

[PCSD RESOLUTION NO. 10-411, September 24, 2010]

A RESOLUTION FURTHER AMENDING THE REVISED PCSD ADMINISTRATIVE ORDER NO. 4, PROVIDING FOR FEES AND CHARGES PURSUANT TO THE IMPLEMENTATION OF REPUBLIC ACT NO. 9147

WHEREAS, Section 16 of Republic Act 7611 or the Strategic Environmental Plan (SEP) for Palawan Act provides that the governance, implementation and policy direction of the SEP shall be exercised by the herein created Palawan Council for Sustainable Development (PCSD), hereinafter referred to as the Council;

WHEREAS, Section 6 of the said Act provides that the SEP shall serve as the framework to guide the government agencies concerned in the formulation and implementation of plans, programs and projects affecting the environment and natural resources of Palawan.;

WHEREAS, Section 19 of the same Act empowers the Council adopt, amend and rescind such rules and regulations and impose penalties therefore, for the effective implementation of the SEP and to perform such other powers and functions as may be necessary in carrying out its functions, powers, and the provisions of the SEP law;

WHEREAS, PCSD Administrative Order No. 4, Series of 2000, otherwise known as the "Revised Guidelines on the Imposition of Processing Fees Covering Applications for SEP Clearance of Projects and Undertakings in Palawan" was promulgated by the Council on the 25th day of April 2000, which was amended by PCSD Resolution No. 08-351 on February 29, 2008 upon the recommendation of the PCSD Staff since the fees provided therein were too minimal and were not sufficient to support the actual costs necessary Revised Guidelines on the Imposition of Processing Fees Covering Applications for SEP Clearance of Projects and Undertakings in Palawan process applications, including evaluation of the projects or undertakings, for the issuance of SEP Clearances;

WHEREAS, there is a need to further revise the said Order so as to provide for the fees and charges in the implementation of wildlife act under Republic Act 9147;

WHEREAS, the PCSD Legal Committee during its meeting on September 21, 2010 recommended the approval of the said revisions;

NOW THEREFORE, for and in consideration of the above premises and on motion duly seconded, be it RESOLVED as it is hereby RESOLVED, to further amend the PCSD Administrative Order No. 4, as it is hereby amended, providing thereto the fees and charges pursuant to the implementation of Republic Act No. 9147, otherwise known as the Wildlife Act, copy of which marked as Annex "A" is hereto

attached as integral part of this resolution.

RESOLVED FINALLY, that copies of this resolution be published in newspaper of general circular and in the National Administrative Register at the UP Law Center.

Adopted: 24 September 2010

Approved for the Council:

(SGD.) ABRAHAM KAHLIL B. MITRA
Chairman

Certified by:

(SGD.) ROMEO B. DORADO
Secretary

Annex "A"

PCSD Administrative Order No. 4, as Amended

Revised Guidelines on the Imposition of Processing Fees Covering Applications for SEP Clearance of Projects and Undertakings in Palawan Including Fees and Charges Pursuant to Republic Act No. 9147

Pursuant to the provisions of Section 19 of Republic Act 7611 and PCSD Resolution Nos. 97-112 and 99-146, and on the basis of the review of the increase in administrative costs incurred in the processing of applications for SEP Clearance, PCSD Administrative Order No. 4, series of 2000 was revised by PCSD Resolution No. 08-351 and was further amended by PCSD Resolution No. 10-411 due to the need to include therein fees and charges for the processing of permits pursuant to Republic Act No. 9147, otherwise known as the Wildlife Conservation and Protection Act. The new amendments are herein incorporated as follows:

Section 1. Purpose/Scope of Application. These guidelines shall apply to any person or entity whether government agencies or non-government organizations planning to implement projects, programs, policies, researches or undertake any activity in Palawan that will impact the environment. **This Administrative Order shall also apply to renewal of projects, permits, and other instruments or undertakings covered by the SEP Clearance System and Republic Act No. 9147 and its implementing rules and regulations under the Joint PCSD-DENR-DA Administrative Order No. 1, series of 2004.**

Section 2. Definition of Terms. The following terms are defined as follows:

2.1 Projects or undertakings. Projects or undertakings shall refer to activities, including actions, programs and policies, regardless of scale and magnitude which may have significant impact on the environment. Projects or undertakings shall be classified into:

2.1.1 *Projects requiring Initial Environmental Examination (IEE) or Project Description (PD)* – These are projects located in Environmentally Critical Areas (ECA) as provided for in DENR Administrative Order No. 96-37 as amended by DENR DAO No. 2003-30, Implementing Rules and Regulations (IRR) for the Philippine Environmental Impact Statement (EIS) System.

2.1.2 *Projects requiring Environmental Impact Statement (EIS)* – These are projects considered as Environmentally Critical Projects (ECP) as provided for in DENR Administrative Order No. 97-37 as amended by DENR DAO No. 2003-30, Implementing Rules and Regulations (IRR) for the Philippine Environmental Impact Statement (EIS) System.

2.1.3 *Catching, caging, transporting and trading of live fish* – These involve business operations covered by PCSD Resolution No. 98-118 as amended by PCSD Resolution Nos. 98-124 and 99-142 and PCSD Administrative Order No. 99-03, as amended by PCSD Administrative Order No. 00-05; and PCSD Resolution Nos. 04-209 and 04-211.

2.1.4 *Research studies including those covered by Executive Order No. 247*

2.2 Project Proponents. Proponents of projects enumerated in Section 2.1 of this Order, which shall refer to any entity, private or government organizations, persons, owners or agents, planning to undertake any of the said projects.

Section 3. Processing Fee. The rate of processing fees per project, which are non-refundable, shall be as follows:

3.1 *Application Fee* – P200.00

3.2 *Evaluation Fee:*

3.2.1 *Catching, caging, transporting and trading of live fish* – P500.00