

**[ PCSD RESOLUTION NO. 08-352, February 29, 2008 ]**

**"A RESOLUTION ADOPTING THE REVISED GUIDELINES IN THE IMPLEMENTATION OF THE SEP CLEARANCE SYSTEM, FURTHER AMENDING PCSD ADMINISTRATIVE ORDER NO. 6, SERIES OF 2000, AND PCSD RESOLUTION NO. 03-2008"**

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 to formulate plans and policies as may be necessary to carry out the provisions of the SEP, as well as to adopt, and rescind such rules and regulations and impose penalties therefore, for the effective implementation thereof 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, the Council, on the 25th day of February 2000, promulgated PCSD Administrative Order No. 6, providing thereof the procedures in securing clearance from PCSD in relation to proposed projects and undertaking to be implemented in Palawan-

WHEREAS, said Order was subsequently amended on January 23, 2003 by PCSD Resolution No. 02-238 providing thereto the penalty provisions as well as requiring research activities to secure an SEP Clearance;

WHEREAS, in order to effectively and efficiently implement the provision of the SEP law, the PCSD recommended amendment to the existing guidelines on the issuances of SEP Clearance;

WHEREAS, the PCSD Legal Committee/Adjudication Board, thru PAB Resolution 08-03, recommended the approval of the proposed revisions on PCSD Administrative Order No. 06, Series of 2000 and PCSD Resolution No. 03-2008;

NOW, THEREFORE, for and in consideration of the above premises and on motion duly seconded, be it RESOLVED as it is hereby RESOLVED to adopt, as it is hereby adopted, the revised PCSD Administrative Order No. 6 providing for the "Revised Guidelines in the Implementation of the SEP Clearance System", copy of which is

hereto attached as Annex "A".

RESOLVED FINALLY, that copies of this Resolution be published in newspaper of general circulation and in the National Administrative Register at the UP Law Center;

Adopted; 29 Feb. 2008

(SGD.) ROMEO B. DORADO  
*Secretary*

APPROVED:

(SGD.) JOEL T. REYES  
*Chairman*

"ANNEX A"

PCSD Administrative Order No. 6, As Amended, S. of 2008

Revised Guidelines in the Implementation of the SEP Clearance System, Amending PCSD Administrative Order No. 6, Series of 2000 and PCSD Resolution No. 03-208

Pursuant to Section 19 of Republic Act No. 7611 and with reference to Rule IV, particularly Section 20 of the Amended Rules and Regulations Implementing the Strategic Environment Plan (SEP) for Palawan Act, Presidential Decree 1586 and its Implementing Rules and Regulations embodied in DENR Administrative Order No. 30, series of 2003, the Memorandum of Agreement entered into by and between DENR and PCSD on December 29, 1994, and other pertinent laws, the procedures in securing clearance from PCSD in relation to proposed projects and undertaking for implementation in Palawan is hereby revised.

*SECTION 1. Scope of Application.* These guidelines shall apply to all projects and undertakings being or intended to be implemented in Palawan and shall serve as guide for all government instrumentalities mandated to issue permits, licenses, contracts, or agreements and other similar instruments.

*SECTION 2. Definition of Terms.* For the purpose of these guidelines, the following words and phrases shall have the following meaning.

1. *Allowable ECAN Zone* - refers to the zone where a certain project or undertaking may be allowed based on the ECAN zoning or the approved ECAN zones map. The allowable activities for each ECAN zone are stipulated in Section 10, Title 1, Chapter II and Section 12, Title 2, Chapter II all of PCSD Resolution No. 05-250 or the Revised ECAN Guidelines.
2. *Certificate of Accreditation* - a certificate issued by the PCSD to catcher, trader or carrier of live fish or to a fish cage operator upon the latter's compliance to the requirements enumerated in Section 3 of PCSD Administrative Order No. 05, as amended.

3. *Certificate of Non-Coverage* - refers to the document issued by DENR stating that the proposed project is not covered by the Philippine Environmental Impact Statement System, therefore, the proponent is not required to secure an ECC prior to commencement of operation.
4. *Compliance Monitoring* - refers to the activity identified to gauge the proponent's level of compliance with the conditions stipulated in the SEP Clearance or Certificate of Accreditation issued by PCSD and the submitted EIS or IEE.
5. *DENR DAO 2003-30* - refers to the Implementing Rules and Regulations of Presidential Decree No. 1586, Establishing the Philippine Environmental Impact System, revising DENR DAO Nos. 21, series of 1992 and 37, series of 1996.
6. *DENR* - refers to the Department of Environment and Natural Resources under Executive Order 192, series of 1987.
7. *ECAN* - refers to the Environmentally Critical Areas Network under Republic Act No. 7611 and PCSD Resolution No. 05-250.
8. *ECAN Board* - a local multi-sectoral body created under PCSD Resolution No. 05-250 or the Revised ECAN Guidelines and defined under PCSD Admin Order No. 10, series of 2005.
9. *Environmental Compliance Certificate (ECC)* - refers to the document issued by the DENR Secretary or the Regional Executive Director as defined under DENR AO No. 2003-30.
10. *Environmentally Critical Area (ECA)* - refers to an area that is environmentally sensitive and is listed under Presidential Proclamation No. 2146 Series of 1981, as well as other areas which the President of the Philippines may proclaim environmentally critical in accordance with Section 4 of PD1586.
11. *Environmentally Critical Project* - refers to a project that has a high potential for significant negative environmental impact and is listed as such under Presidential Proclamation No. 2146 series of 1981, Presidential Proclamation No. 803, series of 1996, as well as other projects which the President may proclaim as environmentally critical in accordance with Section 4 of PD 1586.
12. *Environmental Impact Assessment (EIA)* - refers to the process of predicting the likely environmental consequences of implementing a project or undertaking, and designating appropriate preventive, mitigating and enhancement measures.
13. *Environmental Impact Statement/Study (EIS)* - refers to the document required to be submitted by the project proponent whose proposed project or undertaking is classified as an Environmentally Critical Project (ECP). The contents of the EIS shall conform to the requirements of Section 5.2.1. Article II of DENR AO NO. 2003-30.
14. *Environmental Impact Statement (EIS) System* - refers to the entire process of organization, administration and procedures institutionalized for the purpose of

assessing the effects of any project or undertaking on the quality of the physical, biological and socio-economic environment, and designing appropriate preventive, mitigating and enhancement measures pursuant to Presidential Decree 1586.

15. *Initial Environmental Examination (IEE)* - refers to the document generally required to be submitted by the proponent whose project or undertaking is located within an ECA. The contents of the IEE should conform to the requirements of Section 5.2.2 Article II of DENRAO No. 2003-30.
16. *Initial Environmental Examination (IEE) Checklist Report* - refers to a simplified form developed by the DENR to assist proponent/s of small project/s in complying with the EIS System. The Report, to be accomplished and submitted before undertaking a project, consist of a series of questions that deals with issues and concerns under the EIS System.
17. *Non-government Organization (NGO)* - a private, non-profit voluntarily organization that has been organized primarily for the delivery of various services to the communities and has an established track record for effectiveness and acceptability in the community where it is serving.
18. *PCSD* - refers to the Palawan Council for Sustainable Development created under Section 16 of RA 7611.
19. *PCSDS* - refers to the PCSD Staff converted under Section 20 of RA 7611.
20. *PCSD Administrative Order No. 00-05* - an administrative order issued by PCSD entitled "Revised Guidelines for the Accreditation, Regulation and Monitoring of Live Fish Catching, Culture, Transport, Storage/Warehousing and Trading in Palawan, as amended by PCSD Resolution Nos. 209 and 211.
21. *Peoples Organization (PO)* - a bonafide association of citizens with demonstrated capacity to promote the public interest and with identified leadership, membership and structure. Its members belong to a sector/s who voluntarily band themselves together to work by themselves for their own upliftment, development and greater good.
22. *Permitting Agency (PA)* - refers to any agency or instrumentality of the Government, such as (Bureau of Fisheries and Aquatic Resources, DENR, LGU, etc.) which is mandated or authorized to issue ECC, permit, license or enter into lease agreement, stewardship contracts or other similar instruments for the development, exploitation, management and monitoring of Palawan's natural resources.
23. *Project*- refers to activities, including actions, programs, policy or undertaking, regardless of scale or magnitude, which may have significant impact on the environment.
24. *Project Proponent* - refers to any entity, private or government organizations, persons, natural or juridical, or owners/agents, planning or intending to undertake a project.