



Republic of the Philippines  
**Department of Environment and Natural Resources**  
MIMAROPA Region



# **Mounts Iglit-Baco Natural Park Protected Area Management Board Manual of Operations**

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## Acronyms

ADSDPP	Ancestral Domain Sustainable Development and Protection Plan
CADT	Certificate of Ancestral Domain Title
CALT	Certificate of Ancestral Land Title
CCP	Community Conservation Plan
CENRO	Community Environment and Natural Resources Officer
CEPA	Communication, Education, and Public Awareness
CLUP	Comprehensive Land Use Plan
CRMP	Community Resources Management Plan
DA	Department of Agriculture
DND	Department of National Defense
DENR	Department of Environment and Natural Resources
DOLE	Department of Labor and Employment
DOST	Department of Science and Technology
DSWD	Department of Social Work and Welfare
FPIC	Free and Prior Informed Consent
HLURB	Housing and Land Use Regulatory Board
ICC	Indigenous Cultural Communities
IP	Indigenous Peoples
IPAF	Integrated Protected Area Fund
IPRA	Indigenous Peoples Rights Act
IRR	Implementing Rules and Regulations
LGU	Local Government Unit
M&E	Monitoring and evaluation
MIBNP	Mount Iglit Baco Natural Park
NBI	National Bureau of Investigation
NHA	National Housing Authority
NEDA	National Economic Development Authority
NGO	Non-Government Organization
NIPAS	National Integrated Protected Areas System
PA	Protected Area
PACBRMA	Protected Area Community-Based Resource Management Agreement
PAMB	Protected Area Management Board
PAMP	Protected Area Management Plan
PA-RIA	Protected Area – Retained Income Account
PASu	Protected Area Superintendent
PAMO	Protected Area Management Office
PENRO	Provincial Environment and Natural Resources Officer
PNP	Philippine National Police
PO	People’s Organization
SAGF	Special Account in the General Fund
TWC	Technical Working Committee

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Photo credits:

# 1 Introduction

Mounts Iglit-Baco Natural Park is situated in the island of Mindoro and has been established under Republic Act 11038 - Expanded National Integrated Protected Areas System (ENIPAS) Act of June 22 2018, having previously been declared a National Park since 1970. Mts. Iglit-Baco has been designated as an ASEAN Heritage Park under the ASEAN Declaration on Heritage Parks of 18 December 2003, signed by the ASEAN Ministers of Environment.

With a total surface area of 106,665.50 hectares, the park straddles the two provinces of the island. A big portion of the park (86%) is situated in Occidental Mindoro, and 14% in Oriental Mindoro. There are eight (8) municipalities with portions of their jurisdictions located within the protected area: four in Occidental Mindoro (Sablayan, Rizal, Calintaan, and San Jose) and four in Oriental Mindoro (Gloria, Bansud, Bongabong, and Mansalay). The town with the largest area within the park is Sablayan; 68% of the protected area falls within the territory of Sablayan. The town with the next largest area within the park is Calintaan, with 9% of the area of the park falling within its jurisdiction. The town with the smallest area within its territory is Mansalay, with only 1.2% of the area of the park within its jurisdiction.

The park host the last remaining viable population of the tamaraw, although there are other wildlife species some of which are endemic to Mindoro that are found in the area.

This is the first edition of the MIBNP PAMB Manual of Operations.

## 2 Purpose of the manual of operations

It is widely acknowledged that effective management of the Protected Area starts with a fully functioning PAMB and its Internal Rule and Regulations (IRR). If Protected Areas were to perform their expected role in contributing to achievement of conservation and their ecosystem services objectives, the PAMB have to be actively engaging with stakeholders, communities, and performing as a multi stakeholder body. Such performance hinges on a well-informed PAMB, particularly about the relevant laws, policies and procedures governing PA management.

A functioning of PAMB will also be effective through a Manual of Operations and IRRs that will guide the conduct of their affairs. The PAMB members has to be properly oriented about the nature, scope and limitations of their roles, functions and responsibilities as approving authorities, decision makers, accountable persons, and managers of PAs.

PA management requires inter-agency/multi-sectoral cooperation. A PAMB needs to improve its inter-agency/multi-sectoral management system by reviewing its functions. Foremost, there is a need to delegate authorities to address sectoral concerns by committees or task forces that shall be within the PAMB membership or if needed experts form the stakeholders which are not appointed PAMB members.

The implementation of the Management Plan, and the ENIPAS as a whole, involves several institutional partners at the regional, provincial, municipal and barangay levels. These include several national government agencies and the local government unit (LGU) community in the province of both Oriental and Occidental Mindoro. It also involves local communities, households, people's organizations, non-government organizations, private sector, academic institutions and other civil society sector. To ensure the Management Plan component's effective and efficient implementation, including that of the activities to be supported by the national and international agencies, it is important that the stakeholders, most especially the project implementers, gain shared understanding of its operating mechanisms. This manual thus aims to ensure a common understanding of the PAMB, its component and operating systems by all stakeholders.

## **3 Overview**

### **3.1 Scope of application**

Pursuant to the provisions of RA 11038 or the Expanded National Integrated Protected Areas Act of 2018 and DAO 2019-05 or its Implementing Rules and Regulations, the provisions of this Manual of Operations shall apply to the Mount Iglit-Baco Natural Park Protected Area Management Board (MIBNP PAMB) which membership has been officially appointed by the DENR Secretary.

### **3.2 Declaration of policy**

This Manual of Operations adopts the following policy and policy statements<sup>1</sup>:

1. The MIBNP PAMB shall protect and conserve significant economic, biological, physical and socio-cultural values of the MIBNP to sustain human well-being and development into perpetuity for the enjoyment of present and future generations. This shall be pursued by participatory and collaborative management and effective administration of the MIBNP to maintain its ecological character and ecosystem services through adopted policies by all stakeholders.
2. Recognizing the important role that indigenous cultural communities play in living harmoniously and sharing living space with wildlife species within their Ancestral Domain and the MIBNP, the PAMB shall put special focus on the preservation of indigenous social and political structure and the promotion of traditional knowledge systems and customary laws to be integrated into all structures and plans of the MIBNP PAMB.
3. Land use and natural resource management practices in MIBNP should aim to maintain or improve habitats, ecosystem services and cultural values.

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<sup>1</sup> Taken from the Technical Bulletin 2017-04 Prescribing guidelines in the preparation of PAMB Manual of Operations.

4. The potential impacts of climate change in disaster risk reduction should be considered in planning for biodiversity conservation and natural resources management.
5. Research into the ecology of MIBNP should be encouraged to better understand and support land use planning and management, law enforcement activities, and Indigenous Knowledge Systems and Practices shall be acknowledged and adopted.
6. Cooperation and incentives among farmers, government authorities, nongovernment organizations, indigenous peoples, academic institutions, churches, international partners, and the general community are essential for effective management.
7. Data-driven planning, adaptive management, and results-based monitoring and evaluation are vital to enhance management performance, understand the wildlife sanctuary dynamics, and achieve meaningful results.

### 3.3 Guiding principles

The PAMB as a multi-stakeholder body composed of representatives from different institutions, agencies, academe, indigenous people and civil societies adheres to the following principles, values and norms as standards in the performance and execution of its official duties and responsibilities<sup>2</sup>:

1. ***Sustainability*** - the PAMB shall uphold the principle of sustainability in all its actions and decisions. It shall endeavor to achieve a balance between ecological integrity, cultural sensitivity and socio-economic development. It shall strive to ensure that implemented activities are not one-offs and can be sustained.
2. ***Precautionary Principle***- the PAMB shall exercise caution in taking actions and making decisions. However, in case of threats or serious irreversible damage to the environment or human lives, the lack of full scientific and local knowledge about the situation should not be a cause for delay in the PAMB's decision.
3. ***Accountability***- the PAMB shall be accountable to the government and the public for all its actions including the proper management and utilization of protected area fund. The decisions or actions of the PAMB shall be equally responsive to the needs of environmental protection and the welfare of the local communities.
4. ***Participation***- As far as practicable, the PAMB shall engage the various stakeholders in the management of the MIBNP to ensure ownership and responsible investment.
5. ***Transparency*** - All information pertaining to the management of the MIBNP and the local communities, and documents such as, but not limited to, management plans and financial statements shall be made available to the public upon request in accordance with the existing freedom of information, data privacy act, and IPRA law. Sharing of IPs/ICCs related information and knowledge shall be only in accordance with customary laws of IPs.

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<sup>2</sup> Ibid



6. ***Adherence to Laws and Policies***- the PAMB members are expected to abide by relevant laws and policies governing protected areas and specific rules and regulations to wetland management and should act within the limits of their powers.
7. ***Efficiency and Effectiveness***- the PAMB shall ensure financial sustainability of the MIBNP through a proper formulation and implementation of the management plan. All revenues generated by the MIBNP shall be used solely to contribute to the protection, maintenance, administration, and management of the MIBNP.
8. ***Commitment to Public Interest***- the PAMB shall extend prompt, courteous and adequate service to the public. The members shall always uphold public interest over personal interest. All government resources and powers of their respective offices must be employed and use efficiency, honesty, and economically, particularly to avoid wastage in public funds and revenues.
9. ***Professionalism***- the PAMB shall perform and discharge its duties with the highest degree of excellence, professionalism, intelligence and skill. The members shall perform public service with utmost devotion and dedication to duty.
10. ***Fairness and Sincerity***- the PAMB must act with fairness and sincerity and shall not discriminate against anyone and the underprivileged. It shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good moral, good customs, public order, public policy, public safety and public interest. It shall not dispose or extend undue favour on account of their officers to their relatives whether by consanguinity of affinity.
11. ***Political Neutrality***- the PAMB shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.

### 3.4 Definition of terms<sup>3</sup>

1. “Biological diversity” or biodiversity refers to the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;
2. “Bioprospecting” refers to the research, collection, and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes;
3. “Delineation” refers to the actual ground survey of the boundaries of the protected area and their buffer zones and management zones using global positioning system (GPS) or other applicable survey instruments and technologies, with the intention of producing a map of the area.
4. “Demarcation” refers to the establishment of the boundaries of protected areas and their buffer zones using visible markers, monuments, buoys in case of marine areas, and known natural features and landmarks, among others, as a result of actual ground delineation.

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<sup>3</sup> Some derived from the ENIPAS Act of 2018.

5. “Endemic species” refers to the species or subspecies of flora and fauna which are naturally occurring and found within specific areas in the country;
6. “Ecosystem service” as defined by the Millennium Assessment (MA), ecosystem services are “the benefits people obtain from ecosystems. These include provisioning services such as food and water; regulating services such as regulation of floods, drought, land degradation, and disease; supporting services such as soil formation and nutrient cycling; and cultural services such as recreational, spiritual, religious, and other nonmaterial benefits.”
7. “Governance” refers to interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken and how citizens or other stakeholders have their say;
8. “Hunting” refers to the killing or catching of wild fauna for food and recreational purposes, with the use of weapons, such as guns, bow and arrow, spears, traps and snares, and the like;
9. “Indigenous Cultural Community” refers to a group of people sharing common bonds of language, customs, traditions and other distinctive cultural traits and who have since time immemorial, occupied, possessed and utilized a territory;
10. “Integrated Protected Area Fund (IPAF)” refers to the special account established for the purpose of financing projects of the NIPAS and individual protected areas;
11. “Invasive alien species” refers to species introduced deliberately or unintentionally outside their natural habitats where they have the ability to establish themselves, invade, outcompete native species, and take over the new environment;
12. “Multiple use zone” refers to the area where settlement, traditional and sustainable land use including agriculture, agroforestry, extraction activities, and income-generating or livelihood activities may be allowed to the extent prescribed in the protected area management plan;
13. “National Integrated Protected Areas System (NIPAS)” refers to the classification and administration of all designated protected areas to maintain ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;
14. “National Park” refers to the lands of the public domain classified as such in the Constitution which include all areas under the NIPAS pursuant to this Act, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;
15. “Protected Area” refers to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biologically, genetically and ecologically diverse and protected against destructive human exploitation;
16. “Special Account in the General Fund (SAGF)” refers to the trust fund deposited in the national treasury representing the twenty-five percent (25%) of the revenues generated from the operation of the protected area and earmarked to support the NIPAS;
17. “Strict Protection Zone” pertains to the management zones of protected areas consisting of natural areas with high biodiversity value closed to all human activities except for scientific studies and/or ceremonial or religious use by the ICCs/IPs. It may include habitats of

threatened species, or degraded areas that have been designated for restoration and subsequent protection, even if these areas are still in various stages of regeneration;

18. “Tenured migrants” refers to protected area occupants who have been actually, continuously, and presently occupying a portion of the protected area for five (5) years before the proclamation or law establishing the protected area, and are solely dependent therein for subsistence;
19. “Threatened species” refers to species or subspecies considered critically endangered, vulnerable, or other accepted categories of wildlife whose population is at risk of extinction;
20. “Wildlife” refers to the wild forms and varieties of flora and fauna, in all development stages, including those which are in captivity or are being bred, or propagated.

## **4 Vision and mission statements**

### **4.1 Vision**

“A self-sustaining Mounts Iglit-Baco Natural Park where Mindoro’s culture preserves the park’s biodiversity and the park serves as home of indigenous people, tamaraw, and other life forms in peaceful co-existence and being protected by empowered and responsible citizens who respect and promote nature.

### **4.2 Mission**

The MIBNP PAMB mission is to formulate policies, review and endorse relevant management initiatives, and oversee the overall management of MIBNP to achieve sustainable results by taking into consideration the diverse perspectives of stakeholders represented in the PAMB.

## **5 MIBNP -Protected Area Management Board**

### **5.1 Composition**

Pursuant to the ENIPAS Act of 2018, the MIBNP PAMB is composed of the following:

1. DENR Regional Director, as Chairperson;
2. Governor of Occidental Mindoro or his/her duly designated representative;
3. Representative of the Lone District of Mindoro or his/her duly designated representative;
4. Mayor of the Municipalities of Sablayan, Calintaan, Rizal and San Jose or his/her duly designated representative in the province of Occidental Mindoro; Mayors of the municipalities of Pinamalayan, Gloria, Bansud, Mansalay, and Bongabong in Oriental Mindoro;

5. Barangay Captains of the following barangays: Burgos, Ligaya and Batong-buhay of Sablayan, Manoot of Rizal, Malpalon, Poypoy and Tanyag of Calintaan and Monteclaro of San Jose in Occidental Mindoro; Bonbon of Mansalay, Lisap and Hagan of Bongabong, Conrazon, Malo, Rosacara and Manihala of Bansud, Buong Lupa of Gloria and Sabang, Pinamalayan in Oriental Mindoro.
6. Regional Director of the Department of Agriculture (DA);
7. Regional Director of National Economic Development Authority (NEDA);
8. Regional Director of Department of Science and Technology (DOST);
9. Regional Director of Philippine National Police (PNP);
10. Regional Director of Department of National Defense (DND);
11. Three (3) representatives from either from either NGO or PO (currently the Mindoro Biodiversity Conservation Foundation, Inc and World Wildlife Fund.);
12. Three (3) representatives of IPs: Taubuhid, Bangon, and Buhid;
13. One (1) representative from an academic institution (currently the Occidental Mindoro State College);
14. One (1) Representative of the private sector.

Only the above members of the MIBNP PAMB have voting powers. Representatives from other government agencies and relevant NGOs may be invited to PAMB meetings as resource persons with no voting powers.

In the absence of the DENR Regional Executive Director, PAMB members present during a meeting may elect the presiding officer during a PAMB regular and special meeting.

At least 40% of the PAMB members shall be women, pursuant to Republic Act No. 9710 or the “The Magna Carta of Women.”

The members of the PAMB shall serve without compensation except for the actual and necessary traveling and subsistence expenses incurred in the performance of their duties, either in their attendance in meetings of the PAMB or in connection with official business authorized through a resolution of the PAMB.

## **5.2 Powers and functions of the PAMB**

The MIBNP PAMB have the following powers and functions<sup>4</sup>:

1. Oversee the management of the protected area;
2. Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the protected area;

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<sup>4</sup> Derived from the ENIPAS Act of 2018.

3. Approve the management plan of the protected area and ensure its harmonization and integration with the ADSDPP, land use plan and other development plans, public and private, and its implementation;
4. Adopt a manual of operations to include rules of procedures in the conduct of business, and the creation of committees and their respective terms of reference;
5. Recommend the deputation of appropriate agencies and individuals for the enforcement of laws, rules and regulations governing the management of the protected area;
6. Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account (PA-RIA) and other funds in accordance with the accounting and budgeting rules and regulations;
7. Set fees and charges in accordance with existing guidelines;
8. Issue rules and regulations for the resolution of conflicts through appropriate and effective means;
9. Recommend appropriate policy changes to the DENR and other government authorities;
10. Monitor and assess the performance of the Protected Area Superintendent (PASu) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or agreement;
11. Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASu;
12. Recommend and concur on any DENR-initiated changes in PASu and other staff positions in the MIBNP PAMO; and
13. Assess the effectiveness of the management of the protected area.

### **5.3 Terms of Office of PAMB Members**

1. The ex-officio members of the MIBNP PAMB (members 1 to 10; see Section 3.1) shall serve for the duration of their respective elective or appointive positions;
2. PAMB members 11 to 14 (see Section 3.1) shall be appointed by the DENR Secretary after the conduct of a transparent and fair selection process. They shall serve a term of three years and may be appointed for another term.
3. The Regional Director of the DENR shall ensure that the relevant members of the PAMB are duly appointed by the DENR Secretary.
4. In the event of a permanent vacancy, including the expiration of the term of any of the foregoing PAMB members, the respective PAMB Chairperson shall issue notice of vacancy which shall be posted within fifteen (15) days from the occurrence of such vacancy. (Rule 11.11 of ENIPAS Act of 2018)

## 5.4 Selection Process for PAMB Members from NGOs, IPs, Academe, and Private Sector<sup>5</sup>

1. The application of and selection of NGOs and POs shall be in accordance with Rule 11.4 of the IRR of the ENIPAS Act of 2018:
  - a. The PENRO shall post a call for applications at its office premises, DENR Regional Office, DENR Regional Office website and as applicable through traditional and social media.
  - b. The call for applications shall clearly indicate the requirements, procedures, and the thirty (30) day deadline for submission.
  - c. Within thirty (30) calendar days from the posting of the call for applications, interested NGOs or POs, that have been in existence for at least five (5) years and possess a track record in or related to environmental conservation and protected area management, shall submit the following documents to the PENRO:
    - i. Letter of application
    - ii. Board Resolution signifying intent to be accredited for the purpose of representation in the PAMB;
    - iii. Certificate of accreditation from the *Sangguniang Panlalawigan*;
    - iv. Certificate of good community standing or endorsement from any two of the following: 1] the applicable LGU; 2] local leaders; 3] head of local religious organizations; and 4] other network organizations;
    - v. Accomplished NGO/PO Data Sheet with Organizational Structure;
    - vi. Registration with the Securities and Exchange Commission, Cooperative Development Authority, or Department of Labor and Employment (DOLE); and
    - vii. Financial statement for the past year duly signed by the Executive Officers of the organization and duly notarized, and indicating the organization's source of funds.
  - d. The PENRO shall determine the completeness and sufficiency of the applications and issue a Certificate of Accreditation to each applicant that satisfies the aforementioned requirements. Within fifteen (15) calendar days from the deadline of submission of applications, the PENRO shall forward the application documents of all accredited applicants to the PAMB Chairperson.
  - e. Upon receipt of the application documents of accredited NGOs/POs, the PAMB shall assess the applicants based on the following criteria:
    - i. Area(s) of operation;

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<sup>5</sup> Derived from ENIPAS Act of 2018

- ii. Length and extent of service in biodiversity conservation, environmental management, and other related fields;
    - iii. Track record and impact of relevant projects and activities; and
    - iv. Integrity and commitment to environmental and social issues.
  - f. The PAMB shall prioritize locally-based NGOs/POs.
2. The application of and selection of IP representatives shall be in accordance with Rule 11.5 of the IRR of the ENIPAS Act of 2018. There shall be at least one (1) but not more than three (3) representatives from different ICCs/IPs present in the area and recognized by the NCIP.
    - a. The CENRO shall post a call for applications at its office premises, the DENR Regional Office, the DENR Regional Office website, and as applicable through traditional and social media.
    - b. The call for applications shall clearly indicate the requirements, procedures, and the sixty (60) day deadline for submission,
    - c. Within sixty (60) calendar days from the posting of the Call for Applications, each ICC/IP within the protected area shall submit to the CENRO, the names of their chosen representatives validated by the NCIP. The selection shall be in accordance with the customary laws, practices, and traditional organization structure of the ICCs/IPs.
    - d. Within five (5) days from the receipt of applications, the CENRO shall forward the names of the representatives, through channels, to the Secretary.
  3. The application of and selection of a representative from an academic institution shall be in accordance with Rule 11.6 of the IRR of the ENIPAS Act of 2018,
    - a. The PENRO shall post a call for applications at its office premises, the DENR Regional Office, on the DENR Regional Office website, and as applicable, through traditional and social media.
    - b. The call for applications shall clearly indicate the requirements, procedures, and the thirty (30) day deadline for submission.
    - c. Within thirty (30) calendar days from the posting of the call for applications, interested members of the academe, who have track record in or related to protected area management, shall submit the following:
      - i. The applicant's curriculum vitae;
      - ii. A letter of intent that indicates the applicant's contributions to protected area management; and
      - iii. Endorsement from the head of the university or college.
    - d. Within five (5) calendar days from receipt of applications, the PENRO shall forward the application documents, through channels, to the Secretary.
  4. The application of and selection of a representative from the private sector shall be in accordance with Rule 11.7 of the IRR of the ENIPAS Act of 2018.



- a. The CENRO shall post a call for applications at its office premises, the DENR Regional Office, on the DENR Regional Office website, and as applicable, through traditional and social media.
- b. The call for applications shall clearly indicate the requirements, procedures, and the thirty (30) day deadline for submission.
- c. Within thirty (30) calendar days from the posting of the call for applications, interested members of the private sector, who have a track record in or related to protected area management, shall submit the following:
  - i. The applicant's curriculum vitae;
  - ii. A letter of intent that indicates the applicant's contributions to protected area management; and
  - iii. Any two (2) of the following documents: 1] certificate of good standing from the head of local religious organizations, or other network organizations; 2] endorsement from the LGU of Paluan, local leaders, or any ex-officio member of the PAMB; or 3] NBI clearance.
- d. The applicant must submit an affidavit declaring that he/she is not a member of any political party and not affiliated within the fourth degree of consanguinity or affinity with the endorsing entity and other members of the PAMB.
- e. The application may be in English or Filipino.
- f. The CENRO shall evaluate the applications based on the satisfaction of prescribed qualifications. Within fifteen (15) calendar days from the end of the application period, the CENRO shall submit the documents of qualified applicants to the PAMB Chairperson, who shall submit a shortlist of qualified applicants to the Secretary, within twenty (20) calendar days from the receipt of documents from the CENRO.

## 5.5 Organizational Structure

The organizational structure of the PAMB is shown in Figure 1 below.



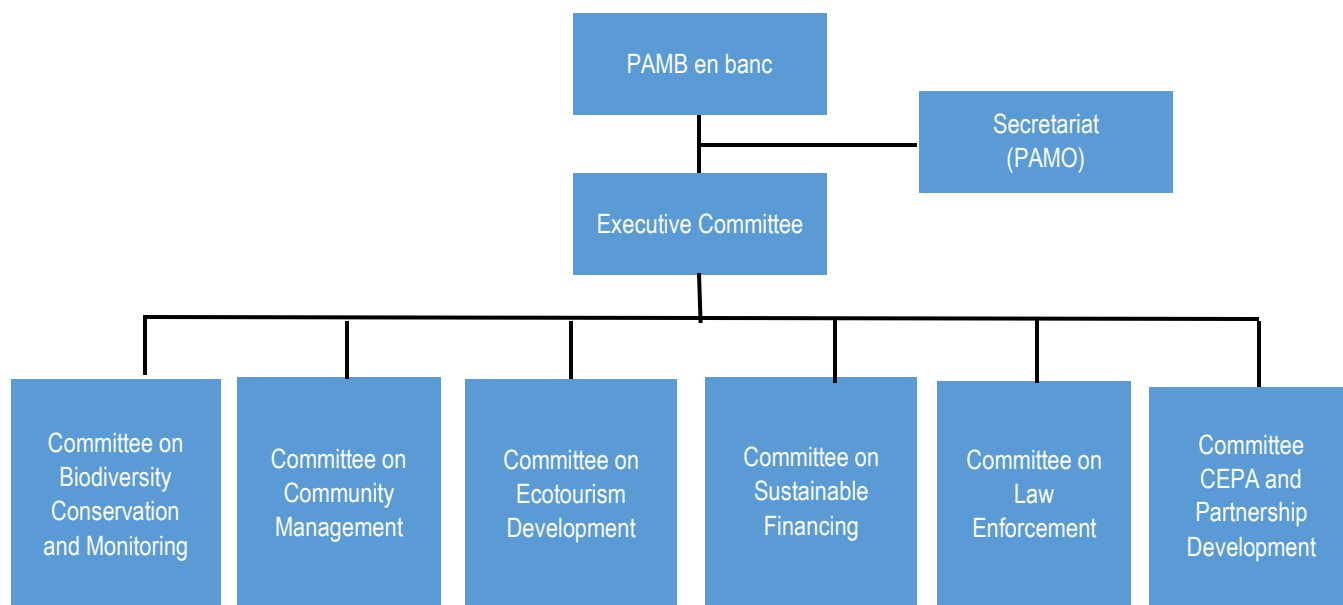


Figure 1. Organizational structure of MIBNP PAMB

## 5.6 The PAMB Executive Committee and Technical Working Committees and their Functions

1. The PAMB en banc, through the issuance of a resolution and by majority vote of the members present in a quorum, shall create the Technical Working Committees. The MIBNP PAMB shall have the following committees<sup>6</sup>:
  - a) Executive Committee;
  - b) Technical Working Committee on Biodiversity Conservation and Monitoring;
  - c) Technical Working Committee on Community Management;
  - d) Technical Working Committee on Law Enforcement and Wildlife Crime Prevention;
  - e) Technical Working Committee on Sustainable Financing; and
  - f) Technical Working Committee on Ecotourism Development
  - g) Technical Working Committee on External Communication and Public Information
2. The Executive Committee shall be headed by the PAMB Chair and the chairs of the Technical Working Committees.
3. The members of the technical working committees shall be determined during regular PAMB meetings through a voluntary selection process. Those who volunteered shall choose among themselves their Committee Chair.

<sup>6</sup> Derived from ENIPAS Act of 2018, except for functions.

4. The duties and functions of the Executive Committee are the following:
  - a) Conduct detailed review of the PA management plan and endorse this to the PAMB en banc for adoption;
  - b) Review and recommend for approval the annual work and financial plan;
  - c) Establish criteria and recommend fees and charges for use of protected area resources in accordance with DENR guidelines for protected areas.
  - d) Oversee the PAMO operations and PAMB Technical Working Committees that would include regular periodic monitoring and evaluation;
  - e) Draft policies and guidelines (including the PAMB manual of operations) relevant to effective management of the MIBNP and endorse this to the PAMB en banc for adoption;
  - f) Review and recommend for approval proposed programs, projects and activities to be implemented by other stakeholders of MIBNP which are within the scope and coverage of the PAMP, including endorsement to the DENR Regional Office for the issuance of Gratuitous Permit for any scientific surveys and studies;
  - g) Review and recommend the adoption of any agreement between the PAMB and other stakeholders on any program, project or activity to be implemented in MIBNP ; and
  - h) Perform other functions authorized through a resolution of the PAMB.
5. The duties and functions of the Technical Working Committee on Biodiversity Conservation and Monitoring are the following:
  - a) Identify studies/research activities that are necessary to provide information for the management planning and monitoring of status of resources;
  - b) Prepare and recommend actions needed to address the findings of the studies in terms of policies and programs and inclusion in the management plan;
  - c) Facilitate and coordinate the establishment of linkage with research institutions, academe and organizations to carry out relevant studies and research activities needed for effective PA management;
  - d) Conduct regular reviews of BMS and patrol reports, consolidate these into an annual report on the status of biodiversity, and make recommendations to PAMB, LGUs, and concerned stakeholders;
  - e) Prepare and recommend policy guidelines on allowable resources uses within the PA.
  - f) Formulate policies and guidelines on the practical and technical aspects of conservation management for plants, animals, ecosystems, habitats and landscapes, including the restoration and rehabilitation of degraded sites and control and eradication of invasive species within the PA; and
  - g) Review, evaluate, and recommend for approval proposals for developments like the construction of visitor facilities, trails and roads, water system within the PA.

6. The duties and functions of the Technical Working Committee on Community Management and IPs are the following:
  - a) Monitor the completion of Survey and Registration of Protected Area Occupants and awarding of Protected Area Community-Based Resources Management Agreement (PACBRMA);
  - b) Review reports, studies, research findings, maps, and inventory of resources that can be sustainably utilized, allowable volume of utilization of each resource and how the resources can be sustainably harvested;
  - c) Coordinate the formulation of the Community Resource Management Plan (CRMP), monitor compliance in its implementation, and review and recommend approval of updated CRMP;
  - d) Facilitate the formulation of Community Conservation Plan (CCPs) by ICCs within the Ancestral Domain that shares boundaries with the protected area;
  - e) Oversee the provision of assistance to the implementation of customary laws of ICCs/IPs and dealing with contraventions committed by IPs;
  - f) Develop and recommend relevant training and capacity building for IPs;
  - g) Assist in the harmonization of the ADSDPP and CCP with the PAMP.
7. The duties and functions of the Technical Working Committee on Law Enforcement and Wildlife Crime Prevention are the following:
  - a) Formulate a strategy and a plan for preventing wildlife crime prevention;
  - b) Review the threats and sources of threats to biodiversity resources and ecosystems of the PA as well as location of exits, entry, and routes to the PA;
  - c) Review the policies and regulations on acceptable/allowable activities in the PA including gathering of non-timber forest products, land ownership, farming activities, etc. inside and around the PA;
  - d) Facilitate the establishment of coordinating mechanisms with local communities to prevent illegal activities, dealing with violators, seizure or confiscation and preservation of evidence;
  - e) Facilitate the establishment of coordinating mechanism with law enforcement and regulating agencies such as the police, military, and members of the judiciary;
  - f) Coordinate the deputation of community forest guards and Wildlife Enforcement Officers including their training and subsequent deployment;
  - g) Monitor the implementation of regular patrols, review the process of patrol planning and regular meeting of rangers to evaluate and discuss patrol data using the SMART software; and
  - h) Monitor and guide the activities of the deputized rangers and wardens, Volunteers and other stakeholders.

8. The duties and functions of the Technical Working Committee on Sustainable Financing are the following:
  - a) Review the PA Management Plan and prepare estimates of medium-term and long-term financing requirements;
  - b) Identify possible sources of PA financing, the requirements for access and utilization of the funds and mechanism to incorporate such financial resources into the Integrated Protected Area Fund (IPAF) of the protected area;
  - c) Formulate a PA Financing and Plan and obtain approval from the PAMB en banc;
  - d) Monitor and report on the establishment and operations of biodiversity-friendly enterprises;
9. The duties and functions of the Technical Working Committee on Ecotourism Development are the following:
  - a) Lead in the preparation of the Ecotourism Plan, ensuring that such is consistent with the PAMP;
  - b) Review and propose policies and guidelines to ensure that all visitor and ecotourism related facilities such as roads, trails, and path walks, viewing decks, camping grounds, picnic areas, tree houses, shed houses, water system for the safety and comfort of the visitors are in accordance with the PAMP and Ecotourism Plan;
  - c) Review and recommend protected area entrance fees and other fees imposed inside the protected area;
  - d) Coordinate and review the visitor management program to ensure the inclusion of measures for prevention, reduction, or mitigation of visitor impact on the protected area;
  - e) Review and monitor information materials on every recreation activity to ensure that they incorporate the safety and security of the visitors.
10. The duties and functions of the Technical Working Committee on CEPA and Partnership Development are the following:
  - a) Review reports, studies and research findings and recommend how these could be used as communication materials; identify target groups, specify appropriate media for nature interpretation;
  - b) Review plan and design interpretive information exhibits/signs such as panels, educational and interactive displays and the use and application of a wide range of interpretive media/materials/techniques;
  - c) Prepare a Nature Interpretation Plan of the protected area;
  - d) Review and monitor the implementation of Nature Interpretation Program, including training of visitors/ tourist guides of the protected area;
  - e) Formulate a Public Awareness, Communication and Education Plan and Program for the PA;

- f) Coordinate with media, Department of Education (DepEd), academic institutions and other organizations in securing support for the implementation of the Public Awareness, Communication and Education Program.

## **5.7 Grounds for Removal and Suspension from MIBNP PAMB**

A member of the MIBNP PAMB may be removed for any of the following grounds:

1. More than three (3) consecutive unexcused absences from regular meetings of the management board;
2. Commission of acts prejudicial to the management of the protected area as embodied in Section 20 of the IRR of the ENIPAS Act of 2018 (Prohibited Acts) and other existing rules and regulations governing protected areas;
3. Disassociation from the office or organization being represented;
4. Termination of relationship with the office or organization being represented; or
5. Conviction by final judgment of any criminal act.

## **6 PAMB Standard Operating Procedures**

### **6.1 Functional Relationship between DENR and the PAMB**

The DENR exercises overall control and administration of the NIPAS at the national level, while the PAMB exercises management prerogatives at the site level consistent with existing laws, rules and regulations. This decentralization and participatory decision-making are in accordance with the policy statement in the ENIPAS Act of 2018 that the effective administration of protected areas is possible only through cooperation among the national government, local governments and concerned private organizations. The IRR of the ENIPAS Act of 2018 clearly illustrates the site-specific functions of the PAMB, which to a certain extent are delegated authorities of the DENR Secretary.

The RED shall review the decisions of the PAMB, in his/her capacity as DENR Officer; to ensure that these are consistent with relevant laws, rules and regulations. The RED shall record his/her recommendations to the Secretary, through the BMB, on all decisions or resolutions made by the Board.

All PAMB decisions are subject to the DENR Secretary's power to review all plans and proposals for the management of the protected areas. The DENR Secretary shall ensure that the PAMB's decisions and actions are in accordance with the PA Management Plan, the ENIPAS Act of 2018 and its Implementing Rules and Regulations, and other relevant rules and regulations. He/she shall reverse or modify a decision of the PAMB only on grounds that same violates existing laws, rules and regulations, or is inconsistent with the management plan.

## 6.2 Collaboration arrangement with other Agencies and LGUs

### 6.2.1 Rights of LGUs within the Protected Area

Local Government Units (Provincial, Municipal, Barangay) can participate in the management of the PA through representation in the PAMB. They can remit, at its option, a portion of its IRA, or other income as contribution to the PA-RIA. Said LGUs may appropriate portions of their share from the annual internal revenue allotment and other income for use of the protected area: Provided, That all funds directly coming from the LGUs shall be exempted from the twenty-five percent (25%) remittance requirement for the IPAF under Section 16 hereof. Likewise, fees for the use of LGU facilities & resources shall be imposed by the LGU in consideration of its investment &/or significant contribution to the PA i.e pavilions, picnic sheds, cottages, multi-purpose halls, trails, water & power systems (Rule 26.2).

They can also impose and collect other fees for business permits, regulatory fees, real property taxes on private properties, rentals for LGU facilities they traditionally collect, except those fees that are intended for the IPAF. Provided, That the LGUs shall not impose property tax on properties owned by the government nor issue any tax declaration for areas covered by the protected area. Furthermore, LGUs may charge add-ons to fees imposed by the PAMB: Provided, That such add-ons shall be based on the contribution of the LGUs in the maintenance and protection of the protected area.

LGUs with territory inside protected areas shall align their CLUPs, local development plans, disaster risk reduction management plans and other required plans according to the objectives specified herein and in the protected area management plans. Within six (6) months from the approval of the protected area management plan, the PAMB and the PASU shall collaborate with the LGU concerned in the formulation of the CLUP and other local plans and in the enforcement thereof. The concerned LGU official shall be held administratively and criminally liable for failure to enforce and/or implement the provisions of this Act. (n)

### 6.2.2 Benefit Sharing with LGUs

A mutually acceptable revenue sharing allocation between the PAMB and LGU may be set out in a Memorandum of Agreement (MOA), subject to the following conditions: (BMB TB No. 2017-12 re Clarifying the Revenue-Sharing Scheme Between PAMBs and LGUs with Investments in PAs.)

1. The allocation shall be fixed in the amount that may allow the LGU to recover its investment, on terms agreed by both parties, and based on the actual cost of the construction of the facility/ies, including actual interest, in case the investment is borrowed from a lending institution, as certified by the Accountant of the LGU;

2. The allocation shall take into account the costs of management, protection, and maintenance of the facilities, which, in the absence of any agreement to the contrary, shall be for the account of the PAMB;
3. A Special Collection Officer for the protected area designated by the DENR shall collect entrance fee and all other fees except for the use of LGU installed facilities for the duration of the MOA;
4. Upon the expiration of the term of the MOA, all revenues shall accrue only to the IPAF for the exclusive use of the protected area; and
5. Any LGU may voluntarily waive its right to recover its investments and donate the facilities, without prejudice to certain privileges that it may enjoy out of its investment. Such waiver and/or donation shall be in writing.

### **6.3 PAMB Operational Activities**

#### **6.3.1 Approval of Plans, Programs, and Projects**

##### **1. Approval of Management Plan**

Pursuant to Rule 9.7 of the ENIPAS Act of 2018, the PASu shall submit the proposed PAMP to the PAMB for consideration and endorsement to the Community Environment and Natural Resources Office, Provincial Environment and Natural Resources Officer (PENR Officer) of Occidental Mindoro, and DENR Mimaropa Regional Executive Director through a resolution concurred by the majority of the members. The CENRO being part of the planning process shall endorse the proposed PAMP to the PENRO within 7 calendar days upon receipt. The PENRO on the other hand shall endorse the proposed PAMP to the RO within 15 calendar days upon receipt. Otherwise, the proposed PAMP shall be endorsed to the higher level. The RED shall endorse the same for affirmation by the DENR Undersecretary for Policy, Planning and International Affairs through the BMB who shall act within 60 days upon receipt thereof. Otherwise, the same shall be deemed affirmed.

The PAMB shall review, update, and if necessary, modify the PAMP, at least every three (3) years, in accordance with scientific studies, sound resources assessments, and surveys, as well as relevant developments in biodiversity conservation, and the social dynamics in the protected area. If applicable, the PAMB may also update and modify the PAMP after the occurrence of calamities that may have an adverse impact on the protected area.

##### **2. Approval of Programs and Projects**

There shall be the following categories of programs and projects:

1. Research activities (academic, NGO, and students)
2. Public works (school, health clinic, road, multi-purpose halls, water impounding systems)



3. Biodiversity and habitat assessment
4. Socio-economic assessments
5. Climate change resiliency projects
6. Disaster response programs and projects
7. Tourism-related projects
8. Security projects
9. Communication-related projects (filming and documentation)

In case of requests for the conduct of any activity within the PA, the proponent shall submit a written request with relevant information on their proposal. Relevant information includes:

1. Name of the proponent;
2. Organization of the proponent;
3. Objectives and expected results of the program or project and link to the objectives and programs in the PA management plan;
4. Proposed activities and timeframe;
5. Indicative project costs;
6. Persons who will be involved in the implementation and profile;
7. Map of area where the activities will be conducted;
8. Potential benefits to the PA.

It is encouraged that proponents should communicate with the PASu before they secure funding for their programs and projects. Proposals received at this stage will be reviewed and assessed by the relevant technical working group, who shall evaluate the proposal and give their recommendation to the PAMB en banc. If the recommendation is positive, the proposal shall be invited to present in person to the PAMB en banc, even if funding is not yet secured. If the recommendation is for disapproval, the PASu shall notify the proponent to not proceed with the application anymore.

The PASu shall initially evaluate requests and proposals to determine their conformity with the PA Management Plan, ENIPAS Act of 2018 and its implementing guidelines, and policies issued by the PAMB.

The PASu shall give the proposal to the relevant Technical Working Committee for their preliminary review. The proponent shall present their proposal in person to the TWG. The relevant Technical Working Committee shall discuss and evaluate the proposal and present the result of their review and assessment to the PAMB en banc along with their recommendations.

Projects that have already secured funding will undergo the same process and can be disapproved if the review and the recommendation of the relevant technical working group is for disapproval.



At the PAMB en banc meeting, before the presentation of the technical working committee's review and recommendation, all proposals/projects shall again be presented to the PAMB in person during a PAMB regular or special meeting. The TWG then presents the results of their review.

Proposals/projects found acceptable and recommended for approval by the technical working committee and affirmed by the PAMB en banc after deliberation shall be approved. Proposals/projects already endorsed for approval at the committee level should only be affirmed by the PAMB en banc and shall not be deliberated upon again. A PAMB resolution shall be prepared by the PASu and signed by the Chair and relevant members of the PAMB. The PASu shall notify in writing the proponent of the decision rendered by the PAMB. The PASu shall conduct regular monitoring of the implementation of the approved activity or project and report the same to the PAMB.

### 3. DENR Projects

The MIBNP PAMB should be informed of all DENR projects affecting the PA during the first quarter of the year. The PAMB will not accept projects that require a longer timeframe to complete, even if this has been approved by higher DENR authorities, submitted for its consideration beyond the third quarter of the year. Projects which require a longer timeframe to complete will be considered and implemented in the following year.

#### 6.3.2 Development of Policies and Guidelines

1. Any PAMB member and/or the PASu may suggest any policy and/or guidelines within the bounds of PAMB authority, as provided for in the ENIPAS Act of 2018 and its Implementing Rules and Regulations during PAMB meetings. The Chair/Presiding Officer may refer the proposed policy to the appropriate Technical Working Committee for review, deliberation, and submission of recommendations;
2. The concerned Technical Working Committees shall evaluate the proposed policy as to its merits and conformity with the ENIPAS Act of 2018 and related laws, rules and regulations. The Committee shall thoroughly study the proposal and, when necessary, gather relevant information for the enhancement of the proposed guidelines;
3. The Technical Working Committee shall submit the proposed policy or guidelines to the PAMB en banc for deliberation and approval; the PAMB shall prepare a resolution adopting the approved policy or guideline;
4. All policies and regulations passed by the PAMB shall be in accordance with existing laws, rules and regulations;
5. The approved policy shall be disseminated for public information;
6. The PASu shall implement all the policies or regulations passed by the PAMB and make periodic reports on their implementation to the PAMB; and

7. The PAMB shall monitor the implementation of all policies or guidelines it has issued, and make necessary amendments of such policies if the situation and circumstances warrant.

### 6.3.3 PA Boundary and Management Zones Delineation and Demarcation

The PAMB shall instruct the PASu to oversee the conduct of ground delineation of the boundaries of the protected area and the demarcation of the boundaries of the PA.

The PASu shall oversee the conduct of delineation and demarcation based on DENR-BMB Technical Bulletin 2019-01 “Clarifying the Guidelines and Procedures in the Demarcation of Boundaries of Legislated Protected Areas under the National Integrated Protected Areas system (NIPAS).

### 6.3.4 Ancestral Domains and Customary Rights

1. Pursuant to Section 13 of the ENIPAS Act of 2018, the MIBNP PAMB recognizes and respects ancestral territories covered by CADT and CALT that share common area with the protected area.
2. The MIBNP PAMB adopts the following rules in the ENIPAS Act of 2018 IRR:
  - a) Rule 13.2 that states “The ICCs/IPs concerned shall govern, maintain, develop, protect, and conserve ancestral territories covered by CADT/CALT that share common areas with protected areas, in accordance with their ADSDPP or Community Conservation Plan (CCP), except upon submission to DENR of a written notice of their intent to co-manage with or relinquish management to the PAMB.
  - b) Rule 13.3 that states “The PAMP shall be harmonized with the ADSDPP of ICCs/IPs. In the absence of an ADSDPP, or in the event that ICCs/IPs determine the need to enhance the current iteration of their ADSDPP to fully incorporate their sustainable traditional resource rights and IKSP, and to strengthen their governance, development, and conservation of their ancestral territories, the ICCs/IPs, shall craft their CCP, which shall, in turn, be harmonized with the PAMP. The MIBNP PAMB shall direct the PAMO to assist the ICCs/IPs concerned in the identification, mapping, and documentation of the areas to be included in the CCP.
  - c) Rule 13.4 that states “All policies, rules, regulations, and guidelines shall be subjected to notice and hearing, with the full and engaged participation of the community and the assistance of the NCIP, in consonance with their customary laws and practices, and in a language they understand.
  - d) Rule 13.5 that states “Development interventions in a protected area that shares common area with the ancestral territories covered by CADT/CALT, and any activity that will

affect ICCs/IPs, shall require the Free and Prior Informed Consent (FPIC) of the concerned ICCs/IPs, in compliance with the IPRA, and other applicable laws, rules, and regulations.

Bioprospecting in a protected area sharing common areas with ancestral territories covered by CADT/CALT shall be in accordance with Joint DENR-DA-PCSD-NCIP Administrative Order No. 01 series of 2005, otherwise known as Guidelines for Bioprospecting Activities in the Philippines along with the other relevant existing guidelines.

- e) Rule 13.6 that states “The local communities, ICCs/IPs shall be entitled to a fair and equitable share of benefits arising from the utilization of resources and ecosystem services and the use of Indigenous Knowledge Systems and Practices.
- f) Rule 13.7 that states “In protected areas that share common areas with ancestral territories covered by CADT/CALT, the PAMB shall convene a Coordination and Complementation Committee (part of the TWC on Community Management and IPs) which shall have the following functions:
  - 1) Conduct regular meetings and consultations in the community’s traditional meeting places;
  - 2) Coordinate between the PAMB and the community for the purposes of:
    - i. Ensuring that the concerns of the community are communicated to the PAMB;
    - ii. Promoting awareness of the agenda ahead of the PAMB meetings; and
    - iii. Facilitating discussion on issues affecting the community and ensuring active participation of the ICCs/IPs representatives concerned;
  - 3) Contribute to the harmonization of the PAMP and the ADSDPP;
  - 4) Assist in the planning and implementation of the community’s ADSDPP or CCP;
  - 5) Foster intercultural understanding between the ICCs/IPs and the PAMB; and
  - 6) Perform functions as may be required by the ICCs/IPs or directed by the PAMB, and such other acts as may be necessary for the accomplishment of the purposes and objectives of the Committee.

#### 6.3.5 Recognition of Tenured Migrants, Land Tenure and Conflict Resolution

- 1. The MIBNP PAMB shall instruct the PASu to conduct a socio-economic assessment, using the Socio-Economic Assessment and Monitoring System (SEAMS) to generate the socio-economic information necessary for the issuance of tenurial instrument and for management purposes.
- 2. The MIBNP PAMB adopts the following Rules in the ENIPAS Act of 2018 IRR:
  - a) Rule 23.2 “The household head shall be considered a tenured migrant if proven to have actually and continuously occupied a portion of the protected area for five (5) years before its designation as a protected area, and is solely dependent thereon for

subsistence. A person is considered solely dependent on the project area for subsistence, when the utilization of resources from the protected area is indispensable for the survival of the household, and the provision of needs, such as food, clothing, shelter, and health.”

- b) Rule 23.3 “A Certification of Recognition shall be issued to those who qualify as tenured migrants. The five (5) year continuous occupation is reckoned on 5 August 1987 or five years prior to the declaration of MIBNP as a PA in 1992.”
- c) Rule 23.4 “Physical structures indicating prolonged occupancy or a Certification under oath from the Barangay Chairperson, or any two (2) respected members of the nearest community, attesting to the occupancy, and any two (2) or more of the following shall be considered as proof of occupancy:
  - 1) Planted trees;
  - 2) Inventory report of forest occupants of concerned government agencies, if applicable; and
  - 3) Other relevant documents to prove occupancy.”
- d) Rule 23.5 “In case where the tenured migrants are in locations that share common areas with the CADT/CALT, the MIBNP PAMB with the FPIC of the affected ICCs/IPs, shall enter into a PACBRMA with the tenured migrant communities of the protected area.

The DENR shall organize individual tenured migrants into communities. Within one (1) year from the issuance of the PACBRMA, tenure holders shall be required to prepare a Community-Based Resource Management Plan (CBRMP, on the basis of the following processes: community mapping, plan preparation, map integration, final validation, PAMB endorsement, and affirmation by the DENR Regional Executive Director. Failure to implement the CBRMP shall be basis for the cancellation of the PACBRMA.

In the event of cancellation of the PACBRMA for cause, or by voluntary surrender of rights, the PAMB shall take immediate steps to rehabilitate the area, without prejudice to recourse to legal remedies.

For cancellation of the PACBRMA for reasons of public interest as determined by the Secretary, the affected tenured migrants shall be accorded just compensation, based on the fair market value of the improvements they introduced in the areas, and granted as substitute site for resettlement in the appropriate zone within the protected area.”

- e) Rule 23.6 “The rights of tenured migrants may be transferred only to the spouse or one of their direct descendants listed at the time of the survey.”
- f) Rule 23.7 “In the event of termination of a tenurial instrument, the PASu shall take immediate steps to rehabilitate the area.”
- g) Rule 23.8 “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 MIBNP PAMB provides for the transfer of tenured migrants to Multiple Use Zones or buffer zones through just and humane means. Any resettlement

within the protected area shall be in accordance with the PAMP, and the zoning regulations specified in the CLUP of the affected LGUs.

Provided that, protected area occupants who are not qualified as tenured migrants shall be resettled outside the protected area. The resettlement of non-tenured migrants shall be undertaken by the PAMB, led by the DENR and the LGUs concerned, with the assistance of the local offices of HLURB, National Housing Authority (NHA), the DSWD, the PNP, and if applicable, the NCIP and other concerned agencies.”

- h) Rule 23.9 “The recognition, transfer, and termination of tenurial rights, and the resettlement of tenured migrants, and other protected area occupants, shall be subject to the guidelines of the DENR.”

### 6.3.6 Sustainable Financing

To the extent feasible, the PAMB shall facilitate the generation of resources to effectively manage MIBNP, in addition to the annual budget allocated for protected areas by the DENR and other contributions. Relative to this, and based on existing laws and guidelines, the PAMB adopts the following responsibilities and processes:

- a) Review and approve the Financial Plan that is included in the Protected Area Management Plan;
- b) Develop a marketing strategy to secure funding for the implementation of the approved management plan/financial plan;
- c) Based on the MIBNP assets, income and Investment Plan, the PASu shall make recommendations to PAMB to identify potential sources of funds and income for the protected area, and cause proper evaluation/assessment, study and valuation;
- d) Based on the assessment/evaluation, study and valuation, the PAMB shall review and develop user’s fee system for MIBNP through a resolution (see Annex No. 4, MIBNP PAMB Resolution 2018 - 03). Prior to the approval of such resolution, it is necessary that the PASu shall conduct consultation on the proposed guidelines. The PAMB-approved guidelines on fee system shall be endorsed by the concerned DENR Regional Director to the Secretary, through the BMB, for affirmation;
- e) The PAMB shall establish a trust fund under the Integrated Protected Area Fund (IPAF) for purposes of financing the projects and sustaining the operation of the protected area and contributing to the entire System. Income generated from the operation and management of the protected area shall accrue to the IPAF. The income shall be derived from fees and charges from the use of resources and facilities of protected areas; contributions from industries and facilities directly benefitting from the protected area; and such other fees and income derived from the operation of the protected area.
- f) The PAMB shall retain seventy-five (75%) of all revenues raised, which shall be deposited in the Protected Area – Retained Income Account (PA–RIA) in any authorized

government depository bank within the locality; Provided, That disbursements out of such deposits shall be used solely for the protection, maintenance, administration, and management of the protected area and implementation of duly approved projects of the PAMB. Voluntary or legislated payments for ecosystem good and services, including fines, penalties, and compensation for damages from protected area offenses shall accrue fully to the PA-RIA and shall be management by the PAMB;

- g) The remaining twenty-five percent (25%) of revenues shall be deposited as a Special Account in the General Fund (SAGF) in the National Treasury for purposes of financing the projects of the NIPAS;
- h) Grants, donations and endowments from various sources, domestic or foreign, shall be deposited in full in a special account in the National Treasury to be used for the purpose specified in the deeds and instruments covering them;
- i) Funds directly coming from LGUs shall be excluded from the SAGF pursuant to Section 26 of the ENIPAS Act of 2018 and Rules 26.1 to 26.5 thereof.

### 6.3.7 Preparation of Protected Area Management Plan and Annual Work and Financial Plan

#### 1. Protected Area Management Plan

- a) The Management Plan shall serve as the basic long-term framework plan for the management of the protected area and guide in the preparation of its annual operations plan and budget. The Management Plan shall, at the minimum, promote the adoption and implementation of innovative management techniques including, when necessary, zoning, habitat conservation and rehabilitation, biodiversity conservation, community organizing and development, socio-economic and scientific research activities, site-specific policy development, climate change adaptation and mitigation, disaster risk reduction and management, waste sewerage and septic management, and gender and development among others.

The plan shall be harmonized with the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) required under Republic Act No. 8371 or “The Indigenous Peoples Rights Act of 1997”, the respective Land Use Plans (CLUPs) of the local governments required under Republic Act No. 7160 or the “Local Government Code of 1991” and other local plans.

- b) The MIBNP PAMB adopts the following rules in the IRR of ENIPAS Act of 2018:
  - 1) Rule 9.2: “The timeframe for the PAMP shall be ten (10) years. The crafting of the PAMP shall engender an inclusive and participative approach that involves local stakeholders in the planning process. The PAMB, thru the PASu, may create a technical working group composed of relevant government agencies at the regional or provincial level, NGOs, LGUs, and stakeholders, including ICCs/IPs, local communities, CSOs and the private sector.”



- 2) Rule 9.3: “At the minimum, areas of stakeholder consultation shall include, but not be limited to, ground validation of appropriate landscape and seascape uses, actual uses, determination of issues and concerns, determination of zoning regions, and development of management prescriptions in specific zones, enforcement planning, monitoring and evaluation. The rights, obligations and responsibilities of the stakeholders shall be determined and presented in the management strategies, standards and guidelines.”
- 3) Rule 9.5 “Zoning shall be implemented as a strategy to effectively manage the ecosystem and landscapes/seascapes therein, in accordance with the objectives and principles of biodiversity conservation and sustainable development. The protected area shall be divided into Strict Protection Zone and Multiple Use Zone.”
- 4) Rule 9.6 “The PAMP shall include provisions on benefit-sharing schemes/mechanisms with the stakeholders, investors, and contributors, who are entitled to receive a fair and equitable share in the income and other benefits derived from the management and operations of the protected area.”
- 5) Rule 9.7 “The PASu shall submit the proposed updated PAMP to the PAMB for consideration and endorsement to the CENR Officer, PENR Officer, and DENR Regional Executive Director through a resolution concurred in by the majority of the members.” The RED shall then endorse the same for affirmation by the DENR Secretary for Policy, Planning and International Affairs through the BMB who shall act within 60 days upon receipt hereof. Otherwise, the same shall be deemed affirmed.
- 6) Rule 9.8 “The PAMB and the PASu, as the Chief Operating Officer of the protected area, shall be responsible for the effective implementation of the PAMP. The BMB and DENR Regional Office, through the Assistant Regional Director for Technical Services, shall be expected to provide overall guidance, technical assistance, as per the IRR of ENIPAS Act of 2018.”
- 7) Rule 9.9 “The PAMB shall conduct regular monitoring and evaluation of the implementation of the PAMP to document the achievement of its objectives, and the challenges encountered, and to measure the PAMB’s overall performance, using indicators prescribed in the PAMP.”

## 2. Annual Work and Financial Plan

- a) The Protected Area Superintendent shall prepare the Annual Work and Financial Plan (AWFP) based on the management plan following the annual national government budgetary cycle and its corresponding guidelines. The AWFP shall be submitted to PAMB for approval prior to its submission to the concerned DENR Regional Office, LGUs and other concerned agencies.
- b) The AWFP shall be divided into quarters;

- c) The plan shall contain the overall goals for the year based on the PAMP and as agreed by the PAMB and the individual goals of the different program;
- d) The work (activities) and financial (budget) plan shall be endorsed by the PAMB Executive Committee and approved by the PAMB en banc;
- e) The fiscal year for the Annual Work and Financial Plan shall be January 1<sup>st</sup> to December 31<sup>st</sup>.

### 6.3.8 Monitoring and Evaluation

The MIBNP PAMB is responsible for monitoring and evaluating the effectiveness and efficiency of the implementation of the PAMP. It is also responsible for ensuring the harmonization and implementation of the PA management plan and ADS DPP, CLUP, ICCA/CCP; and the implementation of programs prescribed in the MIBNP PAMP. It is also the responsibility of the PAMB to monitor and evaluate and assess the performance of the PASu and other PA personnel and compliance of partners to the terms and conditions of any undertaking, contract, or agreement.

While waiting for the issuance of the relevant guidelines for M&E of PAs to be prepared by BMB, the MIBNP PAMB sets forth the following M&E-related guidelines:

1. The MIBNP shall adopt a results-based monitoring and evaluation system. The M&E system shall provide information to support adaptive management and serve the following purposes:
  - a) Demonstrating program performance (accountability)
  - b) Measuring progress towards results (outcomes and impact)
  - c) Analyzing what strategies and approaches deliver results and generating common understanding and capturing lessons learned for sharing (learning)
2. The MIBNP PAMB shall instruct the PASu to lead the preparation of a results-based M&E Plan for the PA, specifying the indicators for monitoring progress and evaluation of outcomes, based on the PAMP. Apart from results indicators, the M&E plan shall contain, as a minimum, information on the precise definition of the results indicators, their analytical value in terms of managing the PA, the method of data collection, frequency of data collection, responsibility for data collection, method for storing and analyzing data, and plan for disseminating the results of the analysis;
3. The PASu shall prepare quarterly progress report based on the annual work and financial plan that will contain a section on the progress made, quantitatively and qualitatively, on the results indicators for submission, information and guidance of the PAMB. Concerns arising in the PA during the period shall also be included in the report;
4. The PASu shall prepare an annual report, containing information on the results indicators that should reflect the state of the protected area, and shall be submitted to the PAMB for deliberation;



5. Based on the PASu's state of the PA report, the PAMB shall designate its Executive Committee to conduct a data quality assessment on selected results indicators;
6. For contracts and agreements, it is important that the PAMB shall stipulate the periodic monitoring and evaluation, which shall be the basis to either renew, amend or revoke the contract it has executed with the concerned party.
7. In the evaluation of the PASu and PA personnel, it is necessary that the PAMB shall coordinate with concerned DENR Human Resources and Development Officer for the evaluation, so that the DENR standards for personnel evaluation may be used as one of the tools. The PAMB shall also conduct annual assessments to review effectiveness of its operations and management; and identify areas for improving the management of the PA.

### 6.3.9 Research and Studies<sup>7</sup>

1. Any person or entity who shall conduct research activities that were developed and designed together with the MIBNP -PAMO and the PAMB Technical Working Committee and which is part of the MIBNP PAMP shall still be reviewed and decided upon by the PAMB en banc and undergo a basic FPIC process if such an undertaking may have an impact on indigenous peoples territories;
2. Any person or entity who shall conduct research activities within MIBNP that do not fall under the category above must first secure a Research Permit from PAMB and shall undergo FPIC if any of the Research/Monitoring activities involves IP territories and/or if such undertaking may have an impact to the IP territories. In such a case the PAMB shall agree with IP representatives and NCIP to undergo a "basic" FPIC process to reduce the process of guaranteeing of Research/Monitoring request.
3. Requirements:
  - a) A research and monitoring proposal endorsed by the school or organization to which the researcher is affiliated, specifying the following:
    - 1) Objectives of the research or monitoring activities;
    - 2) The institution and the people involved, including profile of the lead researcher;
    - 3) The proposed date;
    - 4) Duration;
    - 5) Methodology;
    - 6) Particular sites where the proposed activities will be undertaken;
    - 7) Both the scientific, common names and local names (if known) of all the organisms that are subject of the research;

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<sup>7</sup> See also Section 8.1 which includes Research as one of the possible activities.

- 8) If collection of samples will be required, a subsequent Gratuitous Permit shall be obtained from DENR Mimaropa Region pursuant to RA 9147. The proposal must include the names of the organisms or objects to be sampled, the quantity and specific collection sites of the specimens and the final disposition of the said specimens in the proposal. A local transport permit shall also be secured if specimens are to be transported from the place of origin/MIBNP to any point where the samples are to be deposited for further study.
  - 9) Any species outside the indigenous people's territories but within the MIBNP which has a spiritual importance to the indigenous peoples shall not be collected for any purpose. The PAMB shall guarantee that such spiritual flora and fauna identified by the ICCs/IPs even outside the Ancestral Domain are protected in the boundaries of the MIBNP.
  - 10) Copies of the final results of the studies conducted inside the MIBNP shall be submitted to the PAMB. This is to ensure that results of studies were provided to the PAMB to inform management decisions and that policies that will be made are based on scientific data.
- b) Procedure:
- 1) Complete requirements shall be submitted to PAMO
  - 2) The PAMO shall initiate the assessment of the proposal with its specific committees based on the impact to the environment, e.g., introduction of invasive alien species, use of chemicals or destructive methods;
  - 3) The PAMO shall make appropriate recommendation to the PAMB Executive Committee. Research proposals that contribute to the attainment of the objectives of the PAMP and thereby enhance PAMB's management effectiveness and initiated or requested by the PAMB shall be approved upon the recommendation of the PASu;
  - 4) The implementation of approved proposals shall be properly coordinated with the PAMO of the PAMB to ensure that the following measures are observed:
    - a. The proponent registers with the PAMO and secures the necessary visitor entry permits prior to entry into the park;
    - b. The proponent officially informs the PAMO in writing of any changes in the research (i.e. sites, number of samples, methodologies, etc.);
    - c. The PAMO assigns a counterpart staff to assist in the activities of the applicants with MIBNP and to facilitate the transfer of skills, technology and learning experience to park staff, indigenous staff and LGU staff for the benefit of management;

- d. The proponent provides the PAMB with a copy of written and/or electronic material and pictures of the final results of the studies/research activities that may emanate from the research conducted in MIBNP ;
- e. The proponent includes people and institutions involved in the conduct of the research in the acknowledgment of the written materials.
- c) The PAMB may withdraw, suspend or revoke the Research Permit in case of violation of the above rules, without prejudice to the filing of criminal and/or civil actions.
- d) Any commercial scientific researches to be conducted inside the MIBNP by any person or entity shall be governed by the provisions of ENIPAS Act of 2018 and the IPRA Law.
- e)

#### 6.3.10 PAMB Capacity Building

The PASu, in coordination with the Human Resources Division (HRD) and the relevant units of DENR, NCIP, DILG and other relevant agencies' HRD staff, shall identify the possible capacity building requirements of the PAMB members. This process will be preceded by the conduct of a capacity needs assessment relevant to PAMB members to perform their functions. The PAMO shall prepare capacity building plan for the PAMB. The results of the capacity needs assessment and capacity building plan and costs shall be presented to the PAMB for approval. The capacity building program for the PAMB shall include enhancing knowledge of relevant rules and regulations pertaining to PA management (ENIPAS Act of 2018), knowledge and skills in facilitation and decision-making processes, monitoring and evaluation, adaptive management, and knowledge on the technical aspects of PA management so that PAMB members can appreciate and provide appropriate guidance and make good decisions related to the management of the PA.

#### 6.3.11 CEPA Program

1. As the policy and decision-making body of the PA, the PAMB shall be primarily responsible for defining the strategy of the communication, education, and public awareness (CEPA) program of the MIBNP. The PAMB shall also be responsible for assessing the effectiveness of CEPA strategies implemented.
2. The MIBNP PAMB shall instruction the PASu to lead in the formulation of a CEPA Plan;
3. The objectives of the MIBNP CEPA shall be to
  - a. enable all stakeholders to be aware of the importance of the MIBNP and its biological, cultural, and economic values;
  - b. enable stakeholders to be aware of all the regulations pertaining to access and use of resources within the PA and the corresponding penalties for infractions;
  - c. establish and maintain information and resource centers for the continuing education of the stakeholders on the PA; and

- d. develop information and resource materials that can be used for awareness campaigns.
- 4. The CEPA approaches that MIBNP will employ include the following:
  - a. Preparation and updating and brochures and pamphlets
  - b. Conduct of sitio-level community meetings
  - c. Conduct of park anniversary related activities
  - d. Conduct of lectures and discussions in schools
  - e. Establishment and maintenance of an information and resource center
  - f. Responding to requested speaking opportunities in radio stations and schools and other requests.

#### 6.3.12 Wildlife Crime Prevention and Law Enforcement

1. As the major policy and approving body of MIBNP, the MIBNP PAMB shall be primarily responsible for the formulation and implementation of the wildlife crime prevention plan and activities within MIBNP and its harmonization with the law enforcement agencies and shall secure commitments and appropriate allocation of resources for the implementation of law enforcement activities. The responsibilities of the PAMB shall include:
  - a) Overseeing the formulation of a wildlife crime prevention strategy and plan;
  - b) Conceptualization and adoption of necessary policies to be adopted by the PAMB, and if appropriate, to require the provincial or municipal councils to enact corresponding ordinances;
  - c) Ensure that technical and legal assistance to rangers and other stakeholders involved in wildlife crime prevention are extended;
  - d) Overseeing the ranger-based data collection system to support wildlife crime prevention related strategies and activities;
  - e) Initiate the creation and oversee the operation of a quick response team for security and safety interventions and to serve as emergency response team during calamities/disasters;
  - f) Oversee the monitoring and evaluation of the effectiveness of the wildlife crime prevention strategies and guide the PAMO in applying adaptive management strategies in this respect.
  - g) Recommend to the DENR Regional Office names of local citizens, PAMO staff, LGU staff who are eligible for deputization.
2. For infractions related to forest products or apprehended forest products, the MIBNP PAMB adopts the provisions of DAO 97-32 on the “Rules for Administrative Adjudication of Illegal Forest Products, and the Machinery, Equipment, Tools, and Conveyances Used Therein.”

3. Any act or conduct of any park ranger beyond the authority conferred upon him shall constitute a ground for the revocation of the deputation or authority, without prejudice to other sanctions as provided by law, rules or Ordinance.
4. MIBNP PAMB will work with other law enforcement agencies sharing concurrent jurisdiction over wildlife crimes committed within MIBNP. These agencies include the Philippine National Police, National Bureau of Investigation, Armed Forces of the Philippines, Local Government Units, and other government agencies. The agencies enumerated below shall support and participate in all level of operations with specific or general duties and functions:
  - 1) **Philippine National Police.** The PNP is charged with the enforcement of environmental laws in general. They also play an important role in the analysis and handling of certain evidence such chainsaws, cyanide and noxious substances. The specific mandate is given to the PNP to designate wildlife law enforcement officer under Republic Act No. 9147 or the Wildlife Conservation and Protection Act.
  - 2) **Armed Forces of the Philippines.** Section 89(A) of Presidential Decree (PD) No. 705, as amended, or the Forestry Code of the Philippines provides that the Armed Forces of the Philippines shall organize a special force in every region to help enforce the provisions of the Act under such rules and regulations as may be agreed upon by the Secretaries of National Defense and Natural Resources. [As inserted by PD No. 1559] The Armed Forces of the Philippines is also mandated to assist in forestry law enforcement by virtue of Executive Order No. 23 series of 2011 which created the Presidential Anti-Illegal Logging Task Force
  - 3) **National Bureau of Investigation.** RA 9147 added specific powers to the National Bureau of Investigation in enforcing wildlife laws, rules and regulations.
  - 4) **Local Government Units.** Under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the local chief executives are mandated to enforce all laws, rules and regulations as well as valid ordinances enacted by concerned *Sanggunian* within their areas of jurisdiction. With regard to environmental law enforcement, Section 16 of RA 7160 enjoins every local government unit to enhance the right of the people to a balanced ecology. There are host of environmental laws which also grant specific power to local government officials to engage in environmental protection. PD 1160, or the Environment Code of the Philippines deputized the Barangay Captain, the Barangay Councilman and the Barangay Zone Chairman as peace officers, with authority to effect arrest of violators in accordance with law, for purposes of enforcing and implementing national and local laws, ordinances and rules and regulations governing pollution control and other activities which create imbalance in the ecology or disturbance in environmental conditions.

Another law entrusted to the local government units is the implementation of the Ecological Solid Waste Management Act or RA 9003. The law covers households, barangay, and municipal/city governments in the segregation and collection of

biodegradable and non-biodegradable wastes. Finally, the local governments have important roles and responsibilities as members of the PAMB when parts of LGU territories fall within protected areas.

**5. Crimes Committed in Ancestral Domains that share boundaries with Protected Areas.**

The MIBNP PAMB recognizes that environmental law enforcement operates with the recognition of ancestral lands and domains and uses traditional property regimes exercised by Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) in accordance with their customary laws to govern the relationship of all individuals within their communities with respect to all land and other resources found within their ancestral lands and domains. The PASU shall use the rules on jurisdiction and procedures for enforcement of rights in ancestral domains provided under NCIP Administrative Order No. 1, Series of 1998 (Rules and Regulations Implementing Republic Act No. 8371, Otherwise known as “The Indigenous Peoples’ Rights Act of 1997”) for all violations cognizable under the rule. Otherwise, the PASU shall use any applicable rules governing all other environmental crimes. The PAMB shall serve as venue for continuing dialogue and for settling disputes and conflicts. The PAMB Technical Working Committee on Community Management and IPs shall advise and support PAMB for settling of disputes and conflicts. Under Indigenous Peoples Rights Act (RA 8371), jurisdiction and procedures for enforcement of rights in ancestral domains pertain to the ICCs/IPs, to the National Commission on Indigenous Peoples (NCIP), and the Court of Appeals. NCIP AO 1 provides the following procedures, viz:

- a) Primacy of Customary Law. All conflicts related to ancestral domains and lands, involving ICCs/IPs, such as but not limited to conflicting claims and boundary disputes, shall be resolved by the concerned parties through the application of customary laws in the area where the disputed ancestral domain or land is located. All conflicts related to the ancestral domains or lands where one of the parties is a non-ICC/IP or where the dispute could not be resolved through customary law shall be heard and adjudicated before the NCIP. All decisions of the NCIP may be brought on Appeal by Petition for Review to the Court of Appeals within fifteen (15) days from receipt of the Order or Decision.
- b) Rules of Interpretation. In the interpretation of the provisions of the Act and these rules, the following shall apply:
  - 1) All doubts in the interpretation of the provisions of the Act, including these rules, or any ambiguity in their application shall be resolved in favor of the ICCs/IPs;
  - 2) In applying the provisions of the Act in relation to other national laws, the integrity of the ancestral domains, culture, values, practices, institutions, customary laws and traditions of the ICCs/IPs shall be considered and given due regard;

## 6.4 MIBNP PAMB Conduct of Meetings

### 6.4.1 Types of PAMB meetings

#### 6.4.1.1 PAMB Regular Meetings

The MIBNP PAMB en-banc shall convene for its regular meeting at least four times a year while the Executive Committee and the Technical Working Committees shall meet as often as the need arises. The PAMB shall agree the date, time and venue for regular and special meetings during regular meetings.

#### 6.4.1.2 PAMB Special Meetings

The PAMB Chair may convene special meetings in case there is a need to resolve urgent concerns. The PASu shall send notice of special meeting, signed by the PAMB Chairperson, allowing sufficient time for the members to attend.

The PASu may also request for a special meeting, which shall be approved by the PAMB Chairperson. The request should be made in writing, stating the proposed agenda and the reason or justification why it is necessary to hold such special meeting. The PASu shall send notice of special meeting, signed by the PAMB Chairperson, to all PAMB members at least 5 working days prior to the scheduled meeting. The notice of the special meeting shall contain the date, time, venue, provisional agenda and pertinent documents.

### 6.4.2 Quorum

Based on Rule 11.13 of the IRR of the ENIPAS Act of 2018, the quorum for the MIBNP PAMB shall consist of a majority representing fifty percent (50% plus one (1) of all the PAMB members (ie, 15 or 14 plus one).

6. Online participation in PAMB en banc meetings: Online participation in PAMB en banc meetings is allowed and is recorded as part of the quorum.

#### 6.4.2.1 Setting of the agenda

The PASu, based on pressing issues and concerns of the protected area, shall recommend the provisional agenda of the meeting to the Chair, who in return shall instruct the PASu to prepare a notice of meeting to all appointed PAMB members. The PASu shall review the minutes of the previous meetings and identify concerns that require follow up actions from the PAMB and propose them to be included in the agenda. The PASu may also include in the agenda, actions undertaken out of concerns presented in the previous meeting and updates from the Technical Working Committees.



The Chair shall also include in the agenda the regular update on the status of the protected area in relation to the desired results in the PAMP. The updates may include reports of the PASu related to biodiversity monitoring, protection and law enforcement, and community affairs.

Any member of the PAMB may further propose other agenda, to the regular meeting, which shall be written and communicated to the PASu in advance or presented during the meeting proper. The Chair shall present the provisional agenda for approval, through a motion and duly seconded, during the meeting.

#### *6.4.2.2 Sending of invitation to the PAMB meetings*

The PASu shall send notice of regular meeting, signed by the PAMB Chairperson, to all PAMB members at least 7 working days prior to the scheduled meeting. The notice of the regular meeting shall contain the date, time, venue, provisional agenda and pertinent documents, such as minutes of the previous meeting.

### **6.4.3 Procedures during actual PAMB meetings**

#### *6.4.3.1 Calendar of business*

The calendar of business for regular PAMB meetings are as follows:

1. Approval of the provisional agenda
2. Reading and approval of the minutes and matters arising from the previous meeting
3. Specific agenda items for discussion
4. Status of existing programs (i.e. annual WFP viz 5-year implementation plan) and projects and results based on agreed performance indicators
5. Technical Working Committee Reports, as applicable
6. Assessment of facilitating and hindering factors in achieving results
7. Other Matters

#### *6.4.3.2 Presiding Officer*

The concerned DENR RED, as Chair of the PAMB shall preside during PAMB meetings. In the absence of the DENR RED during the meetings, those in attendance shall choose from among themselves a Presiding Officer. Only voting appointed PAMB members shall be voted as Presiding Officer.

#### *6.4.3.3 Conduct of the Business/Meeting*

Prior to call to order by the Presiding Officer, the PASu and his/her staff shall set up a secretariat table for registration of the attendees. The PASu shall prepare a registration or attendance sheet,



and be filled in by the attendees, duly classifying the PAMB members and those invited as resource persons. The attendance sheet would include the (a) name; (b) institution represented; (c) position title; (d) updated contact details; (e) gender; and (f) signature. Prior to the meeting, the PASu shall also prepare a kit for distribution to PAMB members. The kit shall include (a) list of provisional agenda; (b) minutes of the previous meeting (if minutes of the meeting were not enclosed to the notice of meeting earlier sent); and (c) documents relevant to the agenda. The Presiding Officer shall call the meeting to order and determine, through a roll call of all those in attendance, and announce the presence of a quorum.

The PASu shall ensure that the attendance of members is properly documented.

#### *6.4.3.4 Adoption of PAMB Resolutions and Issuance of Clearances*

The resolutions and clearances issued by the MIBNP PAMB must be consistent with the ENIPAS Act of 2018 and the MIBNP Management Plan. The PAMB members are expected to be knowledgeable of the MIBNP Management Plan so that decisions that may be made will support the objectives of that plan. All PAMB members making the decisions must also be given full documentation of what they are deciding on, in hard or electronic format.

### **6.4.4 Procedures after PAMB meetings**

#### *6.4.4.1 Preparation of PAMB meeting minutes and resolutions*

The PAMO shall keep the minutes of the proceedings, which shall include a concise, brief and exact account of the business transacted and actions taken during the meeting. The minutes must clearly indicate the following:

1. Nature of the meeting, whether regular or special, and if special, a copy of the call for such meeting;
2. Date, time, and place of the meeting;
3. Names of members present and absent, including the organization represented;
4. Whether the minutes of the previous meetings were read and approved, citing corrections, if any;
5. Every resolution in full, if the resolution was approved unanimously, a brief statement of the minority opinion;
6. Nominal voting; and
7. Time of adjournment.

The minutes of every meeting shall be read and approved by a majority of the PAMB members present at the meeting at which they are read, and if necessary corrected by the same vote or by general consent. The reading of the minutes shall not be interrupted or suspended except by unanimous consent of the body.

The minutes of meeting shall be prepared by the PASu and approved by the PAMB Chair. In case the PAMB Chair is not the Presiding Officer, minutes of meeting shall be approved by the Presiding Officer and affirmed by the PAMB Chair.

Copy of the minutes of PAMB meetings and resolutions shall be submitted to the DENR RD within seven (7) working days after the meeting and be furnished to the BMB promptly.

If there is no response from the DENR Regional Office within 15 calendar days upon receipt by electronic mail or whichever is received first, the minutes and resolutions approved during the PAMB meetings are considered affirmed.

#### **6.4.4.2 PAMB resolutions**

All decisions of the PAMB shall be duly documented as PAMB Resolutions passed by PAMB members. Copies of the resolutions shall be kept by the PASu for future reference.

### **6.5 PAMB Official Station**

The PAMB, PAMO and PASu shall have two official stations. The principal station shall be at the MIBNP - PAMO Office at San Roque 1, San Jose, Occidental Mindoro. The secondary station shall be at the MIBNP Ranger station in Sitio Magtangkob, Barangay Poypoy, Municipality of Calintaan. All meetings of PAMB, Executive Committee, and TWCs shall be held at either of these two offices unless otherwise agreed by the PAMB.

The PAMB shall pass a resolution designating its official stations. Official communications can be addressed at both stations, depending on proximity to the station of the sender. The Office of the PASu shall also be located at the official station in Barangay San Roque 1 and shall also serve as the official station of the PAMB.

### **6.6 PAMB Financial Administration**

#### **1. Sources of Funds**

The following are the possible sources of funds to support the operations of the protected area:

- a) Initial Protected Area Fund (IPAF) – shall be derived from the following sources:
  - 1) Fees from visitors (trekkers and mountaineers) to the protected areas;
  - 2) Proceeds from lease of multiple-use zones;
  - 3) Contributions from industries and facilities directly benefitting from the protected area; and
  - 4) Other fees and incomes derived from the operation of the protected area.
- b) Government subsidies thru the General Appropriations

- c) Assistance from donor agencies/development partners/civil society organizations through foreign and special programs and projects
- d) Assistance from national agencies and concerned local government units

## 2. Basis of Fees and Charges

DAO 2000-51 (Guidelines and Principles In Determining Fees for Access to and Sustainable Use of Resources in Protected Area) and DAO 2016-24 (Revised Rates of Fees for Entrance and Use of Facilities and Resources in Protected Areas, Amending DAO 1993-47) and other policies that may be subsequently issued shall be the bases in determining the amount of fees and charges to be collected for the use of the protected area and other relevant services.

## 3. Management of the Integrated Protected Area Fund (IPAF)

The MIBNP shall establish a Special Account for the IPAF pursuant to Section 16 of the ENIPAS Act of 2018. Seventy five (75%) of the revenues generated by the protected area shall be retained and deposited in authorized bank as PA-Retention Income Account (PA-RIA). The 25% of the revenues shall be deposited as IPAF-Special Account in the General Fund (SAGF) to the Bureau of Treasury (BTr). The IPAF shall be used solely for the protection, maintenance, administration and management of the protected areas. The PASu shall be the IPAF Manager and is responsible for the collection of fees, charges, grants and contributions for the protected area. He/she is also responsible for depositing the collected amount in the Special Account created under existing regulations. The PAMB shall monitor the collection and utilization of protected area funds. It shall ensure that the utilization of the funds is in accordance with the approved PA Management Plan and Annual Work and Financial Plan.

## 4. Government auditing rules and procedures

All the funds of the protected area shall be subjected to existing government auditing rules and procedures.

# 7 Protected Area Management Office and Functions

## 7.1 The Protected Area Management Office

The MIBNP Protected Area Management Office (PAMO) shall be responsible for the day-to-day supervision of the management, protection and administration the protected area. The PAMO shall be headed by the PASu. Apart from the PASu, the PAMO shall be composed of a sufficient number of staff with plantilla positions.

All meeting materials, documentation, and preparation for PAMB meetings shall be done by the PAMO.

## 7.2 Duties and Functions of PASu

The PASu shall be primarily accountable to the PAMB and the DENR for the management and operation of the protected area<sup>8</sup>. The PASu shall have the following duties and responsibilities:

1. Lead the preparation of the management plan in consultation with the stakeholders including the annual work and financial plan and ensure its implementation;
2. Ensure the integration of the protected area management plan, programs, projects, and policies with relevant national and LGUs' plans and programs;
3. Serve as the board secretary of the PAMB;
4. Provide secretarial services to the PAMB and its committees and ensure the availability of relevant and timely information for decision-making;
5. Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;
6. Establish, operate, and maintain a database management system which shall be an important basis for decision-making;
7. Enforce the laws, rules and regulations relevant to the protected area, commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the prosecution of offenses committed in violation of the ENIPAS Act of 2018;
8. Monitor, evaluate, and report the implementation of management activities of the protected area;
9. Request for and receive technical assistance, support or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, private sector as may be necessary for the effective management, protection and administration of the protected area;
10. Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with the terms, conditions and criteria established by the PAMB. Provided, That all permits for extraction activities, including collection for research purposes, shall also continue to be issued by relevant authorities, subject to prior clearance from the PAMB through the PASu, in accordance with the specific acts to be covered.

## 8 Review and Updating of the Management Plan

1. As per Rule 9.10 of the ENIPAS Act of 2018, the PAMB shall review, update, and if necessary, modify the PAMP, at least every three (3) years, in accordance with scientific studies, sound resources assessments, and surveys, as well as relevant developments in biodiversity conservation, and the social dynamics in the protected area. The PAMB may

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<sup>8</sup> Derived from the ENIPAS Act of 2018.

also update and modify the PAMP after the occurrence of calamities that may have adverse impact on the protected area.

2. The PAMB shall delegate the responsibility to review, update, and if necessary modify the PAMP to the PAMB Executive Committee;
3. The PAMB Executive Committee shall conduct consultations with experts and partners in the process of updating the PAMP;
4. The PAMB Executive Committee shall present the draft updated PAMP to the PAMB en banc for approval.
5. The PAMB en banc shall review and decide on the draft updated PAMP and prepare a resolution adopting the updated PAMP if it is approved.

## **9 Review and Updating of the Manual of Operations**

1. The PAMB through the PASu may initiate the review and updating of the Manual of Operations as it deems it necessary. Should the PAMB decide to update its Operations Manual, it shall then issue the corresponding Resolution.
2. The PAMB shall direct the PASu to consult and coordinate with the PAMB Executive Committee in the updating of the Manual of Operations;
3. The PASu shall present the draft updated Manual of Operations to the PAMB en banc for review and approval;
4. The PAMB en banc shall review and decide on the draft and prepare a resolution adopting the updated Manual of Operations if it is approved.

## **10 Effectivity**

This Order shall take effect fifteen (15) days after its approval by PAMB En Banc of MIBNP.\