

Republic Act
No. 7611
June 19, 1992

SUBJECT : An Act Adopting the Strategic Environmental Plan for Palawan, Creating the Administrative Machinery for its Implementation, Converting the Palawan Integrated Area Development Project Office to its Support Staff, Providing Funds Therefor, and for other Purposes

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

CHAPTER I GENERAL PROVISION

Sec.1 Title. This Act shall be known as the "Strategic Environmental Plan (SEP) for Palawan Act."

Sec.2 Declaration of Policy. It is hereby declared the policy of the State to protect, develop and conserve its natural resources. Toward this end, it shall assist and support the implementation of plans, programs and projects formulated to preserve and enhance the environment, and at the same time pursue the socioeconomic development goals of the country.

It shall support and promote the sustainable development goals for the provinces through proper conservation, utilization and development of natural resources to provide optimum yields on a continuing basis. With specific reference to forest resources, the State shall pursue and implement forest conservation and protection through the imposition of a total commercial logging ban as hereinafter provided.

It shall also adopt the necessary measures leading to the creation of an institutional machinery including, among others, fiscal and financial programs to ensure the effective and efficient implementation of environmental plans, programs, and projects.

It shall also promote and encourage the involvement of all sectors of society and maximize people participation in natural resource management, conservation and protection.

Sec.3 Definition of Terms . - As used in this Act, the following terms are defined as follows:

(1) **"Palawan"** refers to the Philippine province composed of islands and islets located 7°47' and 12°22' north latitude and 117°00' and 111°951' east longitude, generally bounded by the South China Sea to the northwest and by the Sulu Sea to the east;

(2) **"Sustainable development"** means the improvement in the quality of life of the present and future generations through the complementation of development and environmental protection activities;

(3) **"Natural resources"** refers to life-support systems such as the sea, coral reefs, soil, lakes, rivers, streams, and forests as well as useful products found therein such as minerals, wildlife, trees and other plants, including the aesthetic attributes of scenic sites that are not man-made;

(4) **"Tribal land areas"** refers to the areas comprising both land and sea that are traditionally occupied by the cultural minorities;

(5) **"Environmentally critical areas"** refers to terrestrial, aquatic and marine areas that need special protection and conservation measures as they are ecologically fragile;

(6) **"Participatory processes"** means the involvement of all the key sectors of development, from the grassroots to the policy-making bodies of the National Government, in providing the values and ideas from which strategic development and environmental protection action can come about;

(7) **"Conservation"** refers to the wise use of natural resources that assures regeneration and replenishment for continuous benefit;

(8) **"Ecology"** refers to the life-sustaining interrelationship and interactions of organisms with each other and with their physical surroundings;

(9) **"Commercial logging"** refers to the cutting, felling or destruction of trees from old growth and residual forests for the purpose of selling or otherwise disposing of the cut or felled logs for profit;

(10) **"SEP"** refers to the Strategic Environmental Plan discussed in Section 4 of this Act;

(11) "ECAN" refers to the Environmentally Critical Areas Network as provided in Section 7 of this Act; and

(12) "EMES" refers to the Environmental Monitoring and Evaluation System provided in Section 13 of this Act.

CHAPTER II STRATEGIC ENVIRONMENTAL PLAN: ADOPTION, PHILOSOPHY AND LEGAL EFFECTS

Sec.4 Strategic Environmental Plan. -A comprehensive, framework for the sustainable development of Palawan compatible with protecting and enhancing the natural resources and endangered environment of the province is hereby adopted. Such framework shall be known as the Strategic Environmental Plan for Palawan, hereinafter referred to as SEP and shall serve to guide the local government of Palawan and the government agencies concerned in the formulation and implementation of plans, programs and projects affecting said province.

Sec. 5 Strategic Environmental Plan (SEP) Philosophy. - The SEP shall have, as its general philosophy, the sustainable development of Palawan, which is the improvement in the quality of life of its people in the present and future generations through the use of complementary activities of development and conservation that protect life-support ecosystems and rehabilitate exploited areas to allow upcoming generations to sustain development growth. It shall have the following features:

- (1) **Ecological viability** - The physical and biological cycles that maintain the productivity of natural ecosystems must always be kept intact;
- (2) **Social acceptability** - The people themselves, through participatory processes, should be fully committed to support sustainable development activities by fostering equity in access to resources and the benefits derived from them; and
- (3) **Integrated approach** - This allows for a holistic view of problems and issues obtaining in the environment as well as opportunities for coordination and sharing that will eventually provide the resources and political will to actually implement and sustain SEP activities.

Sec.6 Legal Effects. - The SEP shall serve as the framework to guide the governmental agencies concerned in the formulation and implementation of plans, programs and projects affecting the environment and natural resources of Palawan. It shall therefore be incorporated in the Regional Development Plan of Region IV as part of

said plan. All local governments in Palawan and the concerned national and regional government agencies operating therein shall coordinate and align their projects and the corresponding budgets with the projects, programs and policies of the SEP, as administered and implemented by an administrative machinery hereinafter created.

Sec.7 Environmentally Critical Areas Network (ECAN) -The SEP shall establish a graded system of protection and development control over the whole of Palawan, including its tribal lands forests, mines, agricultural areas, settlement areas, small islands, mangroves, coral reefs, sea grass beds and the surrounding sea. This shall be known as the Environmentally Critical Areas Network, hereinafter referred to as ECAN, and shall serve as the main strategy of the SEP.

The ECAN shall ensure the following:

- (1) Forest conservation and protection through the imposition of a total commercial logging ban in all areas of maximum protection and in such other restricted use zones as the Palawan Council for Sustainable Development as hereinafter created may provide;
- (2) Protection of watersheds;
- (3) Preservation of biological diversity;
- (4) Protection of tribal people and the preservation of their culture.
- (5) Maintenance of maximum sustainable yield;
- (6) Protection of the rare and endangered species and their habitat;
- (7) Provision of areas [or environmental and ecological research, education and training; and
- (8) Provision of areas for tourist and recreation.

Sec.8 Main Components. - The areas covered by the ECAN shall be classified into three (3) main components;

- (1) **Terrestrial** - The terrestrial component shall consist of the mountainous as well as ecologically important low hills and lowland areas of the whole province. It may be further subdivided into smaller management components;

(2) **Coastal/marine area** - This area includes the whole coastline up to the open sea. This is characterized by active fisheries and tourism activities; and

(3) **Tribal ancestral lands** -These are the areas traditionally occupied by the cultural communities.

Sec.9 Terrestrial Component: Management Scheme and Zonation. - The terrestrial component may be further subdivided into smaller management components for a more efficient supervision. These management components, in turn, shall each be further subdivided into the following zones;

(1) **Area of maximum protection or core zone** -This zone shall be fully and strictly protected and maintained free of human disruption. Included here are all types of natural forest which include first growth forest, residual forest and edges of intact forest, areas above one thousand (1,000) meters elevation, peaks of mountains or other areas with very steep gradients, and endangered habitats and habitats of endangered and rare species. Exceptions, however, may be granted to traditional use of tribal communities of these areas for minimal and soft impact gathering of forest species for ceremonial and medicinal purposes.

(2) **Buffer zone** - This area permits regulated use and may be further subdivided into three (3) sub-zones;

(a) **Restricted use area.** Generally surrounds the core zone and provides a protective barrier. Limited and nonconsumptive activities may be allowed in this area;

(b) **Controlled use area.** Encircles and provides the outer barrier to the core and restricted use areas. Controlled forest extraction, like the collecting of minor forest products, and strictly controlled logging and mining may be allowed; and

(c) **Traditional use area.** Edges of intact forests where traditional land use is already stabilized or is being stabilized. Management and control shall be carried out with the other supporting programs of the SEP.

(3) **Multiple/manipulative use area** - This is the area where the landscape has been modified for different forms of land use such as intensive timber extraction, grazing and pastures, agriculture and infrastructure development. Control and management shall be strictly integrated with the other supporting programs of the SEP and other similar programs of the Government.

Sec.10 Coastal/Marine Zone. -A different and simplified scheme of management and zonation shall be applied to this component due to its geographical characteristics, critical nature, and patterns of resource use. Equitable access to the resource and management responsibility by the local community shall be the underlying management philosophy of this component.

- (1) **Core zone** - This area shall be designated free from any human activity. This includes sanctuaries for rare and endangered species, selected coral reefs, sea grass and mangrove ecosystem reserves.
- (2) **Multiple use zone** - Aside from being the development area, this zone also serves as the buffer zone where fishery, mariculture, recreation, rehabilitation of small islands and mangrove ecosystem, education and research are allowed.

Sec.11 Tribal Ancestral Lands. - These areas, traditionally occupied by cultural minorities, comprise both land and sea areas. These shall be treated in the same graded system of control and prohibition as in the others abovementioned except for stronger emphasis in cultural considerations. The SEP, therefore, shall define a special kind of zonation to fulfill the material and cultural needs of the tribes using consultative processes and cultural mapping of the ancestral lands.

CHAPTER III MANAGEMENT OF RESOURCES OUTSIDE OF THE ECOLOGICALLY CRITICAL AREAS

Sec. 12 Management of Resources Outside of the Ecologically Critical Areas. - The SEP shall provide for the management of resources outside of the ECAN and shall include coastal resources, resources of the catchment areas, timber and mines, development in the lowlands, and settlement areas. It shall also provide for tourism planning.

CHAPTER IV SUPPORT MECHANISMS

Sec.13 Environmental Monitoring and Evaluation System (EMES). In order to monitor achievement of its goals, the SEP shall establish an Environmental Monitoring and Evaluation System (EMES) which shall ensure a systematic and reliable means of data generation for the various concerns of the SEP. It shall measure changes in environmental status, identify adverse environmental trends and crisis area, recommend solutions assess the implementation of the SEP and suggest measures to make the SEP more responsible to the changing needs.

Sec.14 Environmental Research. - The SEP shall provide for a system of research so that additional information for accurate planning as well as data to solve new problems in the implementation of the SEP shall be supplied. As such, the SEP's researches shall not be confined to the physical and biological features of the environment, achieved through surveys, monitoring, resource assessments and research into processes, but shall also extend to policies and socioeconomic questions.

Sec.15 Environmental Education and Extension. - The SEP shall design an environmental information and education designed to gradually wean the people away from destructive practices and shall recommend practical ways as an alternative.

Training programs for the nongovernmental organizations (NGOs), business sector representatives, and community leaders shall be organized. This may establish linkages between the NGOs, community leaders, sector representatives and the staff of line agencies' development communication or public information section and, at the same time, be used to plan out a comprehensive public information drive.

Simultaneously, community organizing shall be enhanced to reinforce non-formal approaches, complementing regular environment/science courses in the school.

CHAPTER V ADMINISTRATIVE MACHINERY FOR THE IMPLEMENTATION OF THE SEP

Sec. 16 Palawan Council for Sustainable Development. The governance, implementation and policy direction of the Strategic Environmental Plan shall be exercised by the herein created Palawan Council for Sustainable Development (PCSD), hereinafter referred to as the Council which shall be under the Office of the President. It shall be composed of the Members of the House of Representative representing the Province of Palawan, the Deputy Director General of the National Economic and Development Authority, the Undersecretary of Environment and Natural Resources, the Undersecretary for Special Concerns of the Department of Agriculture, the Governor of Palawan, the Mayor of Puerto Princesa City, the President of the Mayor's League of Paiawan, the President of the Provincial Chapter of the Liga ng mga Barangay, the Executive Director of the Palawan Council for Sustainable Development Staff as provided in Section 20 of this Act, and such other members from the public or private sectors as the majority of the Council may deem necessary.

The Council shall elect, from among its members a Chairman and a Vice-Chairman.

Sec.17 Quorum. - A majority of the members of the Council shall constitute a quorum for the conduct of business.

Sec.18 Compensation. - The members of the Council shall be entitled to per diems and allowances in accordance with existing laws in the performance of their duties and in carrying out the business of the Council. The per diems shall be in the amount of Five hundred pesos (p500.00) for every meeting: Provided, That the per diems collected do not exceed the equivalent of per diems for four (4) meetings in a month.

Sec.19 Powers and Functions. -In order to successfully implement the provisions of this Act, the Council is hereby vested with the following powers and functions:

- (1) Formulate plans and policies as may be necessary to carry out the provisions of this Act.
- (2) Coordinate with the local governments to ensure that the latter's plans, programs and projects are aligned with the plans, programs and policies of the SEP.
- (3) Call on any department, bureau, office, agency or instrumentality of 'the Government, and on private entities and organizations for cooperation and assistance in the performance of its functions;
- (4) Arrange, negotiate for, and accept donations, grants, gifts, loans, and other fundings from domestic and foreign sources to carry out the activities and purposes of the SEP;
- (5) Recommend to the Congress of the Philippines such matters that may require legislation in support of the objectives of the SEP;
- (6) Delegate any or all of its powers and functions to its support staff, as hereinafter provided, except those which by provisions of law cannot be delegated;
- (7) Establish policies and guidelines for employment on the basis of merit, technical competence and moral character and prescribe a compensation and staffing pattern;
- (8) 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;

- (9) Enforce the provisions of this Act and other existing laws, rules and regulations similar to or complementary with this Act;
- (10) Perform related functions which shall promote the development, conservation, management, protection, and utilization of the natural resources of Palawan; and
- (11) Perform such other powers and functions as may be necessary in carrying out its functions, powers, and the provisions of this Act.

Sec.20 Conversion of Palawan Integrated Area Development Project Office (PIADPO) to the Palawan Council for Sustainable Development Staff. - The Palawan Integrated Area Development Project Office, hereinafter referred to as PIADPO, is hereby converted to the Palawan Council for Sustainable Development Staff which shall serve as the regular professional support staff of the Council and shall provide the machinery to coordinate the policy and functions, implement programs, and organize such services as may be required by the Council in the exercise of its functions. It shall be independent of any other department or agency of the Government other than the herein provided Council. All the applicable powers, functions, personnel, complement, staff, appropriations, records, equipment, property, funds, and other assets of the PIADPO, as well as all its obligations and liabilities, are hereby transferred to the Palawan Council for Sustainable Development Staff.

The incumbent Director of the PIADPO shall be the Executive Director of the Palawan Council for Sustainable Development Staff and shall lead all its operations. Thereafter, the Executive Director shall be appointed by the members of the Council. He shall also be ex officio member of the Council.

CHAPTER VI APPROPRIATIONS AND FINAL PROVISIONS

Sec.21 Appropriations. - The amount necessary to carry out the provisions of this Act shall be charged to the current fiscal year appropriations of the PIADPO. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

Sec.22 Separability Clause. - If any of the provisions of this Act shall be declared unconstitutional, the other provisions of this Act shall remain valid.

Sec.23 Separability Clause. - All laws, decrees, orders, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec.24 Effectivity Clause. This Act shall take effect upon its approval.

Approved,

NEPTALI A. GONZALES
President of the Senate

RAMON V. MITRA
*Speaker of the House
of Representatives*

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on February 7, 1992 and February 6, 1992, respectively.

ANACLETO D. BADOY, JR.
Secretary of the Senate

CAMILO L. SABIO
*Secretary General
House of Representatives*

Approved: June 19, 1992

CORAZON C. AQUINO
President of the Philippines