Republic of the Philippines
OFFICE OF THE PRESIDENT
PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT

Excerpts Minutes of the 177th PCSD Regular Meeting
PSDTI Training Hall, RVMCSD
Barangay Irawan, Puerto Princesa City
24 June 2011

Present:

1. Gov. Abraham Kahlil B. Mitra, Provincial Governor	-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. Dir. Romeo B. Dorado, OIC – Executive Director, PCSDS	-Member
6. Usec Manuel D. Gerochi, DENR	-Member
7. Mr. Rey M. Rafols, Private Sector Representative	-Member
8. P/S Supt Reynaldo B Jagmis, PNP	-Member
9. MGEN Juancho M Sabban AFP, Commander, WesCom	-Member
10. COMMO Edgardo D. Tamayo, NAVFORWEST	-Member
11. Comm. Dionesia O. Banua, NCIP	-Member
12. Hon. Ramon A. Zabala, President, Liga ng mga Barangay	-Member
13. Atty. Nesario G. Awat, NGO Representative	-Member

Duly Represented:

14. Hon. Mario T. Reyes, President, League of Municipalities Represented by Mayor Evelyn V. Rodriguez	-Member
15. Hon. Edilberto M. De Luna, DA Represented by Ramilo de los Reyes	-Member

Absent

16. Sec. Cayetano W. Paderangga, NEDA	-Member
17. Pros. Alen Ross B. Rodriguez, Office of Prov'l Prosecutor	-Member
18. Vice Gov. Clara E. Reyes, Sangguniang Panlalawigan	-Member
19. Hon. Edward S. Hagedorn, Mayor City of Puerto Princesa	-Member

PCSD Resolution No. 11-421

"RECOMMENDING THE EXCLUSION OF TALAKAIGAN CATCHMENT FROM THE COVERAGE OF THE PENDING APPLICATION OF CABIGAAN CADT AND RECOMMENDING FURTHER THAT THE SAME BE DECLARED BY THE PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT (PCSD) AS A SPECIAL MANAGEMENT AREA PURSUANT TO THE SEP LAW UNDER A SPECIAL MANAGEMENT STRUCTURE WITH THE PARTICIPATION OF THE CONCERNED STAKEHOLDERS"

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 402 / 407 The One Executive Office Bldg.,
West Ave. cor Col. Martinez St., Quezon City
☎ 376-2060 / 2061

WHEREAS, Republic Act No. 7611 empowers the Palawan Council for Sustainable Development (PCSD) to govern, implement and provide policy direction to the Strategic Environmental Plan (SEP) for Palawan;

WHEREAS, Sections 7-11 of said Act provides for the establishment of environmentally Critical Areas Network (ECAN), the main strategy of SEP which is a graded system of protection and development control over the whole of Palawan, including tribal lands, forests, mines, agricultural areas, settlement areas, small islands, mangroves, coral reefs, seagrass beds and the surrounding sea;

WHEREAS, it is the mandate of the PCSD to define a special kind of zonation to fulfill the material and cultural needs of the indigenous peoples using consultative processes and cultural mapping of the ancestral lands;

WHEREAS, Republic Act No. 8371, otherwise known as the Indigenous People Rights Act of 1997, was passed into law to recognize, protect and promote the rights of the indigenous people by instituting and establishing the necessary mechanisms to enforce and guarantee the realization of these rights, taking into consideration their customs, traditions, values, beliefs, interests and institutions, and to adopt and implement measures to protect their rights to their ancestral domains;

WHEREAS, pending before the PCSD is the application of the Tagbanua Tribe for the issuance of Certificate of Ancestral Domain Title (CADT) in Barangay Cabigaan, Aborlan, Palawan, the processing of which was held in abeyance pursuant to the request of the Municipaliy of Aborlan for the settlement of issues raised therein;

WHEREAS, among the issues identified by the Local Government Unit of Aborlan is Aborlan River Catchment which is the primary source of potable and irrigation waters serving seven (7) barangays within which the majority of the community resides;

WHEREAS, part of the area claimed by the Tagbanua Tribes as part of their application for the issuance of Certificate of Ancestral Domain Title (CADT) in Cabigaan includes Talakaigan Catchment and its tributaries like Talakaigan river;

WHEREAS, Section 58 of RA 8371 provides that "Ancestral domains or portion thereof, which are found necessary for critical watersheds, mangroves wildlife sanctuaries, wilderness, protected areas, forest cover, or reforestation as determined by the appropriate agencies with the full participation of the ICCs/IPs concerned shall be maintained, managed and developed for such purposes";

WHEREAS, during the Tribal Affairs Committee meeting held in June 22, 2011, the results of the consultations with various stakeholders were presented and it appeared that the conflict between the LGU and the applicant IPs with respect to the management of Talakaigan Catchment was not resolved, hence, three options were suggested, as follows: (1) Declaration as watershed area to be managed by IPs as part of their ADSDPP; (2) Declaration by LGU as critical watershed under the management of the LGU as the watershed is their source of water; and (3) Declaration by the PCSD as special management area under SEP Law to be under a special management structure with the participation from all stakeholders;

WHEREAS, upon presentation to the Council of the aforesaid options, the Council adopted the third option to exclude Talakaigan Catchment and for the Council to declare the same as special management area under the SEP;

WHEREFORE, upon motion duly seconded, the Council resolves, as it is hereby RESOLVED, recommending the exclusion of Talakaigan Catchment from the coverage of the pending application of Cabigaan CADT and recommending further that the same be declared by the PCSD as a special management area pursuant to the SEP law under a special management

structure with the participation of the concerned stakeholders;

RESOLVED FINALLY, that copy of this Resolution be sent to the National Commission on Indigenous People (NCIP), LGU of Aborlan and the applicant Tagbanua tribes for their information and guidance.

I hereby certify that the above-quoted Resolution has been duly approved and adopted by the PCSD on the 24th day of June 2011 at Puerto Princesa City.

ROMEO B. DORADO
Secretary

APPROVED FOR THE COUNCIL:

ABRAHAM KAHLIL B. MITRA
Chairman