



Republic of the Philippines
(Republic Act No. 7611)

PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT

Excerpts from the Minutes of the 279th PCSD Regular Meeting
PCSDS Conference Room, U2/F PCSD Building
Santa Monica, Puerto Princesa City, Palawan
May 27, 2021

Present:

- | | |
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| 1. Vice Gov. Victorino Dennis M. Socrates, Sangguniang Panlalawigan | Vice Chair/Presiding |
| 2. Atty. Teodoro Jose S. Matta, Executive Director, PCSDS | Secretary |
| 3. Usec. Rodolfo C. Garcia, DENR | Member |
| 4. Mayor Amy R. Alvarez, President, League of Municipalities | Member |
| 5. Hon. Ferdinand P. Zaballa, President, Liga ng mga Barangay | Member |
| 6. Atty. Jansen A. Jontila, NGO Representative | Member |
| 7. Mr. Jeffrey A. Arnedilla, Private Sector representative | Member |
| 8. VADM Ramil Roberto B. Enriquez, Commander, WESCOM | Member |

Represented:

- | | |
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| 9. Usec. Mercedita A. Sombilla, OIC-Undersecretary, NEDA | Member |
| Represented by RD Agustin C. Mendoza | |

Absent:

- | | |
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| 10. Gov. Jose Ch. Alvarez, Provincial Governor | Chair |
| 11. Usec. Ariel T. Cayanan, DA | Member |
| 12. Mayor Lucilo R. Bayron, Puerto Princesa City | Member |

PCSD RESOLUTION NO. 21-770

“REVISING SECTIONS 6 AND 7 OF PCSD RESOLUTION NO. 05-250, OTHERWISE KNOWN AS THE “REVISED GUIDELINES IN IMPLEMENTING THE ENVIRONMENTALLY CRITICAL AREAS NETWORK (ECAN), THE MAIN STRATEGY OF THE SEP FOR PALAWAN ACT (RA 7611)”

WHEREAS, Republic Act No. 7611, otherwise known as the “Strategic Environmental Plan (SEP) for Palawan Act,” provides that the governance, implementation, and policy direction of the Strategic Environmental Plan shall be exercised by the Palawan Council for Sustainable Development (PCSD);

WHEREAS, pursuant to Section 19, Chapter V of R.A. No. 7611, the PCSD is vested with the power to adopt, amend and rescind such rules and regulations and impose penalties therefor for the effective implementation of the SEP and the other provisions of this Act;

Vision: Palawan, an innovative and dynamic global center of sustainable development

Mission: PCSDS as the driver of environmental conservation and inclusive development in Palawan, a biosphere reserve and science-for-sustainability site, guided by the Strategic Environmental Plan

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WHEREAS, the main strategy of the SEP is the Environmentally Critical Areas Network (ECAN), which is a graded system of protection and development control over the whole of Palawan;

WHEREAS, PCSD Resolution No. 05-250 was adopted as the revised guidelines in implementing the ECAN. It amended PCSD Resolution No. 94-44 and Resolution No. 99-144;

WHEREAS, the continuation of the system of classifying buffer and multiple use zones based on elevation and slope values simply sustains a concentric-mode of zonation, which is an outdated land-use planning tool and may not be scientifically grounded. The buffer and multiple use zones should not be limited to a specific geographic feature such as elevation and slope, but rather, identified and designated based on its ecological functions anchored on scientific research;

WHEREAS, there is a need to update the guidelines in implementing the ECAN in consideration of newly available scientific data, existing developments, and current circumstances;

WHEREFORE, on motion duly seconded, be it resolved, as it is hereby **RESOLVED**, to **ADOPT**, as it is hereby adopted, the revision of Sections 6 and 7 of PCSD Resolution No. 05-250 as follows:

Section 1. Section 6 of PCSD Resolution No. 05-250, as amended, is hereby revised to read as follows:

“Section 6. Definition of Terms. For purposes of these guidelines, the following definition of terms is hereby adopted:

XXX

Subsection 3 is hereby amended to read as follows:

3) *Biodiversity Hotspot* refers to a geographical region that has a relatively high biodiversity value and is threatened with destruction. These are either Protected Areas or areas where “Other Effective Area-based Conservation Measures (OECMs)” are instituted.

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Subsection 9 is hereby revised to read as follows:

9) *Closed forest (or closed canopy forest)* refers to a woodland or forest composed of trees or shrubs that have crowns interlocking, touching, or very slightly separated. Tree crowns spread over at least 20% on the ground and shade-out the light on the forest floor. The crowns can form an even or uneven closed canopy layer. They are also formations where trees in the various storeys and the undergrowth cover a high proportion of the ground and do not have a continuous dense grass layer. These are either managed or unmanaged forests, primary or in advanced state of reconstitution and may have been logged over on or more times, having kept their characteristics of forest stands, possibly with modified structure and composition.

Subsection 9 is hereby re-numbered as subsection 10) *Coastal/Marine Areas*.

Subsection 11 is hereby revised to read as follows:

11) *Community* refers to a human group sharing a territory which has extended residence in a given environment, a rich tradition in their relationship with the land and the natural resources, well-established customary tenure and land use practices, effective social management institutions, and is involved in different but related aspects of livelihoods, such as direct dependence on the natural resources for their livelihoods, managing natural resources, producing knowledge and culture, or developing productive technologies and practices.

Subsection 10) is hereby renumbered as subsection 12) *Controlled use area*.

Subsection 11 is hereby renumbered as subsection 13) *Core Zone*.

Subsection 14 is hereby revised to read as follows:

14) *Critical Habitat (CH)* refers to any area with high biodiversity conservation significance, including: a) habitat of significant importance to critically endangered species; b) habitat of significant importance to endemic and/or restricted-range species; c) habitat supporting globally significant concentrations of migratory and/or congregatory species; d) highly threatened and/or unique ecosystems; or e) areas associated with key evolutionary processes.

Subsection 15 is hereby revised to read as follows:

15) *Critical watershed* refers to a watershed or forest land that has been identified and evaluated to provide critical and vital natural, ecological, environmental and physical beneficial services such as water, biodiversity, energy, irrigation, social and cultural, among others, to a specific area or community and whose biophysical condition demands immediate rehabilitation, protection and management to prevent its further denudation, deterioration and exploitation.

Subsection 12 is hereby renumbered as subsection 16) *DA*

Subsection 13 is hereby renumbered as subsection 17) *DENR*

Subsection 14 is hereby renumbered as subsection 18) *ECAN Board*

Subsection 15 is hereby renumbered as subsection 19) *ECANization*

Subsection 20 is hereby revised to read as follows:

20) *Ecosystem Restoration or Rehabilitation* refers to a process of reversing the degradation of ecosystems, such as landscapes, lakes and oceans, to regain their ecological functionality; in other words, to improve the productivity and capacity of ecosystems to meet the needs of society. This can be done by allowing the natural regeneration of overexploited ecosystems or by planting trees and other plants.

Subsection 21 is hereby revised to read as follows:

21) *Ecosystem Restoration or Rehabilitation Area* refers to an area that is or will be undergoing a process to reverse the degradation of its ecosystems to regain their ecological functionality, and/or to improve the productivity and capacity of its ecosystems to meet the needs of society.

Subsection 16 is hereby renumbered as subsection 22) *EIA*

Subsection 17 is hereby renumbered as subsection 23, and amended to read as follows:

23) *Endangered habitat* refers to any area that is at risk of being destroyed because of natural and anthropogenic causes, which in turn puts the species found in these habitats at risk.

Subsection 18 is hereby renumbered as subsection 24) *Environmentally Critical Areas Network (ECAN)*

Subsection 19 is hereby renumbered as subsection 25) *Estuarine*

Subsection 20 is hereby renumbered as subsection 26) *Foreshore area*

Subsection 27 is hereby revised to read as follows:

27) *Habitat of endangered or rare species* refers to an area or type of site where rare and endangered species naturally occurs or depends on directly or indirectly to carry out its life processes, or where a species formerly occurred or has the potential to occur and carry out its life processes in the foreseeable future.

Subsection 28 is hereby revised to read as follows:

28) *High Conservation Value (HCV)* refers to a biological, ecological, social or cultural value that is of outstanding significance or critical importance at the local, regional, or global level.

Subsection 29 is hereby revised to read as follows:

29) *High Conservation Value Area* refers to an area that possesses one or more high conservation values.

Subsection 21 is hereby renumbered as subsection 30) *ISF*

Subsection 22 is hereby renumbered as subsection 31) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)*

Subsection 32 is hereby revised to read as follows:

32) *Indigenous Peoples and Community Conserved Territories and Areas (ICCA)*. Refer to areas that are conserved by indigenous people and local communities, both sedentary and mobile, through customary laws or other effective means.

Subsection 23 is hereby renumbered as subsection 33) *IUCN*.

Subsection 34 is hereby revised to read as follows:

34) *Local Conservation Area (LCA)* refers to an area established mainly for biodiversity conservation purposes under the management of local government units.

Subsection 24 is hereby renumbered as subsection 35) *MSA*.

Subsection 25 is hereby renumbered as subsection 36) *Multiple/manipulative use zone*.

Subsection 37 is hereby revised as follows:

37) *Natural Forests* are forest composed of naturally growing indigenous trees, not planted by humans, whose structure, composition and dynamics have been largely the result of natural succession processes.

Subsection 26 is hereby renumbered as subsection 38) *Non-Government Organization (NGO)*.

Subsection 39 is hereby revised to read as follows:

39) *Old-growth Forest* refers to a primary natural forest, sometimes referred to as virgin or primary forest, never modified of which the composition, structure and function has not been altered. It may include closed forest (or closed canopy forest) and open forest (or open canopy forest).

Subsection 40 is hereby revised to read as follows:

40) *Open forest (or open canopy forest)* refers to a kind of forest or woodland in which the tops or crowns of the trees do not touch each other or overlap, as with a closed canopy. There are open areas within the forest where sunlight breaks through from the sky and passes between the gaps in trees and there are large, grassy, sunlit areas among the trees. This is also a formation with discontinuous tree layer but with a coverage of at least 10%.

Subsection 41 is hereby revised to read as follows:

41) *Other Effective Area-based Conservation Measures (OECMs)* refers to a conservation designation for areas that are achieving the effective in-situ conservation of biodiversity outside of protected areas. Examples of OECMs are i) Local Conservation Area or (LCA); ii) Indigenous Peoples and Community Conserved Territories and Areas (ICCA); iii) Privately Protected Areas (PPAs); and iv) Critical Habitats (CHs).

Subsection 27 is hereby renumbered as subsection 42) *PCSD or Council*.

Subsection 28 is hereby renumbered as subsection 43) *PCSDS*.

Subsection 29 is hereby renumbered as subsection 44) *People's Organization (PO)*.

Subsection 30 is hereby renumbered as subsection 45) *Private Rights*.

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Subsection 46 is hereby revised to read as follows:

46) *Privately Protected Area (PPA)* refers to an area protected under private ownership and governance. This is a land parcel of any size that is a) predominantly managed for biodiversity conservation; b) protected with or without formal government recognition; and c) is owned or otherwise secured by individuals, communities, corporations, or non-governmental organizations.

Subsection 31 is hereby renumbered as subsection 47) *Public Easement/Salvage Zone*.

Subsection 32 is hereby renumbered as subsection 48) *Restricted use area*.

Subsection 33 is hereby renumbered as subsection 49) *Small Island*.

Subsection 50 is hereby revised to read as follows:

50) *Stabilized land or ecosystem* refers to a land or ecosystem that is capable of returning to its equilibrium state after a disturbance or has mechanisms in place to ensure that threats are addressed or abated.

Subsection 34 is hereby renumbered as subsection 51) *Stakeholder*.

Subsection 28 is hereby renumbered as subsection 52) *Sustainable Development*.

Subsection 29 is hereby renumbered as subsection 53) *Terrestrial*.

Subsection 54 is hereby revised to read as follows:

54) *Traditional Use* refers to customary utilization of land, water, biological or genetic resources by the local communities and indigenous peoples in accordance with written or unwritten rules, usage, customs, and practices traditionally observed, accepted and recognized by them.

Subsection 30 is hereby renumbered as subsection 55) *Traditional use zone*.

Subsection 31 is hereby renumbered as subsection 56) *Tribal Ancestral Lands*.

Subsection 57 is hereby revised to read as follows:

57) *Watershed* refers to a land area drained by a stream or fixed body of water and its tributaries having a common outlet for surface run-off.

Subsection 58 is hereby revised to read as follows:

58) *Wildlife/Biodiversity Corridor* refers to an area that creates linkages to patches of habitats, whether natural or artificial, and key biodiversity areas. This corridor aims to provide habitat and distribution routes for wildlife, maintain ecosystems functioning, and provide opportunities for the improvement of the quality of life of local communities inhabiting the corridor.

Section 2. Section 7 of PCSD Resolution No. 05-250, as amended, is hereby revised to read as follows:

"Section 7. Criteria in Zoning the Terrestrial Component.

1. Core Zone – Areas that constitute any of the following:

- i. Areas above one thousand (1,000) meters elevation;
- ii. All types of natural forests including first growth forest, residual forest, edges of intact forest, closed-canopy forest, karst forest, and forest over limestone; or peaks of mountains; or areas with very steep gradients, unless the landscape of such forest, mountain and/or area has been modified for a different form of land use, as determined by the Council upon recommendation by the Council Staff (PCSDS) and in consultation with the concerned local government units;
- iii. Endangered habitats and habitats of endangered and rare species, as determined by the Council upon recommendation of the PCSDS and in consultation with the concerned local government units;

2. Buffer Zone:

- a.) **Restricted Use Area** – Areas identified and declared as Ecosystem Restoration and/or Rehabilitation Areas by the Council, based on available science, upon prior endorsement by the Council Staff (PCSDS) in consultation with the concerned local government units, except those areas falling under the Core Zone.

These may include the following: 1) critical watersheds, 2) critical habitats, 3) wildlife/biodiversity corridors, 4) biodiversity hotspots, 5) high-conservation value areas, or 6) areas under "Other Effective Area-based Conservation Measures (OEACMs)" declared or recognized as such by the Council, upon recommendation by the Council Staff (PCSDS) in consultation with the concerned local government units.

- b.) **Controlled Use Area** – Areas which may be identified and designated as such by the Council based on available science, which may include, but not limited to, tenured areas granted by the government, upon recommendation by the Council Staff (PCSDS) in consultation with the local government units. This may include an area within the criteria of the Restricted Use Zone which has a community therein.
- c.) **Traditional Use Area** – Edges of intact forests (including ecotones) where traditional land use is already stabilized or is being stabilized as identified as such by the Council upon recommendation by the Council Staff (PCSDS) and in consultation with the local government units.

3. Multiple Use Zone – Areas where the landscape has been modified or will be modified, and identified as such in the Comprehensive Land Use Plans (CLUPs) of


local government units. These include, but are not limited to, agricultural lands, alienable and disposable (A&D) lands, and mineral lands, which have been declared as such by the DENR in consultation/coordination with the Council, except those that the Council has declared or recognized as a critical habitat, watershed reserve, protected area, and/or national park.”

RESOLVED FURTHER, that the above revisions shall take effect immediately and remain in full force unless modified or repealed accordingly by the Council.

RESOLVED FINALLY, that copies of this Resolution be furnished to the PCSDS, concerned local government units, the University of the Philippines Law Center - Office of the National Administrative Registry (ONAR), and other concerned parties for their information and guidance.

ADOPTED AND APPROVED this 27th day of May 2021 in Puerto Princesa City, Palawan, Philippines.

I hereby certify that the above-quoted resolution has been duly adopted and approved by the PCSD during its regular meeting held on the 27th day of May 2021 at Puerto Princesa City, Palawan.


TEODORO JOSE S. MATTA, Esq.
Secretary

ATTESTED BY:


VICTORINO DENNIS M. SOCRATES
Presiding Officer, Vice-Chair