

ESTABLISHING AGRO-FOREST RESERVES WITHIN THE AGUSAN VALLEY FOR THE IMPLEMENTATION OF THE NATIONWIDE COCONUT REPLANTING PROGRAM

PRESIDENTIAL DECREE NO. 1768, January 12, 1981

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WHEREAS, it is the policy of the State, as enunciated in PD No. 705 and PD No. 1153, to vigorously undertake a forest renewal program;

WHEREAS, it is also the declared policy of the State under PD No. 1468 to promote the rapid integrated development and growth of the coconut industry, and pursuant to that policy, PD No. 1468 requires the Philippine Coconut authority ("PCA") to, among others, formulate and implement a nationwide replanting program using precocious high-yielding hybrid seednuts, which program may include the planting of new areas;

WHEREAS, the PCA has formulated a nationwide coconut replanting program and has recommended the inclusion in said program of the planting of hybrid coconut in sizeable, contiguous new areas;

WHEREAS, the PCA has identified that among the new areas suitable for the planting of the hybrid seednuts are the logged-over, denuded and inadequately stocked forest lands, particularly in the Agusan Valley;

WHEREAS, the planting of coconut trees in forest lands shall support the national forest renewal program and encourage public participation in agro-forest activities;

WHEREAS, the establishment of large scale coconut plantations logged-over, denuded and inadequately stocked forest lands shall create employment opportunities in support of the socio-economic and resettlement programs of the Government;

WHEREAS, such overriding national interest requires, therefore, that existing timber license agreements be reviewed so that logger-over, denuded and inadequately stocked forest lands within timber concessions may be established as agro-forest reserves and opened as new areas for the planting of hybrid coconuts and other suitable agricultural crops, tree crops, and forest plants;

WHEREAS, it is desirable that the owners of landed estates which were acquired by the Government thru voluntary agreement or thru expropriation proceedings, who were to be compensated for such lands under Republic Act No. 926 but have not received the full compensation agreed upon, be permitted to avail of the benefits under this Decree;

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

SECTION 1. In the exercise of the Presidential prerogative provided by Article XVII, Sec. 12 of the Constitution, as enforced through Section 20 of PD No. 705, the Revised Forestry Code, as amended, and finding the exercise of said presidential prerogative to be required by the national interest, I do hereby withdraw the denuded, logged-over and inadequately stocked areas, the boundaries of which are delineated in Attachment A to this Decree, from the following concessions:

- Liberty Forest, Inc. concession located at the Municipalities of Prosperidad, Esperanza and Bayugan, Province of Agusan del Sur.
- CVC Forest Industries concession located at the Municipalities of Bunawan and Trento, Province of Agusan del Sur.
- Ago Timber Corporation concession located at the Municipalities of Prosperidad, Province of Agusan del Sur.
- CBL Timber Corporation concession located at Municipality of Prosperidad, Province of Agusan del Sur.

I hereby establish said delineated denuded, logged-over and inadequately stocked areas as agro-forest reserves to be used as the new areas for the planting of hybrid coconut seednuts, provided that the same may be also be planted to other agro-forest products, tree crops, and forest plants.

SECTION 2. PCA is hereby authorized to enter into agreements, for the development of the areas referred to in Section 1 above, by way of agro-forest lease, with the coconut farmers of the Philippines, acting thru the Coconut Industry Investment Fund and/or the Coconut industry Development Fund, and/or with the persons or entities who have availed of the provisions of Republic Act No. 926. The lease shall be for a period of twenty-five (25) years or such longer period as may hereafter be allowed by law, renewable for another twenty-five (25) years or such longer period as may hereafter be allowed by law. After the expiration of the term of the lease, if the programs is in the process of implementation, the awardees shall be given priority in the further utilization of the leased areas for agro-forest purposes. Other forest areas as may, from time to time, be identified by the PCA as suitable for the coconut replanting program may be incorporated in such agreements. All agreements entered into by PCA by virtue of this section shall be subject to the approval of the President/ Prime Minister.

SECTION 3. The agro-forest reserves established by .This Decree shall be incorporated in the nationwide coconut replanting program as formulated and implemented by the PCA, under such terms and conditions as may be determined by the PCU to be necessary for the protection of the interests of the Government, the coconut farmers, end the sellers and kaingeros in the area.

SECTION 4. To support the socio-economic and resettlement thrusts of the project, the Ministry of Public Highways shall include in its program the construction and maintenance of the required infrastructure, such as roads and bridges, for the development of the areas and extend such assistance as may be required by the PCA.

SECTION 5. Persons and entities qualified to avail of the benefits under this Decree, as well as the agreements entered into with them in the implementation of this Decree, shall be excepted from the operation of existing laws which may otherwise disqualify them or render the agreements invalid.

SECTION 6. If any provision herein is held invalid, the other provisions shall continue to be operative.

SECTION 7. This Decree shall take effect immediately.

Done in the City of Manila, this 12th day of January, in the year of Our Lord, nineteen hundred and eighty one.

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

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Executive Assistant

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