancestral Lands and Domains.*** – The rights of  
32 ICCs/Ips in the SBNP on their lands and domains shall be fully recognized in  
33 accordance with law and in consonance with the management plan.

34           The provisions of this Act shall be construed liberally in favor of the  
35 ICCs/Ips in accordance with the preservation and conservation objectives of

1 the SBNP and its resources. Nothing herein shall be construed to impair or  
2 diminish prior and existing laws.

3  
4 **SECTION 18. *Tenured Migrants.*** – Whenever practicable, the  
5 tenured migrants shall be provided tenurial rights over their current  
6 habitation sites. However, if despite the foregoing, these areas are  
7 subsequently identified as crucial for conservation, tenured migrants shall,  
8 after due consultations, be offered alternative sites within the appropriate  
9 zones of buffer zones with preference over non-tenured migrants: *Provided,*  
10 That provisions for their transfer shall be undertaken using humanitarian  
11 considerations including payment of compensation, providing tenure to  
12 alternative land and facilities of equivalent standard, and other measures to  
13 reach agreement with the affected tenured migrants.

14 Land used as homelots or farm lots shall be preferably be held by  
15 individual household. Land currently used on a communal basis shall not be  
16 held individually unless agreed upon by the community members.

17 Tenurial instruments shall be supported by indisputable evidence of  
18 permanent land-use from five (5) years before such as:

- 19 (a) Cultivated trees as their fruit-bearing stage;  
20 (b) Physical structures in the area indicating prolonged occupancy;  
21 (c) Certification from the barangay captain or any two (2) respected  
22 members of the nearest community attesting to occupancy; and  
23 (d) Other relevant data (e.g. previous census reports) that may be  
24 accepted by the PAMB.

25 Existing land title instruments shall be reviewed by the PASu and  
26 endorsed by the PAMB regional office for validation or reversion.

27  
28 **SECTION 19. *Contracts Involving Lands within the SBNP and***  
29 ***its Buffer Zones.*** – Lease of lands within the SBNP to any person not  
30 otherwise qualified to hold lands may only take place in the multiple-use  
31 zones, recreation and special zones: *Provided,* That the use thereof is  
32 consistent with Section 2 of the Act and in accordance with the management  
33 plan.

34  
35 **ARTICLE V.**

36 **UTILIZATION OF RESOURCES AND FACILITIES**

1           **SECTION 20. *Utilization of Facilities.*** – Except for protected  
2 species or whenever detrimental to the ecosystem, the use of resources  
3 derived from the SBNP by tenured migrants and ICCs/Ips for their domestic  
4 needs or for their subsistence shall not be restricted: *Provided, however,* That  
5 livelihood activities requiring the use of these resources shall be allowed only  
6 when sustainable, consistent with the management plan, and after prior  
7 PAMB approval.

8           The PAMB is authorized to impose regulatory measures such as,  
9 hunting moratoriums, closed hunting seasons and other restrictions on the  
10 use of resources within the SBNP and its buffer zones to ensure the  
11 sustainability of the species and ecosystems: *Provided,* That these will not  
12 pose a threat to the food security of ICCs / IPs or other tenured migrants  
13 directly dependent therein for their subsistence: *Provided, further,* That these  
14 restrictions shall be made upon due consultation with ICCs / IPs and tenured  
15 migrants.

16           Any exploration, exploitation or utilization of non-renewable resources  
17 within the SBNP for commercial purposes or by non-tenured migrants or  
18 non-ICCs / IPs shall not be allowed.

19           Commercial exploitation of water resources within the SBNP shall  
20 require prior PAMB approval, must be in accordance with the management  
21 plan, and should undergo the EIA system.

22  
23           **SECTION 21. *Existing Facilities within the SBNP.*** – Within  
24 ninety (90) days from the effectivity of this Act, all existing commercial  
25 facilities within the SBNP or its buffer zones with a total capitalization in  
26 excess of Fifty thousand pesos (P100,000) shall submit to the PAMB through  
27 the PASu the following information:

- 28           (a) Potential for disturbance of protected species and their habitat,  
29           reproductive cycle, nesting and feeding grounds and migratory paths;  
30           (b) Noise levels at all levels of operations;  
31           (c) Emissions and effluent at all stages of operation;  
32           (d) Energy requirements and sources of energy; and  
33           (e) Requirements of water supply and source of water.

34           Based on these submissions, the PAMB with the assistance of the  
35 DENR, shall determine whether the existence of such facility/ies and its

1 future plans and operations will be detrimental to the SBNP and its buffer  
2 zones.

3 Failure to submit the required information shall constitute a violation  
4 of this Act. The PAMB may prescribe further conditions for the operation of  
5 the facility to ensure that it does not contradict the management objectives of  
6 the SBNP. If any such conditions are violated, a fine of Five thousand pesos  
7 (P10,000) for every day of violation shall be imposed upon the owners of the  
8 said facility but not to exceed Four hundred fifty thousand pesos (P500,000).  
9 At anytime whenever necessary, the PAMB through the PASu or other  
10 government entities shall cause the cessation of operation or demolition of  
11 the facility at the cost of its owners or forfeiture in favor of the PAMB.

## 12 13 **ARTICLE VI.**

### 14 **PROHIBITED ACTS AND PENALTIES**

15  
16 **SECTION 22. *Prohibited Acts.*** – The following acts shall be  
17 prohibitions and penalties applicable within the SBNP and its buffer zones,  
18 in addition to the prohibited acts enumerated in the NIPAS Act and its  
19 pertinent rules and regulations:

- 20 (1) Hunting, collecting, catching, wounding, killing, destroying or  
21 possessing anywhere within the SBNP or its buffer zones any  
22 protected species of plant and animal or their by-products or  
23 derivatives without prior PAMB approval;
- 24 (2) Hunting, collecting, catching, capture, wounding, killing, destroying or  
25 possessing anywhere within the SBNP or its buffer zones any  
26 protected species of plant and animal or their by-products or  
27 derivatives the trade of which is regulated by the PAMB, without prior  
28 PAMB approval;
- 29 (3) Bio-prospecting without obtaining prior PAMB approval and the prior  
30 and informed consent of ICCs/Ips in accordance with existing  
31 guidelines;
- 32 (4) Transporting within or outside the SBNP or its buffer zones any  
33 protected species of plant or animal or their by-products or derivatives  
34 from the SBNP and its buffer zones without the necessary transport  
35 permit from the PAMB;

- 1 (5) The deliberate disturbance of the protected species or the habitats,  
2 reproductive cycle, roosting and feeding grounds, and migratory paths;
- 3 (6) Cutting, gathering, collecting or removal of timber and other forest  
4 products without prior PAMB permit; *Provided*, That any permit  
5 issued shall be valid for only one year at a time and given only to (i)  
6 tenured migrants within sustainable, monitored and controlled quotas,  
7 and (ii) for scientific purposes necessary for protected area  
8 management in accordance with existing guideline;
- 9 (7) Establishment or introduction of exotic species within the SBNP with  
10 allelopathic effect or those detrimental to endemic species; or without  
11 prior PAMB approval;
- 12 (8) Exploration, exploitation or extraction, drilling or prospecting for  
13 minerals or resources, or engages in quarrying within the SBNP or its  
14 buffer zones;
- 15 (9) Destroying, excavating, vandalizing or in any manner damaging any  
16 natural formation on land or sea, burial or religious/spiritual sites,  
17 artworks, objects belonging to ICCs/Ips or other projects of natural or  
18 scenic value;
- 19 (10) Possession or use of blasting caps, explosives or cyanides anywhere  
20 within the SBNP or its buffer zones;
- 21 (11) Possession or use of chainsaws and band saws without a prior permit  
22 form the PAMB: *Provided*, That permits may only be issued for  
23 multiple-use and buffer zones;
- 24 (12) Use of motorized equipment anywhere in the SBNP without a prior  
25 permit form the PAMB;
- 26 (13) Construction or maintains any kind of road, edifice, facility or any  
27 infrastructure project within the SBNP without a prior permit form  
28 PAMB: *Provided*, That no PAMB permit can be issued unless:
- 29 a) The PAMB has been fully informed of the project or  
30 undertaking and its environmental consequences through  
31 consultative process;
- 32 b) All other legal requirements have been complied with; and  
33 c) The project is consistent with the nature of the SNP as a  
34 protected area natural park.
- 35 (14) Occupation of any portion of land inside the SBNP without a permit  
36 from the PAMB. Clearing, construction of residence or any

- 1 introduction of improvements shall constitute prima facie evidence of  
2 occupation or settlement;
- 3 (15) Alteration, removal, destruction of boundary marks or signs;
- 4 (16) Engaging in Kaingin or any manner causing a forest fore inside the  
5 SBNP or its buffer zones;
- 6 (17) Fishing anywhere within the SBNP without prior permit from the  
7 PAMB;
- 8 (18) Fishing within the SBNP using spear and submerged underwater  
9 breathing apparatus, trawling equipment or gillnets of more than one  
10 hundred meters (100m) in total length or any other equipment  
11 prohibited under the Republic Act no. 8550 or the Fisheries Code of  
12 1998;
- 13 (19) Destruction or in any manner damaging the coral reefs except in  
14 cases of emergency;
- 15 (20) Disposal or dumping into the SBNP or its buffer zones non-  
16 biodegradable, toxic, hazardous materials and other prohibited  
17 substances; AND
- 18 (21) Violation of any rules and regulation provided in the management  
19 plan or any resolution reached by the PAMB in its exercise of its  
20 adjudicative functions.

21

22 **SECTION 23. Penalties –**

- 23 (a) For any violation of Section 21 hereof, a fine of not less than Twenty  
24 Thousand pesos (P20,000) but not more than Five Hundred Thousand  
25 Pesos (P500,000) and / or imprisonment of not less than one (1) year  
26 not more than six (6) years shall be imposed.
- 27 (b) Any provisions contrary notwithstanding the commission of any  
28 unlawful act as provided by the Section 22 (a) herein shall carry the  
29 penalty of imprisonment of six (6) years and one (1) day to twelve (12)  
30 years, and a minimum fine of One Million Pesos (P1,000,000) in case  
31 the species involved is listed under CITES Appendix II, and Five  
32 Hundred thousand pesos (P500,000) for all the threatened species in  
33 addition to accessory penalties provided in the immediately succeeding  
34 paragraph.
- 35 (c) Commission of any foregoing acts shall likewise carry the accessory  
36 penalties of eviction from the SBNP or its buffer zones, payment of

1 damages to rehabilitation and restoration, and the forfeiture of all  
2 equipment, devised, weapons or any other instrument or tool used in  
3 the commission of the offense. Any resource found in the possession of  
4 the offender shall also be forfeited. Pending the outcome of the case,  
5 any resource confiscated shall be immediately be turned over to the  
6 PAMB for proper disposal and the proceeds thereof deposited in trust  
7 funds. However, in no case shall any confiscated or rescued protected  
8 animal species be sold or in any manner be disposed of but shall be  
9 immediately turned over to PASu office for release in its natural  
10 habitat. Valuation of the damage to the SBNP and its buffer zones  
11 shall take into account biodiversity and conservation considerations as  
12 well as aesthetic, socioeconomic values, and rehabilitation and  
13 restoration costs. Failure to comply with the provision shall constitute  
14 an offense under this subsection.

15 (d) A fine of not less than One hundred thousand pesos (P100,000) but not  
16 more than Five hundred thousand pesos (P500,000) and / or  
17 imprisonment of not less than one (1) year but not more than (6) years  
18 shall be imposed upon any public officer or officer of the law who shall  
19 unjustifiably refuse or refrain from instituting prosecution or shall  
20 tolerate the commission of the above-mentioned offenses. Conviction of  
21 this offense shall carry accessory penalty of perpetual disqualification  
22 from public office.

23 (e) A fine of not less than Five Hundred Pesos (P500) but not more than  
24 One Thousand Pesos (P1,000) or community service from one (1) day to  
25 one (1) week, or both, shall be imposed on anyone who enters into the  
26 strict protection zone of the SBNP without the prior PAMB permit.  
27

28 **SECTION 24. *Special Prosecutor.*** – Within thirty (30) days from  
29 the effectivity of this Act, the Department of Justice (DOJ) shall designate a  
30 special prosecutor to whom all cases of violation of protected area laws, rule  
31 and regulations within the SBNP and its buffer zones shall be assigned. The  
32 special prosecutor shall coordinate with the PAMB and the PASu in the  
33 performance of his/her duties and assist in the training of the wardens and  
34 rangers in arrest and criminal procedures.

35 The PAMB may appoint a private prosecutor on case-to-case basis to  
36 assist the public prosecutors in the enforcement of protected area laws.



1 ARTICLE VII.

2 PROCEEDS, FEES AND APPROPRIATIONS

3  
4 SECTION 25 *Integrated Protected Areas Fund (IPAF)*. – There is  
5 hereby established an additional and separate trust fund to be known as the  
6 Integrated Protected Areas Fund (IPAF) for purposes of financing, protection,  
7 conservation and developmental projects within Parcel 1 and 2 of SBNP. The  
8 fund may be augmented by solicitations, donations, endorsement and grants  
9 from various sources and such endowments shall be exempt from all other  
10 charges, fees or taxes being required / imposed by any government entity or  
11 instrumentality.

12 All revenues and income generated from the operation of and  
13 management of the flora, fauna and ecological destination/eco-tourism area,  
14 shall accrue to the SIPAF and may be utilized for the protected area by the  
15 PAMB.

16 Revenues and income referred to above shall be derived from the  
17 following activities / sources:

- 18 (a) Fees and charges for the issuance of permits for the collection /  
19 extraction, sale and export of flora, fauna and other resources from the  
20 protected area. Permits for such activities in Parcel 1 shall be issued  
21 by the SBMA through the Ecology Center, whose Protected Area  
22 Division will function as Protected Area Superintendent's (PASu)  
23 Office;
- 24 (b) Proceeds from the lease, rental, or issuance of permits for the use of  
25 multiple use areas, special use areas, and sustainable-use and  
26 management utilization zones;
- 27 (c) Contributions, donations, royalties, and/or resource user fees from the  
28 industries and facilities directly benefiting from the protected area;  
29 and
- 30 (d) Other fees and income derived from the operation and administration  
31 of the protected area in the form of donations, grants endowment  
32 funds, etc.

33 Disbursements from the SIPAF Fund shall be made solely for the  
34 protection, conservation, maintenance, administration and management of  
35 Parcel 1 of the SBNP in accordance with the Annual protected work plan and  
36 program of projects and activities duly approved by the SBNP Parcel 1

1 Protected Area Management Board (PAMB) or the SBMA Board. Otherwise,  
2 IPAF guidelines for NIPAS areas will be followed in the absence of approved  
3 work plans and programs for disbursement.

4  
5 **SECTION 26. *Appropriations.*** – The Secretary of the DENR shall  
6 include in its program the implementation of this Act, the funding of which  
7 shall be charged against the IPAF constituted under this Act.

8  
9 **ARTICLE VIII.**

10 **TRANSITORY AND MISCELLANEOUS PROVISIONS**

11  
12 **SECTION 27. *Construction.*** – The provisions of this Act shall be  
13 construed liberally in favor of tenured migrants and ICCs / IPs and in  
14 consideration of the protection and conservation of biodiversity. The NIPAS  
15 Act shall have suppletory effect in the implementation of this Act.

16  
17 **SECTION 28. *Transitory Provisions.*** – In order to ensure the  
18 sustainability and recovery of biodiversity and to develop sustainable  
19 livelihood opportunities for tenured migrants, the DENR shall henceforth  
20 cease to issue concessions, licenses, permits, clearances, compliance  
21 documents or any other instrument that allows exploitations of resources  
22 within the SBNP until the management plan shall have been put into effect.

23 Pending the organization of anew PAMB in accordance with this Act,  
24 the incumbent PAMB member shall continue to hold office until a new PAMB  
25 has been convened.

26  
27 **SECTION 29. *Implementing Rules and Regulations.*** – Within  
28 ninety (90) days after the effectivity of this Act, the Department of  
29 Environment and Natural Resources shall, in consultation with the  
30 concerned PAMBS, government agencies and non-government organization,  
31 promulgate the necessary rules and regulations to effectively implement the  
32 provisions of this Act.

33  
34 **SECTION 30. *Separability Clause.*** – If any part, or section of this  
35 Act is declared unconstitutional, the remainder hereof shall remain in full  
36 force and effect.

1           **SECTION 31. *Repealing Clause.*** – All laws, decrees, proclamation,  
2 rules and regulations inconsistent with the provisions of this Act are hereby  
3 repealed or modified accordingly.

4  
5           **SECTION 32. *Effectivity Clause.*** – This Act shall take fifteen (15)  
6 days after its complete publication in the Official Gazette or two (2)  
7 newspapers of national circulation, whichever comes first.

8  
9           *Approved,*

10