

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

____ Congress
____ Regular Session

HOUSE BILL NO. _____

Introduced by Representative _____

**AN ACT FORMALLY INCORPORATING THE PUERTO PRINCESA
SUBTERRANEAN RIVER NATIONAL PARK IN SITIO SABANG,
BARANGAY CABAYUGAN, PUERTO PRINCESA CITY, PROVINCE
OF PALAWAN WITHIN THE ENVIRONMENTALLY CRITICAL
AREAS NETWORK (ECAN) SYSTEM OF PALAWAN AND THE
NATIONAL INTEGRATED PROTECTED AREA SYSTEM (NIPAS),
PROVIDING FOR ITS MANAGEMENT AND APPROPRIATING FUNDS
THEREFOR**

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

**CHAPTER I
INTRODUCTORY PROVISIONS**

SECTION 1. Title. – This Act shall be known as the “Puerto Princesa Subterranean River Protected Area (PPSRPA) Act of 2021.”

SECTION 2. Declaration of Policy. – a.) It is the policy of the State to ensure the protection, preservation and rehabilitation of the Puerto Princesa Subterranean River Protected Area (hereinafter referred to as PPSRPA), the communities therein, their culture and way of life, insofar as they are in harmony with nature and do not alter the ecological systems and the magnitude of biological diversity of the area.

b.) The State shall ensure the protection and conservation of biodiversity in the PPSRPA through sustainable and participatory development, and advance and protect the interests of its legitimate inhabitants and honor customary laws in accordance with Republic Act No. 7586 (National Integrated Protected Area System Act of 1992), Republic Act No. 7611 (Strategic Environmental Plan for Palawan Act), Republic Act No. 8371 (Indigenous Peoples Rights Act of 1997), other pertinent laws, and applicable international conventions to which the Philippines is a signatory.

c.) The State shall preserve physically unique and biologically significant public lands that serve as habitats of rare and endangered species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine.

SECTION 3. Establishment as a Protected Area. – The Puerto Princesa Subterranean River National Park situated in Sitio Sabang, Barangay Cabayugan, Puerto Princesa City, Palawan, is hereby established as a Protected Area pursuant to Republic Act No. 7586, otherwise known as the “National Integrated Protected Areas System Act of 1992,” as amended, and shall be referred to as the Puerto Princesa Subterranean River Protected Area (PPSRPA). The Puerto Princesa Subterranean River Protected Area is also hereby formally incorporated into the Environmentally Critical Areas Network (ECAN) of the Province of Palawan pursuant to Republic Act No. 7611, otherwise known as the “Strategic Environmental Plan (SEP) for Palawan Act.”

SECTION 4. Land Classification. – All lands and waters of the public domain comprising PPSRPA shall fall under the classification of a “*national park*” as provided for in the 1987 Constitution of the Philippines.

SECTION 5. Scope. – a.) The scope of the PPSRPA shall include the parcels of land and marine waters situated in Sitio Sabang, Barangay Cabayugan, City of Puerto Princesa, Province of Palawan comprising the area measuring Twenty-Two Thousand Two Hundred Two (22,202) hectares, more or less. It is particularly bounded and described as follows:

Tie Line: From Malipien Point (GPS Coordinates N 10 Deg. 12 Min. 10.86 Secs; 118 Deg. 54 Mins. 26.97 Secs. E);

PRS92 COORDINATES: **708960, 1128404**

To point	1	Length	=	1632.7500, Angle in XY Plane =	N 80d43' E
To point	2	Length	=	2870.7500, Angle in XY Plane =	N 34d39' E
To point	3	Length	=	2374.4900, Angle in XY Plane =	N 21d55' E
To point	4	Length	=	2184.8900, Angle in XY Plane =	N 30d56' W
To point	5	Length	=	2324.9448, Angle in XY Plane =	N 78d22' E
To point	6	Length	=	5240.7520, Angle in XY Plane =	S 35d20' E
To point	7	Length	=	5822.5245, Angle in XY Plane =	S 60d4' E
To point	8	Length	=	1478.0024, Angle in XY Plane =	S 27d26' W
To point	9	Length	=	272.6714, Angle in XY Plane =	S 55d55' E

To point	10	Length =	7877.3328, Angle in XY Plane =	N 26d7' E
To point	11	Length =	3214.6595, Angle in XY Plane =	S 63d41' W
To point	12	Length =	7517.5430, Angle in XY Plane =	N 88d55' W
To point	13	Length =	276.6232, Angle in XY Plane =	N 24d36' W
To point	14	Length =	4677.0658, Angle in XY Plane =	S 80d25' W
To point	15	Length =	962.4000, Angle in XY Plane =	N 3d55' W
To point	16	Length =	755.2000, Angle in XY Plane =	N 39d35' E
To point	17	Length =	655.7700, Angle in XY Plane =	N 21d43' W
To point	18	Length =	825.7200, Angle in XY Plane =	N 62d38' W
To point	19	Length =	1592.1900, Angle in XY Plane =	N 25d41' W
To point	20	Length =	1948.6700, Angle in XY Plane =	N 65d10' W
To point	21	Length =	1851.4600, Angle in XY Plane =	N 12d46' W
To point	22	Length =	320.4000, Angle in XY Plane =	N 28d31' E
To point	23	Length =	556.2200, Angle in XY Plane =	S 59d34' E
To point	24	Length =	372.5500, Angle in XY Plane =	S 6d11' W
To point	25	Length =	1372.8600, Angle in XY Plane =	S 62d22' E
To point	26	Length =	1350.5900, Angle in XY Plane =	N 70d41' E
To point	27	Length =	795.2200, Angle in XY Plane =	N 11d49' E
To point	28	Length =	584.4000, Angle in XY Plane =	N 44d33' E
To point	29	Length =	254.0300, Angle in XY Plane =	N 7d5' E
To point	30	Length =	824.3700, Angle in XY Plane =	N 69d37' E
To point	31	Length =	577.4900, Angle in XY Plane =	N 49d33' E
To point	32	Length =	1751.3400, Angle in XY Plane =	N 89d30' E

To point	33	Length =	2210.9610,	Angle in XY Plane =	11d39' E
To point	34	Length =	2017.7329,	Angle in XY Plane =	N 88d55' E

<Technical description to be revised after getting verified coordinates and bearings>

b.) The technical descriptions provided or referred to herein are subject to actual ground survey and verification. The PCSD shall cause the actual ground survey and verification to be conducted immediately by the National Mapping and Resource Information Authority (NAMRIA) or other competent entity after the effectivity of this Act.

c.) Any modification of this Act due to factors such as changing ecological situations, new scientific or archeological findings, or discovery of traditional boundaries not previously taken into account shall be made through an act of Congress passed after full consultation with the affected public and concerned government agencies.

d.) Any valid contract, permit or license for the extraction or utilization of natural resources in the above-described location already existing prior to this Act shall, subject to national interest and existing laws, rules and regulations, be respected until its expiration. Areas covered by such contracts, permits or licenses which are found not viable for development after assessment and/or exploration shall automatically form part of the PPSRPA. Likewise, all property and private rights within the PPSRPA already existing and/or vested prior to this Act shall be respected in accordance with the existing laws.

SECTION 6. Definition of Terms. – For purposes of this Act, the following terms are defined as follows:

- (a) "Ancestral Domain" - refers to all lands and natural resources occupied or possessed by indigenous cultural communities, by themselves or through their ancestors, communally or individually, in accordance with their customs and traditions since time immemorial, continuously to the present except when interrupted by war, force majeure, or displacement by force, deceit or stealth. It includes all adjacent areas generally belonging to them and which are necessary to ensure their economic, social and cultural welfare;
- (b) "Biodiversity" - refers to the variety and variability among all living organisms and the ecological complex in which they are found;
- (c) "Biological Resources" - refers to generic resources, organisms or part thereof, population or any other biotic components of the ecosystems with actual or potential use or value for humanity;
- (d) "Bioprospecting" - refers to the research, collection and utilization of biological and genetic resources for the purpose of applying the knowledge derived there from to make or modify products or processes and their derivatives for scientific, agricultural, industrial and other applications;

- (e) "Buffer Zone" - refers to the identified area outside the boundaries of an immediately adjacent to designated protected areas pursuant to Section 8 of the Republic Act No. 7586, as amended, that needs special development control in order to avoid and minimize harm to the protected area. It shall be identified in harmony with the buffer zone defined under Republic Act No. 7611;
- (f) "By-product" - refers to any part taken from wild species such as, but not limited to, hides, antlers, feathers, fur, teeth, claws, internal organs, eggs, guano, root, trunk, branches, leaves, stems, flowers, and any other item produced out of utilizing wildlife or any of its parts;
- (g) "CITES" - refers to the Convention on International Trade of Endangered Species of Wild Flora and Fauna, including all its appendices referring to the lists of species differentially regulated therein;
- (h) "Collection or collecting" - is the act of gathering or harvesting wildlife, its by-products or derivatives;
- (i) "Conservation" - means preservation and sustainable utilization of wildlife, and/or protection, maintenance, restoration and enhancement of wildlife habitats;
- (j) "Core Zone" - refers to the area of maximum protection as defined under Republic Act No. 7611 and/or its implementing rules and regulations;
- (k) "Derivatives" - refer to anything extracted from wild species such as, but not limited to, blood, oils, saliva, musk, resin, gum, seeds, spores, pollen and the like;
- (l) "ECAN" or "Environmentally Critical Areas Network" - refers to the graded system of protection and development control over the whole of Palawan, as established under Sections 7 to 11 of the Republic Act No. 7611.
- (m) "ECAN Board" - refers to the local multi-sectoral body of the City of Puerto Princesa created under the rules and regulations promulgated by the Palawan Council for Sustainable Development;
- (n) "Endangered species" - refer to species or subspecies whose population is in danger of extinction and whose survival is unlikely if the causal factors continue operating;
- (o) "Endemic species"- refer to species or subspecies often within the geographical limits of the State which has limited distribution;
- (p) "Exotic species" - refer to species or subspecies which are not naturally found within the biogeographic region of the PPSRPA;
- (q) "Exploitation"- refers to any mode of use, extraction, development, utilization or disposition of resources, for whatever purpose, whether commercial or otherwise;

- (r) "General Management Plan" refers to the basic long term framework plan in the management of the protected area and serves as guide in the preparation of the annual operations plan and budget;
- (s) "Habitat" - refers to an area inhabited by wildlife in the natural state;
- (t) "Hunting" - refers to collection of wild fauna for food and/or recreational purposes with the use of weapons such as guns, bow and arrow, spear and the like;
- (u) "Indigenous Cultural Communities (ICCs) or Indigenous Peoples (IPs)" - refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains;
- (v) "Indigenous species" - refer to native Philippine species or subspecies with an existing or historical natural occurrence and distribution within the PPSRPA;
- (w) "Management manual" - refers to the individual management plan for the protected area containing basic background information, field inventory of the resources, assessment of assets and limitations, regional interrelationships, particular objectives for managing, appropriate division into management zones, review of the boundaries and design of the management programs;
- (x) "Mineral" - refers to all naturally occurring inorganic substances in solid, gas, liquid, or any intermediate state, including energy materials such as coal, petroleum, natural gas, radioactive materials, and geothermal energy;
- (y) "Multiple-use zones" - refer to areas where settlement, traditional or sustainable land-use, including agriculture, agro-forestry, extraction activities, and other income-generating or livelihood activities, may be allowed to the extent prescribed in the Management Plan, and consistent with Republic Act No. 7611;
- (z) "National Integrated Protected Areas System" - refers to the classification and administration of all designated protected areas for the purpose of maintaining essential ecological processes and life-support systems, preserving genetic diversity, ensuring

sustainable use of resources found thereon, and maintaining their natural conditions to the greatest extent possible;

- (aa) "National Park" - refers to the land of the public domain classified as such in the 1987 Constitution which includes all areas under the National Integrated Protected Areas System (NIPAS) pursuant to R.A. 7586, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;
- (bb) "NIPAS Act" - refers to Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992," and its implementing rules and regulations;
- (cc) "Non-government organization" - refers to any civic, development or philanthropic organization which is multi-sectoral in character;
- (dd) "PCSD" or "Palawan Council for Sustainable Development" - refers to the multi-sectoral and inter-disciplinary body created under Section 16 of Republic Act No. 7611;
- (ee) "PCSDS" or "Palawan Council for Sustainable Development Staff" - refers to the regular professional support staff of the PCSD created under Section 20 of Republic Act No. 7611.
- (ff) "People's organization" - refers to an organization of members of the local community whose purpose for establishment is to protect or advance the interest of specific sectors such as, but not limited to, farmers, fisher folk, women and the like;
- (gg) "Protected area" - refer to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity, and protected against destructive human exploitation. Unless otherwise provided, it shall refer to the PPSRPA;
- (hh) "Protected Area Management Board" - refers to the multi-sectoral policy-making body for the protected area, created in accordance with Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992," and consistent with Republic Act No. 7611;
- (ii) "Protected landscape/seascape" - refers to an area of national significance which is characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of the area;
- (jj) "Protected species" - refers to any plant or animal declared protected under Philippine laws, rules and regulations. This shall also include plants and animals under the Convention on International Trade of Endangered Species of Wild Flora and Fauna (CITES) and all its Annexes, the Bonn Convention on the Conservation of Migratory Species, species under the red-list categories of the International Union for the

Conservation of Nature (IUCN), or any plant or animal which the DENR, the PCSD, or any government agency may deem necessary for conservation and preservation in the protected area;

- (kk) "Quarrying" - refers to the process of extracting, removing and disposing quarry resources, as defined by law, found on or underneath the surface of private or public land;
- (ll) "Recreational zones" - refer to areas of high recreational, tourism, educational or environmental awareness values where sustainable ecotourism, recreational, conservation education or public awareness activities may be allowed as prescribed in the Management Plan;
- (mm) "Special use zones" - refer to areas containing existing installations of national significance such as telecommunication facilities, irrigation canals or electric power lines;
- (nn) "Strategic Environmental Plan" or "SEP" refers to the comprehensive framework for the sustainable development of Palawan compatible with protecting and enhancing the natural resources and endangered environment of the province. Such framework serves to guide the local government units of Palawan and the government agencies concerned in the formulation and implementation of plans, programs and projects affecting said province;
- (oo) "Sustainable" - refers to the use of components of biological diversity in a manner and at a rate that does not lead to the decline of the species used nor cause permanent or long-term diminishment or qualitative degradation of biological species, ecological functions or of other resources extracted or disturbed. It shall not pertain to the exploitation of non-renewable resources in commercial quantities which will significantly alter the ecosystem or contribute to the extinction of species;
- (pp) "Strict protection zones"- refer to areas with high biodiversity value which shall be closed to all human activity except for scientific studies;
- (qq) "Tenured migrants"- refer to individuals and households within the PPSRPA who have actually and continuously occupied such areas on or before July 12, 1995 and are substantially dependent therein for subsistence;
- (rr) "Wildlife" - refer to wild forms and varieties of flora and fauna, including captive-bred or propagated individuals, parts, derivatives and by-products thereof.

CHAPTER II

PROTECTED AREA MANAGEMENT

SECTION 7. Administration and Management. – a.) The PPSRPA shall be under the administration, management, control and supervision of the PCSD through the Protected Area Management Office (PAMO).

b.) The PCSD, through the Protected Area Management Office (PAMO), shall have jurisdiction, power, and authority over the PPSRPA on matters that generally relate to biodiversity conservation, protection and sustainable development without prejudice to the implementation of special laws, including but not limited to Republic Act No. 7611, Republic Act No. 9147, Republic Act No. 9175, Republic Act No. 9072, Republic Act No. 8550, and other similar environmental laws, by other government agencies charged with the implementation of the said laws. The PCSD shall issue an Order setting out the rules that shall serve as the guidelines for the PAMO. The PAMO shall operate as one district office under the PCSDS, with jurisdiction over the PPSRPA.

c.) The PCSD, City Government of Puerto Princesa and Department of Environment and Natural Resources (DENR) shall closely coordinate with each other to ensure the sound management and conservation of the protected area and to provide technical and financial assistance therefor.

SECTION 8. Management Plan. – a.) Within one (1) year from the effectivity of this Act, a Management Plan shall be prepared by the Protected Area Management Office (PAMO), under the direction and supervision of the PCSD, in consultation with the ECAN Board of Puerto Princesa City, established under the applicable rules and regulations by the PCSD, and in accordance with Republic Act No. 7586, Republic Act No. 7611, Republic Act No. 9072 (National Caves and Cave Resources Management and Protection Act), and Republic Act No. 9147 (Wildlife Resources Conservation and Protection Act). The Management Plan shall serve as the basic long-term framework plan in the management of the PPSRPA and guide in the preparation of its annual operations plan and budget. The Management Plan shall be drafted with the assistance of experts in relevant fields such as, but not limited to, socio-economic planning, environment and protected area management. It shall be reviewed and be subject to the approval of the PCSD.

b.) The Management Plan shall substantially include the following:

1. Executive Summary;
2. Description of the Protected Area;
 - a. Historical Background
 - b. Biogeographic Setting
 - c. Regional and Local Setting
 - d. Topography, Geology and Soils
 - e. Climate
 - f. Boundaries and Rationale for their Location
 - g. Flora and Fauna, Habitats and Ecosystems
 - h. Human Population and Current Land Use
 - i. Legal Status and Regulations
 - j. Current Management Activities and Research

3. Issues;
 - a. Conservation Value
 - b. Biodiversity Concerns
 - c. Habitat Rehabilitation Needs
 - d. Management Constraints
 - e. Local Interests, Rights and Concerns
 - f. Development Potential, including Tourism
 - g. Changes Required in Legal Status
4. Management Plan;
 - a. Goals
 - b. Objectives
 - c. Key Management Issues
 - d. Site Management Strategy
 - e. Management Activities
 - i. Community organization
 - ii. Ancestral domain and rights
 - iii. Tenure for tenured protected area residents
 - iv. Boundary demarcation
 - v. Management zone boundaries and the rationale for each
 - vi. Protection program by wardens and by the community
 - vii. Habitat rehabilitation
 - viii. Habitat management
 - ix. Sustainable use
 - x. Infrastructure, including maintenance
 - xi. Visitor program and accommodations
 - xii. Specific management plans for each management zone
5. Bio-inventory and Research Program;
6. Sustainable Financing;
7. Green Climate Certification;
8. Special Studies;
9. Monitoring and Evaluation;
10. Management Information Data Base Development;
11. Administration;
 - a. Staffing
 - b. Work Program
 - c. Budget
12. Annexes;
 - a. Maps, pictures, aerial photographs
 - b. Species lists
 - c. References

c.) The Management Plan shall be consistent with the nature of the PPSRPA. It shall be reviewed and updated on a regular basis, at least once every three (3) years by the PAMO in consultation with the ECAN Board and with the technical assistance of the PCSDS, and subject to the approval of the PCSD. However, in cases where significant physical development occur within the protected area or critical resources constraints prevent implementation of important

programs or projects, the Management Plan or some components thereof may be revised or modified upon the recommendation of the PAMO and approval by the PCSD.

SECTION 9. Protected Area Management Office. – a.) There is hereby created a Protected Area Management Office, hereinafter referred to as PAMO, to be headed by a Protected Area Superintendent (PASu) who shall serve as its chief operating officer. The PAMO may also be referred to as the Puerto Princesa Subterranean River Protected Area Management Office (PPSRPAMO).

b.) The Protected Area Management Office shall be established within the protected area. The PASu and the PAMO staff, as provided in the immediately succeeding Section, shall be assigned therein.

c.) For this purpose, additional plantilla positions for the PASu and PAMO Staff are hereby created subject to the existing rules and regulations on creation of plantilla positions. Said positions shall be under the existing organizational structure and staffing pattern of the PCSDS. The PAMO shall operate as one district office under the PCSDS, with jurisdiction over the PPSRPA. The PCSD shall appoint the Protected Area Superintendent (PASu), and the PAMO staff upon recommendation of the PASu.

d.) The Protected Area Superintendent (PASu) shall be primarily accountable to the PCSD for the management and operations of the protected area. Pursuant to this, the PASu shall have the following duties and responsibilities in addition to those provided under the existing rules and regulations:

1. Facilitate the preparation of the Management Plan by the PAMO, in consultation with the ECAN Board and other stakeholders, including the annual work and financial plans and ensure its implementation;
2. Supervise the PAMO staff;
3. Establish a productive partnership with local communities including groups supporting the achievement of the goals and objectives of this Act;
4. Develop and implement the information, education and visitor programs of the PPSRPA;
5. Enforce the laws, rules, regulations and PCSD resolutions relevant to the PPSRPA and assist in the prosecution of offenses without prejudice to the enforcement of environmental laws by existing enforcement agencies in their areas of jurisdiction;
6. Monitor all activities within the PPSRPA in conformity with the Management Plan;
7. Ensure the integration of the PPSRPA management plans, programs, projects, regulations and policies with all relevant national and local government units' plans and programs;
8. Formulate and recommend to the PCSD proposed policies, rules, regulations and programs pertaining to the management and administration of the PPSRPA;
9. Issue permit for a project/activity(ies) within the PPSRPA in accordance with the guidelines adopted by the PCSD: Provided, that such project/activity will not cause adverse impact/effects to the protected area and communities therein, and that it is not

contrary to the Management Plan, pertinent policies and programs of the PPSRPA, and rules and regulations adopted by the PCSD;

10. Collect and/or receive pertinent fees, charges, donations, and other income for the protected area: Provided, that such fees, charges, donations, and other income collected/received shall be deposited to the PPSRPA Fund and reported to the PCSD in accordance with pertinent guidelines;
11. Implement the plans and programs stated in the Management Plan, and the rules, regulations and resolutions passed and approved by the PCSD; and
12. Perform such other functions as the PCSD and PCSDS may assign.

SECTION 10. Protected Area Management Office Staff. – a.) The PAMO shall be supported by a professional staff that will be charged with the responsibility of performing duties and services as may be required by the PASu in the exercise of his/her functions.

b.) The additional plantilla positions to be created under the organizational structure of the PCSDS shall be as follows:

<u>Number</u>	<u>Position</u>	<u>Salary Grade (SG)</u>
One (1)	Protected Area Superintendent V	SG 24
One (1)	Supervising Environmental Management Specialist (Deputy PASu)	SG 22
One (1)	Legal Assistant I	SG 10
One (1)	Secretary I	SG 7
Two (2)	Protected Area Maintenance Supervisor	SG 14
One (1)	Protected Area Chief Enforcement Officer	SG 10
Two (2)	Enforcement Officer II	SG 8
Ten (10)	Protected Area Enforcement Officer I	SG 6
One (1)	Senior Protected Area Management Specialist	SG 18
Two (2)	Protected Area Management Specialist II	SG 15
Two (2)	Protected Area Management Specialist I	SG 11
Three (3)	Tourism Operations Officer II	SG 15

<Will find appropriate positions and SG>

c.) The PCSDS shall exercise control and supervision over the enforcement officers in the performance of their functions.

d.) The finance and administration functions necessary for the operations of the PAMO and its staff shall remain to be carried out by the existing PCSDS.

SECTION 11. Integration of the Management Plan into Local Development Plans.

– The Management Plan of the PPSRPA shall be incorporated into the development plans of the barangays within the PPSRPA, the City Government of Puerto Princesa, and the Regional Development Council of MIMAROPA as part of their environmental concerns in order to ensure that the future development of the city and the region is in accordance with this Act.

Local government units shall likewise ensure that local ordinances pertaining to the environment are consistent with this Act and the Management Plan, as herein provided.

SECTION 12. Zoning. – The identification of zones and the criteria in their delineation and demarcation shall be made in accordance with the existing zonation scheme established under Republic Act No. 7611. Provided, that the identification and the designation of Strict Protection Zones, Special Use Zones, Recreational Zones and Multiple-use Zones must be consistent with the Environmentally Critical Areas Network (ECAN) strategy of Palawan pursuant to Republic Act No. 7611.

SECTION 13. Ancestral Domains and Customary Rights. – a.) Ancestral domains, and other customary rights and interests of indigenous communities within the PPSRPA shall be accorded due recognition. Consistent with the authority granted by Republic Act No. 7611, there must be a prior declaration by the PCSD that an area within the PPSRPA is an ancestral tribal zone before it may be declared as an ancestral domain/land by the National Commission on Indigenous Peoples (NCIP).

b.) Nothing herein shall be construed to impair or diminish prior and existing rights currently enjoyed by the indigenous cultural communities or indigenous peoples within the PPSRPA as provided for by existing laws.

SECTION 14. Tenured Migrants and Other PPSRPA Occupants. – a.) Tenured migrants shall be eligible to become stewards of portions of lands within allowable zones defined or provided under Republic Act No. 7611 and its implementing rules and regulations. The PCSD shall identify, verify and review all tenurial instruments, land claims, and issuances of permits for resource use within the PPSRPA and recommend the issuance of the appropriate tenurial instrument consistent with the zoning provided in the management plan. The PCSD may delegate these responsibilities to one or some of its members, the PASu, or the PCSDS through a duly adopted administrative order, resolution, or other issuance. In the event of termination of a tenurial instrument for cause or by voluntary surrender of rights, the PASu shall take immediate steps to rehabilitate the area in order to return it to its natural state.

b.) Should areas occupied by tenured migrants be designated as zones in which no occupation or other activities are allowed pursuant to the attainment of sustainable development, the PCSD is authorized to facilitate their transfer to allowable zones which shall be accomplished through just and humane means. Other PPSRPA occupants who do not qualify as tenured migrants as determined by the PCSD shall be resettled outside the PPSRPA. The PCSD shall plan and implement a definite schedule for resettling them outside of the PPSRPA following the procedures set forth by existing law.

c.) The PAMO shall conduct a PPSRPA occupants survey and submit to the PCSD within two (2) years from the effectivity of this Act the final list of tenured migrants, which shall be the basis for tenured migrants recognition and issuance of tenurial instruments. Within the two (2)-year period, the PASu shall submit an accomplishment report on the said survey every six (6) months.

SECTION 15. Cancellation of Tenurial Instrument of Tenured Migrants. – a.)

After the grant of tenurial instruments by the PCSD to the recognized tenured migrants, such tenurial instruments may be cancelled for the following causes:

1. Violation of the terms and conditions specified in the tenurial instrument of tenured migrants;
2. Violation of pertinent PPSRPA policies, rules and regulations promulgated by the PAMO and/or PCSD;
3. Repeated refusal of the holder of the tenurial instrument to comply with the management plan for the PPSRPA;
4. Voluntary surrender of such rights; or
5. Other just causes as determined by the PCSD.

b.) Upon cancellation of the tenurial instrument of the tenured migrant, the PASu shall take immediate steps to rehabilitate the area previously occupied in order to restore it to its natural state.

SECTION 16. Existing Rights. – All prior property and private rights within the protected area already existing and/or vested prior to the effectivity of this Act shall be protected and respected in accordance with existing laws. Provided, that the exercise of such property and private rights shall be harmonized, as far as practicable, with the provisions of this Act. Consequently, all lands that were already classified as alienable and disposable or agricultural lands prior to the passage of this Act shall continue to be classified as such and may be available for disposition and titling subject to existing rules and regulation.

SECTION 17. Contracts involving Lands within the PPSRPA. – a.) The purchase, sale, encumbrance, mortgage, usufruct or lease of lands within the protected area to persons outside the protected area shall be subject to the approval of the PCSD and made in accordance with the existing laws, rules and regulations.

b.) Persons not otherwise prohibited to utilize lands within the PPSRPA may enter into joint venture agreements with the government in accordance with existing law, rules and regulations.

**CHAPTER III
UTILIZATION OF RESOURCES**

SECTION 18. Existing Facilities within the PPSRPA. – a.) Within ninety (90) days from the effectivity of this Act, an inventory of all existing facilities such as roads, buildings and structures, water systems, transmission lines, communication facilities, heavy equipment, and irrigation facilities, among others, within the protected area shall be conducted by the PAMO with the assistance of the PCSDS. The PAMO shall submit the inventory of the facilities with corresponding descriptions and an assessment report containing the appropriate recommendations to the PCSD.

b.) The owners, proponents, developers, and/or entities responsible for the construction of all existing facilities such as roads, buildings and structures, water systems, transmission lines, communication facilities, heavy equipment, and irrigation facilities, among others, within the PPSRPA shall submit the detailed project description/plan of such facilities to the PCSD through the PAMO.

c.) The PCSD, in consultation with the ECAN Board, shall determine whether the existence of such facilities within the PPSRPA and their future plans and operations will be detrimental to the PPSRPA. The PCSD may impose conditions for the continuous operation of a facility found to be detrimental to the protected area until its eventual relocation. If such a condition is violated, the owner of the facility shall be liable to pay a fine of Fifty Thousand Pesos (P50,000) for every violation. For every continuing violation or if the violation continues to be committed for thirty (30) days, or upon reaching a total fine of Five Hundred Thousand Pesos (P500,000), the PCSD with the assistance of the local government units concerned shall cause the cessation of operation and either forfeit in favor of the PAMO or demolish the facility at the cost of its owner. If the facility is government-owned, the agency in charge shall submit a plan for a substitute facility that complies with the protected area standards and, within one (1) year, execute the approved protected area management plan.

d.) Existing facilities allowed to remain within the PPSRPA may be charged a reasonable fee by the PCSD. All income from such fee shall accrue to the PPSRPA Fund.

SECTION 19. Energy Resources. – a.) Any exploitation or utilization of nonrenewable resources within the PPSRPA for energy projects shall not be allowed. The development and operation of nonrenewable energy projects are prohibited in the PPSRPA, unless allowed through an act of Congress.

b.) Renewable energy projects may be allowed within the PPSRPA by the PCSD: Provided, that renewable energy projects, which shall be located outside the core zones and/or strict protection zones, shall undergo the Environmental Impact Assessment as provided by law without prejudice to the necessity of other permits and/or clearances, and shall adopt reduced-impact technologies so as not to be detrimental to ecosystem functions, biodiversity, cultural practices and traditions; Provided further, that sufficient bond shall be remitted by the proponent to the PCSD, the amount of which will be based on damage estimation upon decommissioning and projected cost of rehabilitation. It shall be released to the depositor upon the satisfactory decommissioning of all equipment, structures and improvements and the rehabilitation of the site according to the zones and objectives of the management plan as attested to the PCSD.

SECTION 20. Public Lands. – Public lands already classified as agricultural and alienable or disposable prior to the passage of this Act shall remain as such and may be disposed of pursuant to the provisions of Commonwealth Act No. 141, otherwise known as the “Public Land Act,” as amended. Upon passage of this Act, no land within the PPSRPA shall be released from the public domain as alienable and disposable and any sale, transfer, alienation or disposition thereof shall be null and void.

CHAPTER IV

PROHIBITED ACTS AND PENALTIES

SECTION 21. Prohibited Acts. –

- a.) It shall be prohibited to commit within the PPSRPA the following acts:
1. Rake, destroy, collect, disturb or possess any wild terrestrial or aquatic plants or animals, flora or fauna, sand, rocks or by-products derived therefrom within particularly identified regulated or prohibited areas or zones in the PPSRPA including private lands without the necessary permit, authorization or exemption: Provided, that hunting of animals shall be absolutely prohibited except if the collection is for scientific research;
 2. Cut, gather, remove or collect timber or any forest products, within particularly identified regulated or prohibited areas or zones in the PPSRPA including private lands without the necessary permit, authorization or exemption;
 3. Possess or transport within or outside the PPSRPA any timber, forest products, wild terrestrial or aquatic plants, animals, flora or fauna, or by-products derived therefrom which is ascertained to have been taken from the PPSRPA
 4. Undertake mineral exploration or extraction within the PPSRPA ;
 5. Engage in quarrying of sand, gravel, guano, limestone or any material within the PPSRPA;
 6. Hunt, collect, remove or destroy any endangered or protected species, except when the collection or removal is for scientific research or commercial breeding in accordance and in compliance with the requirements under Republic Act No. 9147;
 7. Conduct bioprospecting within the PPSRPA without permit from the PCSD pursuant to Republic Act No. 9147; and/or
 8. Establish or introduce exotic species within the PPSRPA without prior approval from the PCSD pursuant to Republic Act No. 9147.
 9. Violate any rules and regulations in the management plan approved by the PCSD;
 10. Erect any structure on land or water for any purpose not included in the management plan or contrary thereto: Provided, that large-scale private infrastructure and other projects such as medium- to high-density residential subdivisions, medium to large commercial and industrial establishments, golf courses, heavily mechanized commercial and non-traditional farming, and other activities that cause increased in-migration, pollution and resource degradation are absolutely prohibited;
 11. Possess a chainsaw, portable power saw, and/or other mechanized equipment for cutting trees within the PPSRPA without a permit from the PCSD;
 12. Throw, dump or cause to be dumped into the PPSRPA any non-biodegradable material or waste whether liquid, solid, gas, or other intermediate phase;
 13. Use, dump, place or cause to be placed into the PPSRPA toxic chemicals, including pesticides and other hazardous substances, unless the same is expressly allowed in the management plan;
 14. Prospect, hunt or otherwise locate hidden treasures within the PPSRPA;
 15. Informally occupy or dwell in any land within the PPSRPA without clearance from the PCSD;

16. Possess or use blasting caps or explosives anywhere within the PPSRPA;
17. Destroy, excavate, vandalize or in any manner damage any natural formation, religious, spiritual, historical sites and/or artifacts, and other objects of natural or scenic value;
18. Alter, remove or destroy boundary marks or signs;
19. Engage in *kaingin*, or in any manner cause forest fire inside the PPSRPA; and/or
20. Purchase, sell, mortgage or lease lands or other portions of the PPSRPA without prior approval of the PCSD.

b.) For purposes of computing the value of the resources taken, damaged or destroyed due to the commission of the prohibited acts under Section 21, paragraphs (1) to (8) of this Act, the valuation of the resources taken, damaged, or destroyed shall be determined based on the existing valuation of the PCSD, DENR and/or BFAR.

c.) Such valuation shall take into account biodiversity and conservation considerations as well as aesthetic and scenic value. Valuation assessed by the PCSD, DENR, BFAR, or other concerned government agency shall be presumed correct unless otherwise proven by preponderant evidence.

d.) Any person who induces another, or conspires to commit any of the illegal acts prohibited in this Act, or suffered his/her workers to commit any of the same shall be liable in the same manner as the one actually performing the act.

e.) All conveyances, vessels, equipment, paraphernalia, implements, gears, tools and similar devices shall be subject to immediate administrative confiscation by the PCSD upon apprehension, independent of the judicial proceedings, subject however to due process and substantial evidence requirements. However, when legal action is filed in the regular courts, the said conveyances, vessels, equipment, paraphernalia, implements, gears, tools and similar devices, independent of the administrative proceedings, shall not be released until after judgment has been rendered. Proceeds of the sale of all objects administratively or judicially confiscated pursuant hereto shall accrue to the PPSRPA Fund.

f.) Procedure for the sale of the items under the immediately preceding paragraph shall be promulgated by the PCSD. However, in no case shall any confiscated or rescued protected wildlife species be sold or in any manner disposed of, but shall be immediately turned over to the Palawan Wildlife Rescue and Conservation Center (PWRCC) or any other government-accredited rescue center for subsequent release in its natural habitat, subject to existing regulations.

g.) The imposition of penalties under this Act shall not prejudice the imposition of penalties under Republic Act No. 9072 (National Caves and Cave Resources Management and Protection Act), Republic Act No. 9147 (Wildlife Resources Conservation and Protection Act), Republic Act No. 7586 (National Integrated Protected Areas System Act of 1992), and other relevant laws.

h.) If the violation committed is punishable by a heavier penalty under another law, the offender may be prosecuted under such law.

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

SECTION 22. Penalties. –

a.) Depending on the value of the resources taken, damaged or destroyed due to the commission of the prohibited acts under Section 21, paragraph (a), subparagraphs (1) to (8) of this Act, the penalties to be imposed are:

1. If the value of the resources taken, damaged or destroyed does not exceed Twenty Thousand Pesos (P20,000), the penalty of imprisonment from three (3) months to six (6) months, or a fine of not less than Two Hundred Thousand Pesos (P200,000) but not more than One Million Pesos (P1,000,000), or both, plus damages of triple the value of the said resources;
2. If the value of the resources taken, damaged or destroyed is more than Twenty Thousand Pesos (P20,000) but does not exceed One Hundred Thousand Pesos (P100,000), the penalty of imprisonment from six (6) months and one (1) day to six (6) years, or a fine of not less than Two Hundred Thousand Pesos (P200,000) but not more than One Million Pesos (P1,000,000), or both, plus damages of triple the value of the said resources;
3. If the value of the resources taken, damaged or destroyed is more than One Hundred Thousand Pesos (P100,000) but does not exceed Two Hundred Fifty Thousand Pesos (P250,000), the penalty of imprisonment from six (6) years and one (1) day to twelve (12) years, or a fine of not less than Five Hundred Thousand Pesos (P500,000) but not more than One Million Pesos (P1,000,000), or both, plus damages of triple the value of the said resources;
4. If the value of the resources taken, damaged or destroyed is more than Two Hundred Fifty Thousand Pesos (P250,000) but does not exceed Five Hundred Thousand Pesos (P500,000), the penalty of imprisonment from twelve (12) years and one (1) day to twenty (20) years, or a fine of not less than One Million Pesos (P1,000,000) but not more than Two Million Pesos (P2,000,000), or both, plus damages of triple the value of the said resources;
5. If the value of the resources taken, damaged or destroyed is more than Five Hundred Thousand Pesos (P500,000) but does not exceed Two Million Pesos (P2,000,000), the penalty of imprisonment from twenty (20) years and one (1) day to thirty (30) years, or a fine of not less than Two Million Pesos (P2,000,000) but not more than Five Million Pesos (P5,000,000), or both, plus damages of triple the value of the said resources;
6. If the value of the resources taken, damaged or destroyed is more than Two Million Pesos (P2,000,000), the penalty of imprisonment from thirty (30) years and one (1) day to sixty (60) years, or a fine of not less than Five Million Pesos (P5,000,000), or both, plus damages of triple the value of the said resources.

- b.) A fine of not less than Fifty Thousand pesos (P50,000) but not more than Five hundred thousand pesos (P500,000), or imprisonment for not less than one (1) year but not more than six (6) years, or both, shall be imposed upon any person who commits any of the prohibited acts under Section 21, paragraph (a), subparagraphs (9) to (20) of this Act.

SECTION 23. Powers and Functions of the PCSD. – For the purpose of this Act, the PCSD is hereby vested with the following powers and functions:

- 1.) Promulgate rules and regulations for the protection, conservation, management and administration of the PPSRPA, and impose fines for violation thereof: Provided, that such fines administrative fines shall not be less than Five Thousand Pesos (P5,000), but not exceed Five Million Pesos (P5,000,000): Provided further, that if the PPSRPA or any portion thereof sustained damage from any activity conducted therein and requires rehabilitation or restoration as determined by the PCSD, the offender shall be required to restore or pay compensation for the damage, which payment shall accrue to the PPSRPA Fund;
- 2.) Amend and rescind such rules and regulations it previously adopted;
- 3.) Exercise quasi-judicial powers to ascertain facts, hold hearings, and adjudicate cases between parties with conflicting rights or interests in relation to the duly adopted rules and regulations for the protection, conservation, management and administration of the PPSRPA;
- 4.) Enforce its decisions, rulings or resolutions in administrative cases that it adjudicated under this Act;
- 5.) Authority to appoint the Protected Area Superintendent (PASu), and the PAMO staff upon recommendation of the PASu;
- 6.) Power to impose fees and charges, and to generate revenue or funds from the use of resources and facilities of the PPSRPA; contributions from persons, entities, industries and facilities directly benefiting from the protected area; such other fees and income derived from the operation of the PPSRPA; grants, donations and endowments; and other legal sources;
- 7.) Authority to receive fees, charges, revenue, funds, grants, donations, endowments, and other form of income from legal sources for the operation, protection, management and administration of the PPSRPA; and
- 8.) Perform such other powers and functions as may be necessary in carrying out its functions, powers, and the provisions of this Act.

SECTION 24. Special Prosecutor. – Within thirty (30) days from the effectivity of this Act, the Department of Justice shall appoint a special prosecutor, or more than one if deemed necessary, to whom all cases of violation of the laws, rules and regulations in the PPSRPA shall be assigned. Such special prosecutor shall coordinate with the PCSDS, PASu and PAMO in the performance of his/her duties, and assist in the training of enforcement officers in arrest and criminal procedures.

SECTION 25. Special Counsel. – The PCSD may retain the services of a counsel to assist in the prosecution of cases, and defend the members/employees of the PCSD, PCSDS,

and PAMO, or any person assisting in the protection, conservation and sustainable development of the PPSRPA, against any legal action arising from the performance of their powers, functions and responsibilities as provided in this Act.

CHAPTER V PROCEEDS AND FEES

SECTION 26. Puerto Princesa Subterranean River Protected Area Fund. - a.)

There is hereby established a trust fund to be known as the “**Puerto Princesa Subterranean River Protected Area Fund**” (PPSRPAF) and shall be managed by the PCSD for purposes of financing the projects and sustaining the operation of the PPSRPA, including monitoring and enforcement activities. Income generated from the operation and management of the PPSRPA shall accrue to the PPSRPA Fund. The income shall be derived from fees and charges from the use of resources and facilities of the PPSRPA; contributions from industries and facilities directly benefiting from the protected area; such other fees and income derived from the operation of the PPSRPA; grants, donations and endowments; and other legal sources.

b.) Seventy-five percent (75%) of all income generated from the operation and management of the PPSRPA shall accrue to the PPSRPA Fund. Provided, that disbursement out of the Fund shall be used solely for the protection, maintenance, administration, and management of the PPSRPA and implementation of duly approved projects therein by the PCSD. The remaining twenty-five percent (25%) shall accrue to the National Treasury: Provided, that in case of economic crisis and the gross income is insufficient to cover the expenses of operations, the twenty-five percent (25%) portion may be retained in the PPSRPA Fund and used for the operation and management of the PPSRPA, with the concurrence of the Department of Budget and Management.

c.) Grants, donations, and endowments from various sources, domestic or foreign, to the PPSRPA shall be deposited in full in the PPSRPA Fund to be used for the purpose specified in the deeds and instruments covering them. The PCSD and PCSDS may receive such grants, donations, and endowments and deposit the same in the PPSRPA Fund.

d.) Fines, penalties, and compensation for damages adjudged by judicial and quasi-judicial courts or bodies for violation of this Act and other environmental laws committed within the PPSRPA shall accrue to the PPSRPA Fund. For this purpose, any judicial and quasi-judicial court or body, which has in its custody or possession such fines, penalties, and compensation for damages, shall transmit or cause to transmit the same to the PPSRPA Fund.

e.) The PCSD may impose and charge reasonable fees, such as but not limited to water users fee for water extracted by commercial water extractors/distributors sourced and generated from the PPSRPA. Such fee structure may change as the PCSD may see fit.

f.) The use of the PPSRPA Fund shall be in accordance with existing accounting, budgeting, and auditing rules and regulations. The PPSRPA Fund shall not be paid out except in the fulfillment of the purpose for which it was created and only upon authorization or approval by the PCSD of the corresponding work and financial plan.

SECTION 27. Tax Exemption. – All grants, bequests and endowments, donations and contributions made to the PPSRPA Fund to be used actually, directly, and exclusively by the PPSRPA shall be exempted from donor's tax and shall be considered as allowable deduction from the gross income of the donor for the purpose of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SECTION 28. Appropriations. – The Executive Director of the PCSDS shall immediately include in the agency's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

CHAPTER VI MISCELLANEOUS PROVISIONS

SECTION 29. Construction and Suppletory Application of Existing Laws. The provisions of this Act shall be construed liberally in favor of the protection and rehabilitation of the PPSRPA and the conservation and restoration of biological diversity taking into account the needs and interests of qualified tenured migrants, vested rights, IPs and local communities, and the benefits from ecosystem services and functions of the PPSRPA, for present and future generations.

Republic Act No. 7586 (National Integrated Protected Areas System Act of 1992), Republic Act No. 7611 (Strategic Environmental Plan for Palawan Act), Republic Act No. 9147 (Wildlife Resources Conservation and Protection Act), Republic Act No. 9072 (National Caves and Cave Resources Management and Protection Act), Republic Act No. 8371 (The Indigenous Peoples' Rights Act of 1997), and other existing laws and their corresponding rules and regulations not inconsistent hereto shall have the suppletory effect in the implementation of this Act.

SECTION 30. Transitory Provisions. – In order to ensure the sustainability and recovery of biodiversity and to develop sustainable livelihood opportunities for tenured migrants, the PCSD and DENR shall henceforth cease to issue concessions, licenses, permits, clearances, compliance documents or any other instrument that allows exploitation of resources within the PPSRPA until the Management Plan shall have been put into effect.

SECTION 31. Separability Clause. – If any provision or portion of this Act is declared unconstitutional or invalid, other provisions or portions hereof not affected thereby shall continue to be in full force and effect.

SECTION 32. Repealing Clause. – All laws, decrees, proclamations, executive orders, rules and regulations or parts thereof which are contrary to or inconsistent with any provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 33. Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved.