



Republic of the Philippines
(Republic Act No. 7611)

PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT

**Excerpts from the Minutes of the 251st PCSD Regular Meeting
Best Western Plus, The Ivywall Hotel
Puerto Princesa City, Palawan
January 28, 2019**

Present:

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| 1. Vice Gov. V. Dennis M. Socrates, Sangguniang Panlalawigan | Vice Chair |
| 2. Dir. Nelson P. Devanadera, Executive Director, PCSDS | Secretary |
| 3. Hon. Lucena D. Demaala, Pres., League of Municipalities | Member |
| 4. Atty. Jansen I. Jontila, NGO Representative | Member |
| 5. Commo Dorvin Jose L Legazpi (GSC)
Acting-Commander, WESCOM | Member |

Represented:

- | | |
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| 6. Usec. Rodolfo C. Garcia, Undersecretary, DENR
Represented by OIC-PENRO Eriberto B. Saños | Member |
| 7. USec. Ariel T. Cayanán, Undersecretary, DA,
Represented by Director Antonio Gerundio | Member |
| 8. DDG Adoracion M. Navarro Deputy Director General, NEDA
Represented by Mr. Bernardino Atienza | Member |
| 9. Mayor Lucilo R. Bayron, Mayor of Puerto Princesa City
Represented by Atty. Carlo S. Gomez | Member |

Absent

- | | |
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| 10. Gov. Jose Ch. Alvarez, Provincial Governor | Chair |
| 11. Mr. Bobby L. Castro, Representative, Business Sector | Member |
| 12. BM Dennis M. Sabando, President, Liga ng mga Barangay | Member |

RESOLUTION NO. 19-662

“FURTHER AMENDING SECTIONS 6, 7 AND 8 OF PCSD ADMINISTRATIVE ORDER NO. 06, AS AMENDED, ON THE REQUIREMENTS PROCEDURES FOR THE ISSUANCE OF SEP CLEARANCE”

WHEREAS, Republic Act No. 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;

Vision: Palawan, an innovative and dynamic global center of sustainable development

Mission: PCSDS as the driver of environmental conservation and inclusive development in Palawan, a biosphere reserve and science-for-sustainability site, guided by the Strategic Environmental Plan

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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 16 of the Republic Act No. 7611 provides that the governance, implementation and policy direction of the SEP shall be exercised by the Palawan Council for Sustainable Development (PCSD);

WHEREAS, on October 24, 2014 the PCSD Administrative Order No. 06, as amended, or the Revised Guidelines in the Implementation of SEP Clearance System was adopted to guide all projects 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;

WHEREAS, on May 28, 2018, Republic Act No. 11032 or the **Ease of Doing Business and Efficient Government Service Delivery Act of 2018** was enacted with the objective of promoting integrity, accountability, proper management of public affairs and public property as well as to establish effective practices, aimed at efficient turnaround of the delivery of government services and the prevention of graft and corruption in government;

WHEREAS, under the said law, applications or requests submitted by applicants or requesting parties of a government office or agency which require actions, either ministerial on the part of the public officer or employee, or evaluation in the resolution of complicated issues by the public officer or employee of said government office, shall be acted upon accordingly depending on the nature of the transactions;

WHEREAS, the said law covers all national and local government agencies issuing business permits, licenses and/or clearances, to which the PCSD belongs, and prescribing the maximum number of days for the processing and issuance thereof to be as follows: 3 days for simple transaction; 7 days for complex transactions; and 20 days for highly technical applications;

WHEREAS, the principle of automatic approval applies when an agency fails to approve or disapprove an original application within the prescribed processing time;

WHEREAS, the law directs the adoption of the "*Zero-Contact Policy*", which states that "except during the *preliminary assessment* of the business application and submitted requirements, no government officer or employee shall have any contact, in any manner, unless strictly necessary with any applicant or requesting party concerning an application or request.";

WHEREAS, there is a need to streamline the process and requirements under PCSD Admin. Order No. 06, as amended, in compliance with the above-cited Republic Act No. 11032;

WHEREAS, this Council deems it necessary, for the purpose of ensuring the full attainment of the objective of RA No. 11032, to amend the present system of sequential processing to simultaneous processing of applications by the various agencies and local governments units;

WHEREFORE, in consideration of the foregoing premises and upon motion duly seconded, the Council resolves to AMEND, as it is hereby AMENDED, Sections 6, 7 and 8 of PCSD Administrative Order No. 06, as amended, shall read as follows:

Section 6. Issuance of ECAN Zoning Certification by the PCSDS. Prior to submission of application by the proponent to the ECAN Board concerned, the proponent shall first apply for the issuance of the ECAN Zoning Certification from the PCSDS. The latter shall, in turn, determine the corresponding ECAN zone where the project is to be located and the Category of the project, which shall be reflected in the Certification. For this purpose, the proponent shall submit the following: (a) Location Map with scale of 1:50,000, (b) photo copy of Land Title or any tenural instrument, (c) Filled out form for Project Proposal/Description and (d) photocopy of the official receipt as proof of payment of Certification Fee amounting to Php200.00.

For a project certified by the PCSDS Executive Director *or any duly authorized Officer* as falling under Categories A, B or D, the proponent shall proceed to secure the *SEP Clearance* by submitting the requirements provided under Sections 7 to 11 hereof.

For a project certified under Category C (exempted projects), no further evaluation shall be required. However, the proponent shall submit a copy of the ECAN Zoning Certification to the ECAN Board for information. In case the ECAN Board contests the certification of the PCSDS Executive Director *or the duly authorized Officer*, the ECAN Board and the PCSDS shall exert all efforts to resolve the conflict. In case resolution is not possible at their level, the same shall be brought before the PCSD for final decision.

Section 7. Submission to the ECAN Board of Applications and Requirements. For a project certified as category A, B or D under the ECAN Zoning Certification issued by the PCSDS Executive Director *or the duly authorized Officer* pursuant to Section 6 thereof, the proponent shall submit to the concerned ECAN Board the following:

Section 7.1. Category A:

- ECAN Zoning Certification;
- Project Environmental Assessment Report (PEAR); and,
- *Proof of application for endorsement* from any two of the following: Barangay, Sangguniang Bayan or Sangguniang Panlalawigan. Provided, that the barangay endorsement shall be a mandatory requirement; Provided

further, that for project proposed to be located outside municipal waters but within the environmental jurisdiction of PCSD, only the Sangguniang Panlalawigan endorsement is required.

Section 7.2. Category B:

- ECAN Zoning Certification; and,
- *Proof of application for* endorsement from any two of the following: Barangay, Sangguniang Bayan or Sangguniang Panlalawigan. Provided, that the barangay endorsement shall be a mandatory requirement; Provided further, that for project proposed to be located outside municipal waters but within the environmental jurisdiction of PCSD, only the Sangguniang Panlalawigan endorsement is required.

Section 7.3. Category D:

- ECAN Zoning Certification
- Project Environmental Assessment Report (PEAR); and,
- *Proof of application for* endorsement from any two of the following: Barangay, Sangguniang Bayan or Sangguniang Panlalawigan. Provided, that the barangay endorsement shall be a mandatory requirement; Provided further, that for project proposed to be located outside municipal waters but within the environmental jurisdiction of PCSD, only the Sangguniang Panlalawigan endorsement is required.

Provided that, prior to the actual evaluation of the project by the ECAN Board as enshrined in the immediately succeeding section, the proponent shall first pay the corresponding evaluation fee. For this purpose, the procedure and schedule of fees shall be provided by the concerned ECAN Board in its procedural rules.

Section 8. Evaluation by ECAN Board. The ECAN Board, through the PCSDS-DMO as its secretariat and technical staff, shall proceed *immediately* with the evaluation of the application and requirements *within a non-extendible period of three days*. The ECAN Board may form a Technical Evaluation Team whenever it deems necessary in evaluating projects requiring technical knowledge.

In the evaluation of project, the minimum criteria shall include the ECAN Zoning of Palawan and the ecological viability, social acceptability and integrated approach of the project.

In case of delay in the action of the ECAN Board, the ECAN Board Secretariat shall proceed with the processing of the application for the issuance of SEP Clearance. The Executive Director or the Council, as the case may be, shall only require the proof of application with the ECAN Board and its endorsement shall become a post-condition of the Clearance.

RESOLVED FINALLY, that copies of this resolution be deposited with the Office of the National Administrative Registrar at the UP Law Center, Diliman, Quezon City for publication in accordance with existing rules;

ADOPTED AND APPROVED this 28th day of January 2019 at Puerto Princesa City.

I hereby certify that the above-quoted resolution has been duly adopted and approved by the PCSD on 28th day of January 2019 at Puerto Princesa City, Palawan.


NELSON P. DEVANADERA
Secretary 

ATTESTED BY:


VICTORINO DENNIS M. SOCRATES
Vice-Chair, PCSD