# “A RESOLUTION ADOPTING THE REVISED PCSD ADMINISTRATIVE ORDER NO. 4 PROVIDING FEES IN THE PROCESSING OF APPLICATIONS FOR SEP CLEARANCE OF PROJECTS AND UNDERTAKINGS IN PALAWAN

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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, amend 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, PCSD Administrative Order No. 4, Senes-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 25lh day of April 2000;

WHEREAS, the fees provided in the said Order reflect the amount necessary to process the applications for SEP Clearance and provide for the evaluation costs for such processing;

WHEREAS, a study made by the PCSD Staff regarding the set of fees provided in the said Order shows that the same is too minimal and does not, in fact, suffice support the present actual costs necessary to process applications, including evaluation of the projects or undertaking, for the SEP Clearances;

WHEREAS, there is a need to revise the said Order so as to provide for the sufficient amount necessary to defray the cost of processing and evaluating applications for SEP Clearances or Accreditation;

WHEREAS, the PCSD Legal Committee/Adjudication Board thru PAB Resolution 08-02 recommended the approval of the revision made on PCSD Administrative Order No. 04, series of 2000";

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 the revised PCSD Administrative Order No. 4, as it is hereby adopted, providing thereto the fees in the processing of applications for SEP Clearance of projects and undertakings in the Province of Palawan, 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. 4, As Amended, s. of 2008

Revised Guidelines Providing Fees in the Processing of Applications for SEP Clearance of Projects and Undertakings in Palawan
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 review of the increase in administrative costs incurred in the processing of applications, PCSD Administrative Order Nos. 2 and 4, Series of 1999 are hereby revised.

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 undertaking covered by the SEP Clearance System.

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

2.1 Projects or undertakings. Projects and 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 Environment and 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 (tRR) for the Philippine Environmental Impact Statement (EiS) System.

2.1.2 Projects requiring Environmental Impact Statement (EIS) - These a projects considered as Environmentally Critical Projects (ECP) as provided for in DENR Administrative Order No. 96-37 as amended by DENR DAO No. 2003-30, Implement! Rules and Regulations (IRR) for the Philippine Environment Impact Statement (Flo! 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 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


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follows:

3.1 Application Fee-P200.00

3.2 Evaluation Fee:

3.2.1 Catching, caging, transporting and trading of live fiSh-P500.00
3.2.2 Research Studies-P500.00
3.2.3 Projects requiring IEE or PD-P1,000.00
3.2.4 Small-Scale Mining Projects:
3.2.4.1 Metallic -P10,000.00
3.2.4.2 Non-Metallic - P5,000.00
3.2.5 Exploration projects for minerals, oil & gas - P25,000.00
3.2.6 Projects requiring EIS (i.e. MPSA or FTAA) - P50,000.00
3.2.7 Project renewal: annual - P700; biennial (every two years) & beyond P1.200

3.3 inspectionA/alidation Fee:

3.3.1 Caging of live fish -P2,000
3.3.2 Transporting and trading of live fish - P3,000.00
3.3.3 Projects requiring IEE or PD - P5,000.00
3.3.4 Small-Scale Mining Projects:
3.3.4.1 Metallic - P20.000.00
3.3.4.2 Non-Metallic - P5,000.00

3.3.5 Exploration Projects for Minerals, Oil & Gas - P25.000.00
3.3.6 Projects requiring EIS (i.e. MPSAor FTAA) - P50.000.00

3.4 SEP Clearance Fee for PCSD Approved Projects and Project Renewal - P300

SECTION 4. Certification or Authentication Fee. Requests for certification or authentication of previously issued SEP clearance and/or any PCSD documents allowed to be circulated for public use, provided that prior approval of the Executive Director has been secured, shall! be subject to the payment of certification or authentication fee in the amount of FIFTY PESOS (P50.00), provided further that additional payment of TEN PESOS (p10.00) per page shall be charged for documents in excess of one (1) page. Such amount shall cover the cost of reproduction and/or reprinting, as may be necessary.

SECTION 5. Payment of Fees. The applicable fees enumerated in the preceding section shall be paid to PCSD as follows:

5.1 Application Fee - upon filing of the application papers.

5.2 Evaluation Fee and Inspection/Validation Fee - upon submission of the required documents once the project or undertaking has been certified and allowed to be processed. No further project evaluation or field inspection shall be undertaken unless the fees are paid.

5.3 SEP Clearance Fee - prior to issuance of the SEP Clearance

SECTION 6. Repealing Clause. This Administrative Order supersedes all rules and Regulations inconsistent herewith.

SECTION 7. Effectivity. This Order shall take effect 15 days after publication.


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**SO ORDERED.**

(SGD.) JOEL T. REYES
Governor of Palawan and Chairman, PCSD

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