Excerpts from the Minutes of the 174th PCSD Regular Meeting held at the Palawan Sustainable Development Institute (PSDTI) RVMCSD, Irawan, Princesa City March 25, 2010

Present:

1.	Gov. Abraham Kahlil B. Mitra, Provincial Government	-	Chairperson
2.	Hon. David A. Ponce de Leon, Co-author of R.A. 7611	-	Vice Chairperson
3.	Hon. Alfredo E. Abueg, Jr., Past PCSD Chairperson	-	Member
4.	Hon. Vicente A. Sandoval, Past PCSD Chairperson	-	Member
5.	Usec. Jeremias L. Dolino, Undersecretary DENR	-	Member
6.	Asec. Edilberto M. De Luna, DA	-	Member
7.	OIC Exec. Dir. Romeo B. Dorado, PCSDS	-	Secretary
8.	Mr. Rey M. Rafols, Business Sector	-	Member
9.	Atty. Nesario G. Awat, NGO	-	Member
10.	MGEN Juancho M Sabban AFP, Commander, WesCom	-	Member

Duly Represented:

11.	Hon. Edward S. Hagedorn, Mayor City of Puerto Princesa Represented by City ENRO Rogelio C. Daquer	-	Member
12.	Pros. Alen Ross B. Rodriguez, Office of Prov'l Prosecutor Represented by Prosecutor Regidor B. Tulali	-	Member
13.	Comm. Dionesia O. Banua, NCIP Represented by Mr. Roldan V. Parangue	-	Member
14.	P/S Supt Reynaldo B Jagmis, PNP Represented by Deputy Provincial Director for Admin. Jerome Jalbuena	-	Member
15.	Hon. Mario T. Reyes, President, League of Municipalities Represented by Hon. Evelyn V. Rodriguez	-	Member

Absent:

16.	Vice Gov. Clara E. Reyes, Sangguniang Panlalawigan	-	Member
17.	Hon. Mario Joel T. Reyes, Past PCSD Chairperson	-	Member
18.	DDG Augusto B. Santos, Deputy Director General, NEDA	-	Member
19.	Hon. Ramon A. Zabala, President, Liga ng mga Barangay	-	Member

PCSD Resolution No. 11-416

RESOLUTION REQUESTING THE CHAIRMAN OF NATIONAL POLICE COMMISSION, THROUGH THE POLICE REGIONAL OFFICE MIMAROPA, THAT PNP PERSONNEL BE DETAILED TO THE PCSDS ENFORCEMENT TEAM TO ASSIST IN THE CONDUCT OF ENFORCEMENT OPERATIONS

Head Office:
PCSD Building Sports Complex Road
Sta. Monica Heights, Puerto Princesa City, Palawan
P.O. Box 45 PPC 5300 Palawan, Philippines
☎ (048) 434-4235 • Telefax: 434-4234
Email: oed@pcsd.ph • Website: pcsd.ph

Metro Manila Liaison Office
Units 403 / 404 The One Executive Office Bldg.,
West Ave. cor Col. Martinez St., Quezon City
☎ 376-2060 / 2061
Email: pcsdsfsd@compass.com.ph

WHEREAS, R.A. 7611, otherwise known as the Strategic Environmental Plan (SEP) for Palawan, took effect on 19 June 1992, section 6 of which provides that the SEP shall serve as the framework to guide the government agencies concerned in the formulation of plans, programs and projects affecting the environment and natural resources of Palawan;

WHEREAS, Section 2 thereof declares the policy of the State to protect, develop and conserve its natural resources towards which, 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; that 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;

WHEREAS, this same law provides that 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;

WHEREAS, Section 7 of the same provides that the SEP shall establish, as its main strategy, 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, seagrass beds and the surrounding sea, known as the Environmentally Critical Areas Network (ECAN), and which shall ensure the following: **forest conservation and protection**; **protection of watersheds**; **preservation of biological diversity**; protection of tribal people and the preservation of their culture; maintenance of maximum sustainable yield; **protection of the rare and endangered species and their habitat**; provision of areas for environmental and ecological research, education and training; and provision of areas for tourist and recreation;

WHEREAS, Section 16 thereof provides that the governance, implementation and policy direction of the SEP shall be exercised by the Palawan Council for Sustainable Development (PCSD);

WHEREAS, Section 19 of this act provides that the PCSD shall (8) adopt, amend and rescind such rules and regulations and impose penalties for the effective implementation of the SEP law, (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;

WHEREAS, the Council is vested with the power to promulgate the rules and regulations governing the exploration, development, conservation extraction, disposition, use of natural resources and such other commercial activities related thereto in the province of Palawan;

WHEREAS, on July 3, 2001, republic Act No. 9147, otherwise known as the Wildlife Resources Conservation and Protection Act, was passed into law to carry out the declared policy of the State to "conserve the country's wildlife resources and their habitats for sustainability"; pursuant to Section 4 of R.A. 9147, which provides that the Council shall be the lead implementing agency in the Province of Palawan pursuant to Republic Act No. 7611 or the Strategic Environmental Plan for Palawan, the Joint DENR-DA-PCSD Administrative Order No. 01, otherwise known as the Implementing Rules and Regulations (IRR) of Republic Act 9147 was promulgated to prescribe the procedures and guidelines for the implementation of the Wildlife Resources Conservation and Protection Act;

WHEREAS, to provide for a system that will ensure the sustainability of live reef food fish industry by setting up a regulatory mechanism, to eliminate use of cyanide and other noxious substances and their derivatives/forms in the live reef food fish industry and to regulate resource extraction to a sustainable level, the PCSD promulgated PCSD Administrative Order No. 05;

WHEREAS, to ensure the attainment of the ends of ECAN, the PCSD, on February 25, 2000, promulgated Administrative Order No. 06, otherwise known as the "Revised Guidelines in the implementation of SEP Clearance System, as amended", through which all projects of the proponents are evaluated based on ECAN Zoning of Palawan, as above-mentioned, as well as based on their ecological sustainability, social acceptability and economic viability, which Administrative Order was amended in 2002 and further revised on February 29, 2008;

WHEREAS, on November 7, 2002, Republic Act No. 9175, otherwise known as the Chainsaw Act of 2002, was passed into law to carry out the declared policy of the State to conserve, develop and protect the forest resources under the sustainable forest management by pursuing an aggressive forest protection program geared towards eliminating illegal logging and other forms of forest destruction which are being facilitated with the use of chainsaws; pursuant to Section 9 of R.A. 9175, which provides that the Council shall be the lead implementing agency in the Province of Palawan pursuant to Republic Act No.7611 or the Strategic Environmental Plan for Palawan, the PCSD promulgated PCSD Administrative Order No. 07;

WHEREAS, on April 8, 2001, Republic Act No. 9072, otherwise known as the Caves and Cave Resources Management and Protection Act, was passed into law to carry out the declared policy of the State to "conserve, protect and manage caves and cave resources as part of the country's natural wealth; pursuant to Section 4 of the said Act, which provides that the Council shall be the lead implementing agency in the Province of Palawan pursuant to Republic Act No. 7611 or the Strategic Environmental Plan for Palawan, the PCSD promulgated PCSD Administrative Order No. 08;

WHEREAS, pursuant to PCSD Resolution No. 98-118-A through which the PCSD adopted Republic Act No. 8550, otherwise known as the "Philippine Fisheries Code of 1998" to carry out the declared policy of the state of "ensuring the conservation, protection and sustained management of the country's fishery and aquatic resources", PCSD Resolution No. 00-166, which declared the act of mangrove debarking illegal and the mere possession of tanbark as "illegal per se" in the province of Palawan and PCSD Resolution No. 05-251, authorizing the Executive Director of PCSDS to take immediate action to dismantle/remove any structure which obstructs the natural flow of tide in mangrove forests and to ensure the conservation and protection of mangroves, the PCSD promulgated Administrative Order No. 11, otherwise known as the "Rules and Regulations governing the Conservation and Protection of Mangrove Areas";

WHEREAS, in December of 2010, pursuant to and in consideration of the above-mentioned laws, rules and regulations, the Office of the PCSDS Executive Director directed the PCSDS ECAN Zones Management and Enforcement Division to organize the PCSDS Enforcement Team;

WHEREAS, considering the police nature of the PCSDS Enforcement Team's activities, personnel from the Palawan Police Provincial Office were issued Orders detailing them in the PCSDS as members of the Team;

WHEREAS, in more or less two (2) months, the Enforcement Team conducted twenty-five (25) apprehensions which yield to the confiscation of twenty-one (21) illegally possessed/used chainsaw units and thirty-nine (39) different species of wildlife;

WHEREAS, on February 11, 2011, a Memorandum from Police Regional Office MIMAROPA directing the revocation of the Detail Orders of all PNP personnel detailed outside the PNP which were not approved by the Chairman of NAPOLCOM upon the recommendation of the Chief, PNP, in accordance with NAPOLCOM Resolution No. 2010-145; included in the

said Memorandum Order are the detail orders of the PNP personnel assigned in the PCSDS Enforcement Team;

WHEREAS, considering the paramount necessity of PNP personnel's presence in the PCSD enforcement efforts, without necessarily hurdling with the delay in requesting police personnel in every municipal police station, as the case may be, there is a need to request for detail to the PCSDS Enforcement Team of at least three (3) to five (5) personnel from Palawan Police Provincial Office;

WHEREFORE, for and in consideration of the above premises, upon motion, duly seconded, be it RESOLVED, as it is hereby resolved, TO REQUEST, as it is hereby requested, the CHAIRMAN of the National Police Commission (NAPOLCOM), through the Police Regional Office MIMAROPA, that PNP personnel be detailed to the PCSDS Enforcement Team to perform functions which are primarily police in nature;

RESOLVED FINALLY, that this Resolution be submitted to Chairman of NAPOLCOM and Regional Director of Police Regional Office MIMAROPA as this Council's official request on the matter.

APPROVED AND ADOPTED this 25th day of March 2011 at Puerto Princesa City, Palawan.

I hereby certify that the above-quoted Resolution has been duly approved and adopted by the PCSD on the 25th day of March 2011 at Puerto Princesa City, Palawan.

ROMEO B. DORADO
Secretary

APPROVED FOR THE COUNCIL:

HON. ABRAHAM KAHLIL B. MITRA
Chair