

AMENDING PRESIDENTIAL DECREE NO. 1515 VESTING THE JURISDICTION AND CONTROL OVER WATERSHED RESERVATIONS IN THE MINISTRY OF ENERGY AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 1749, December 10, 1980

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AMENDING PRESIDENTIAL DECREE NO. 1515 VESTING THE JURISDICTION AND CONTROL OVER WATERSHED RESERVATIONS IN THE MINISTRY OF ENERGY AND FOR OTHER PURPOSES.

WHEREAS, under Presidential Decree No. 705, jurisdiction and authority over all forest lands, grazing lands, and all forest reservations, including watershed reservations presently administered by other government agencies or instrumentalities is vested in the Ministry of Natural Resources thru the Bureau of Forest Development;

WHEREAS, under Presidential Decree No. 1515, jurisdiction; control and regulation over critical watershed areas and reservations proclaimed and thereafter proclaimed as such by the President of the Philippines which are essential to water-based power projects is vested in the Ministry of Energy;

WHEREAS, the Ministry of Energy under its mandate to formulate and implement the government's policies, plans and programs on the development of indigenous energy resources should contribute to the desired protection, development, management and rehabilitation of watershed and forest reservations/areas;

WHEREAS, in the pursuance of the aforecited functions for implementing national objectives, only watershed areas and reservations supporting operational water-based power projects over which jurisdiction, control and regulation shall be vested in the Ministry of Energy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the following:

SECTION 1. Section 1 of Presidential Decree No. 1515 is hereby amended to read as follows:

"Section 1. Any Provision of existing law to the contrary notwithstanding, the Ministry of Energy shall have jurisdiction, control and regulation over the following watershed areas and reservations:

- Tiwi Geothermal Reservation as covered by Presidential Proclamation No. 739;
- Tongonan Geothermal Area as covered by Presidential Proclamation No. 1112;
- Palimpinon Geothermal Area as covered by Presidential Proclamation No. 1413:

Provided, That when public interest so requires, jurisdiction over other watershed areas and reservations which may in the future support water-based energy projects, shall be transferred by the President of the Philippines to the appropriate agency of the government when such projects become operational; Provided further, That such watershed areas and reservations shall include only the immediate watershed areas supporting existing hydroelectric dams and projects, the boundaries of which are to be jointly determined on the ground by the Ministry of Natural Resources and the appropriate agency of the government within ninety (90) days from the date hereof, and using as main criterion the effects on the reservoir.

SEC. 2. Section 2 of Presidential Decree No. 1515 is hereby amended to read as follows:

"Section 2. In relation to Sec. 1, the Ministry of Energy through the National Power Corporation shall be responsible for the management, protection, development and rehabilitation of the aforementioned watershed areas, including but not limited to the following:

- Enforcement of forestry laws, rules and regulations within said watershed areas;
- Identification of areas which require immediate rehabilitation and development;
- Preparation of plans and programs for the maximum utilization of watershed resources;
- Formulation and/or implementation of measures to prevent denudation of watershed cover;
- Public education and information drive to create awareness among the populace of the importance of forests and uses of watershed areas;
- Promotion of the development and conservation of existing vegetative cover;
- Formulation of plans and development programs for resettlement and relocation;
- Coordination with other government agencies/instrumentalities, religious and civic groups in undertaking forest conservation measures in watershed areas;
- Afforestation, reforestation and physical rehabilitation measures in critically denuded watershed areas:

Provided, That said areas, pursuant to Letter of Instructions No. 917, shall not be the subject of exploitation of whatever nature. Provided finally, That on-going foreign assisted projects within the immediate area of said watersheds shall be pursued by agencies currently implementing such projects, except as otherwise mutually agreed upon by the Ministry of Natural Resources and the other agencies concerned.

SEC. 3. The National Power Corporation shall, in relation to Sec. 2 hereof, submit to the Office of the President such plans and programs within ninety (90) days after the establishment of the boundaries pursuant to Sec. 1.

SEC. 4. The provisions of existing laws, decrees, orders, rules and regulations as are inconsistent herewith are hereby repealed, amended or modified accordingly.

SEC. 5. This Decree shall take effect immediately.

Done in the City of Manila this 10th day of December, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Presidential Assistant

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