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## MEMORANDUM

FOR : The Undersecretary for Legal, Administration, Human Resources and Legislative Affairs

THRU : The Undersecretary for Policy, Planning, and International Affairs  
The Director, Legal Affairs Service

FROM : The Director

SUBJECT : **REPORT ON THE CONDUCT OF PLANNING WORKSHOP ON THE REVIEW AND UPDATING OF FOREST LAND BOUNDARY ASSESSMENT AND DELINEATION (FLBD) PROJECT OUTPUT VIS-A-VIS UNCLASSIFIED PUBLIC FOREST OF THE PROVINCE OF PALAWAN**

DATE : DEC 28 2022

This is to apprise the Undersecretary on what has transpired during the conduct of Planning Workshop on the Review and Updating of Forest Land Boundary Assessment and Delineation (FLBD) Project Output vis-à-vis Unclassified Public Forests (UPF) of the Province of Palawan in compliance to DENR Special Order No. 2022-754 dated 07 November 2022, and in support to the ongoing efforts of the Department to conserve the environment and natural resources, particularly in determining the proper land classification for the entire province of Palawan which is crucial in implementing sustainable forest management in the province.

### I. BACKGROUND

On 01 September 2022, Atty. Jonas R. Leones, Undersecretary for Policy, Planning, and International Affairs requested the Forest Management Bureau (FMB) to provide the updated results of the assessment and delineation report of forest land boundary delineation for the Province of Palawan based on the request of Representative Edward Hagedorn of the 3rd District of Palawan during the 31 August 2022 Committee on Natural Resources meeting at the House of Representatives.

It should be noted that Palawan is one of the provinces which has large tracts of forest lands, most of which are considered unclassified public forests (UPF). Based on the summary of FLBD results as of April 2016, there are a total of 73 Non-Conforming Blocks (for reclassification of Forest land into Agricultural land (Alienable and Disposable)) comprising an area of approximately 31,369.67 hectares while there are a total of four (4) Conforming Blocks (for reversion of Agricultural land (Alienable and Disposable) into Forest land) comprised of 451.31 hectares. Moreover, there are a total of 1,653 Forest land Blocks containing an approximate area of 1,039,103.85 hectares.

Further, considering the recent development of environmental laws and guidelines such as the passage of Republic Act 11038 or the "Expanded NIPAS Act", the updating of Environmentally Critical Areas Network (ECAN) zone maps of the Province of Palawan by the Palawan Council for Sustainable Development (PCSD), the results of the FLBD Project vis-à-vis the coverage of the UPF in the Province of Palawan should be further evaluated and reviewed, hence, the conduct of this proposed planning workshop.



## **II. OBJECTIVES**

This planning workshop aims to discuss and identify the necessary activities for the conduct of the review and updating of the FLBD results vis-à-vis the UPF in the Province of Palawan. This workshop also aims to refresh the understanding of the participants vis-à-vis the Land Classification and Reclassification process and to level-off with the current status of the FLBD output of the province in relation to the passage of RA 11038 (ENIPAS) and other updated data/information of the province in relation to land classification. Moreover, an action plan with its corresponding physical and budgetary requirements for the review and updating of the FLBD outputs shall be prepared in this workshop.

## **III. FINDINGS AND DISCUSSIONS**

### **A. Presentation of FLBD Outputs and Levelling-Off:**

Forester Amie T. Rabang of the FMB presented the overview and rationale of the workshop including a brief background on the initiatives of the Office regarding the conduct of the planning workshop for the review and updating of the FLBD Outputs vis-à-vis UPF of the Province of Palawan. Further, Forester Beata Batadlan of the Land Classification Division of NAMRIA presented the Process of Land Classification and Reclassification while Engr. Estela Gumabon of the same Office presented the Status of FLBD Outputs vis-à-vis UPF of the Province of Palawan.

Atty. Charlene Acosta and For. Apollo Regalo of the PCSD presented Palawan's updated Environmentally Critical Areas Network (ECAN) maps wherein they presented the three (3) major ECAN zones in the province including the updated criteria of zoning based on PCSD Resolution No. 21-770. Moreover, Ms. Juliana Balogo of the National Parks Division (NPD) of the Biodiversity Management Bureau (BMB) provided updates on the current status of National Parks (NP) in the province. It can be noted in the presentation that BMB identified 13 areas of which five (5) are considered as Initial Component, five (5) areas are considered as Proclaimed, two (2) additional components, and one (1) legislated.

### **B. Unclassified Public Forests (UPF) in Palawan**

It has long been thought that Palawan, or at least the majority of which, is an unclassified public forest. This belief emanates from the truth that our Congress has not yet passed an Act that clearly defines its actual land classifications. It is thus assumed that Palawan still has not been the subject of the present system of classification, for the determination of which of its lands are needed for forest purposes, and which are not.

Several LC maps were issued in the province which dates back as early as 1914 when LC Map No. 127 dated 25 February 1914 covering certain parcels of land in the Municipality of Coron was issued and was noted to be the first LC Map of Palawan. Currently, there are about 103 approved LC maps in the province, however, there are areas which still does not have an approved LC map. On 02 July 1967, then President Ferdinand Marcos issued Proclamation 219 which declared Palawan as a Game Refuge and Bird Sanctuary, fourteen (14) years thereafter, in 1981, the whole province was then proclaimed as a Mangrove Swamp Forest Reserve through Proclamation No. 2152.

Accordingly, forest reserves, game refuges, and bird sanctuaries are all within the category of protected areas, and with that, as argued by BMB and the lawyers from DENR – LAS, Palawan must therefore be considered a national park. However, Item 10, Section 16 of PD 705, as amended, otherwise known as the *Revised Forestry Code of the Philippines*, which became effective in 1975, several years before the NIPAS and E-NIPAS Acts were legislated, provides that all areas previously proclaimed by the President as, among others,



game refuge and mangrove swamps, are deemed needed for forest purposes. Based on this provision, FMB maintains that the whole of Palawan should still be legally treated as timberlands.

### **C. Workshop Proper/ Breakout Session**

The participants from the concerned Offices and attached agencies of DENR (e.g. PENRO Palawan, various CENR Offices from Palawan, FMB, NAMRIA, PCSD, and the representatives from the DENR Central Office, among others) were divided into two (2) groups, namely: Northern Palawan and Southern Palawan Groups.

The CENR Offices involved under the Northern Palawan Group are the participants from CENRO Coron, CENRO Taytay, and CENRO Roxas. This group covered nine (9) Municipalities, namely: Coron, Busuanga, Culion, Linapacan, Taytay, El Nido, Roxas, San Vicente, and Dumarang, while the Southern Palawan Group is composed of representatives from CENRO Puerto Princesa, CENRO Quezon, and CENRO Brooke's Point which covered 11 municipalities and one (1) city, namely: Puerto Princesa City, Agutaya, Aborlan, Magsaysay, Cagayancillo, Kalayaan, Quezon, Rizal, Narra, Brooke's Point, Sofronio Espanola, and Balabac. The groups were also supervised by several technical staff/GIS specialists from NAMRIA and FMB.

#### ***Criteria and Parameters***

The initially identified UPF blocks was assessed based on the criteria provided under Sections 15 and 16 of Presidential Decree No. 705, as amended, and the Memorandum of the Undersecretary for Field Operations and Chairperson of the National Assessment and Delineation Committee (NADC) "*Guidelines and Criteria for Assessing the Areas/Blocks Proposed as Conforming and Non-Conforming to Forest Purposes in the Conduct of the FLBD Project*" dated 25 April 2012 (copy attached herewith).

Initially, blocks that have slopes above 18%, have high risks to hazards, and have open/closed forest land cover are proposed to be classified as FL while those blocks which have slopes below 18%, have low to moderate risks to hazards, and has annual crops, built-up, perennial crops, and barren land cover are proposed to be classified as A&D. Other criteria mentioned in the Memorandum of the Undersecretary and NADC Chairperson was also considered in the latter part of the analysis and preparation of indicative maps.

#### ***General process of GIS Analysis and generation of indicative maps***

Generally, all existing Land Classification (LC) Maps within the Province were compiled and those areas which were not covered by any LC blocks were digitized and replotted and were considered as UPFs. All the thematic layers were clipped based on the generated UPF blocks thereafter its layers was unioned. The generated layers were edited to standardize the pertinent information in the attribute table. In order to cleanse the selection of attributes into one specific attribute per polygon, the geoprocessing tool "explode" was used to segregate a specific attribute with its corresponding polygon.

Potential areas for Forest lands (FL) and Alienable and Disposable (A&D) lands were then segregated based on the criteria and parameters mentioned above. Unnecessary polygons were dissolved to retain only those potential FL and A&D areas which was later subjected to assessment and map overlay in Google Earth to determine its approximate location and condition. The pre-determined LC lines and corners were generated and overlaid in other ENR data (e.g. ECAN Zones) thereafter the output map will serve as the indicative map which will be the basis for ground validation of the concerned DENR Regional and Field Offices.



### ***Workshop Proper Outputs***

The 35 UPF Blocks of Northern Palawan and the eight (8) UPF Blocks of Southern Palawan were subjected to further analysis following the prescribed procedures discussed by the NAMRIA. Based on the outputs of the workshop, there is an approximate 42,673 hectares of land with 1,093.19 kilometers cutline which is proposed to be classified as A&D in Northern Palawan while there are about 5,644 hectares with 47.59 kilometers cutline being proposed to be classified as A&D in Southern Palawan. On the other hand, there are about 226,415.12 hectares and 205,758 hectares being proposed to be retained as FL in Northern and Southern Palawan, respectively.

In summary, a total of 48,317 hectares with 1,140.78 kilometers cutline is being proposed to be classified as A&D lands which shall be subjected to review, assessment, and ground survey. Aside from the proposed A&D identified during the workshop, there are about 73 Blocks which are considered as Non-Conforming Blocks (proposed for release as A&D) with an approximate aggregate area of 31,369 hectares which is the result of the FLBD Project.

## **IV. AGREEMENTS AND RECOMMENDATIONS**

### ***1. Land Classification Status of Palawan***

Accordingly, there are still UPF blocks in the Palawan which should be classified through issuance of an appropriate administrative order by the Secretary or through the issuance of a Proclamation by the President, however, with the issuance of a Proclamation declaring the whole Province of Palawan as a Game Refuge and Bird Sanctuary, it was interpreted that Palawan is no longer a UPF considering that Forest reserves, game refuges, and bird sanctuaries are all within the category of protected areas, and with that, as argued by BMB and the lawyers from DENR – LAS, Palawan must therefore be considered a national park and that the classification/reclassification process should be done through a positive action from the Congress.

Given these circumstances, it was agreed during the workshop that two (2) versions of the WFP will be prepared and that the Legal Affairs Service (LAS) of DENR Central Office will be consulted on the Official stand of the DENR regarding the Land Classification Status of Palawan, based on the discussions made during the workshop.

### ***2. Proposed Work and Financial Plans***

Based on the agreements made during the plenary sessions, it was agreed that two (2) versions of the Work and Financial Plan (WFP) will be prepared, namely: the DENR Secretary Version and the Congress Version. This is due to the discussion that areas within UPF can be classified by the DENR Secretary through the issuance of Administrative Order or through the enactment of the Congress through the passage of legislative measures setting land classification boundaries.

#### ***A. DENR Secretary Version***

The WFP under this version includes the conduct of ground survey and validation of occupants including the preparation of draft maps which will serve as an attachment to the DAO establishing the LC of the area. This will include activities such as: i. Field Survey; ii. Validation of Forest Occupants; iii. Final Mapping; and iv. Preparation of Final Reports.

The estimated budgetary requirement per kilometer under this version is Php. 13,850.00 which will include traveling/transportation expenses, wage of laborers, supplies, and materials, and communication allowances. Each team will be composed of three (3)

survey crews and four (4) monumenting crews. Moreover, there will be a separate team that will conduct validation of forest occupants which will be composed of two (2) members. The estimated budget allocation is Php. 6,215.00 per kilometer which includes traveling/transportation expenses, wage of laborers, and communication allowances.

Considering the above-estimated costs per kilometer, the total estimated budgetary requirement for this version is Php. 25,641,465.00 for the conduct of field survey, monumenting, and validation of occupants for the 1,140.78 kilometers (approx. 1,141 kilometers) cutline.

#### ***B. Congress Version***

In this version, the WFP activities will include the field survey and validation of occupants. The ground demarcation and monumenting will only be conducted once the legislative measures on land classification have been approved.

The estimated budgetary requirement per kilometer under this version is Php. 12,455.00 which will include traveling/transportation expenses, wage of laborers, and communication allowance. The proposed budgetary allocation is Php. 6,215.00 per kilometer which will include traveling/transportation expenses, wage of laborers, and communication allowances.

Considering the above-estimated costs per kilometer, the total estimated budgetary requirement for this version is Php. 23,854,166.00 for the conduct of field survey, monumenting, and validation of occupants for the 1,140.78 kilometers (approx. 1,141 kilometers) cutline.

The target timeline of completion for the conduct of the field survey, validation of occupants, and final mapping is the First Quarter (Q1) of 2023 while the preparation of final reports is targeted in the Second Quarter (Q2) of 2023.

Relative thereto, this Office humbly request for guidance on which versions should be followed on the land classification activities for Palawan vis-à-vis the requests from the House of Representatives. Further, attached is the copy of the comprehensive report of the team from this Office for your information and reference.

**FOR THE UNDERSECRETARY'S INFORMATION AND CONSIDERATION.**



**TIRSO P. PARIAN, JR., CESO IV**

***Copy Furnished:***

*The Undersecretary for Field Operations – Luzon, Visayas, and Environment, DENR Central Office*

*The Administrator, National Mapping and Resource Information Authority*

*The Executive Director, Palawan Council for Sustainable Development*

*The OIC Director, Biodiversity Management Bureau*

*The Director, Land Management Bureau*

*The Regional Executive Director, DENR MIMAROPA*



# Report on the conduct of Planning Workshop on the Review and Updating of Forest Land Boundary Assessment and Delineation (FLBD) Project Output vis-à-vis Unclassified Public Forest of the Province of Palawan

1 message

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Thu, Dec 29, 2022 at 2:50 PM

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Sir/Ma'am

Good day

Attached file is a Memorandum for Usec for LAHRLA date December 28, 2022 RE: Report on the conduct of Planning Workshop on the Review and Updating of Forest Land Boundary Assessment and Delineation (FLBD) Project Output vis-à-vis Unclassified Public Forest of the Province of Palawan

Thank you



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