

TABLES

Table D.1 Sand Pocket Area

Name of Barangay	Area (Sq.km)	No.of H/H (1990)	Population (1990)
Telebanca	7.7	350	2,249
Malonzo	2.4	128	811
St.Rosario	1.7	379	2,268
SapangBalén	7.9	60	347
Tabun	1.9	528	3,001
Total	21.6	1,445	8,676

Table D.2 Households by Source of Fuel for Cooking

a. Before the Eruption

City/Mun.	Electricity	Kerosene	LPG	Charcoal	Wood	Others	None	Total
Pampanga								
Ageles City	2,992	7,803	24,735	4,701	5,528	87	42	45,888
Arayat	296	1,240	2,820	447	7,266	31	-	12,100
Mabalacat	1,427	3,298	12,299	2,006	3,627	51	42	22,750
Magalang	129	677	2,188	351	3,903	127	14	7,389
Mexico	488	1,231	3,116	65	6,332	-	-	11,232
Santa Ana	149	361	1,330	52	3,323	35	-	5,250
Total	5,481	14,610	46,488	7,622	29,979	331	98	104,609
%	5.2	14.0	44.4	7.3	28.7	0.3	0.1	100
Tarlac								
Bamban	179	624	1,814	253	3,320	19	-	6,209
Capas	199	874	1,850	490	6,810	273	51	10,547
Conception	455	2,851	3,581	742	8,853	610	-	17,092
Total	833	4,349	7,245	1,485	18,983	902	51	33,848
%	2.5	12.8	21.4	4.4	56.1	2.7	0.2	100.0

Source: 1990 Census of Population and Housing, Report No.3-83C:
Socio-economic and Demographic Characteristics

b. After the Eruption

City/Mun.	Electricity	Kerosene	LPG	Charcoal	Wood	Others	None	Total
Pampanga								
	4,497	11,986	38,140	10,029	39,606	272	80	104,609
%	4.3	11.5	36.5	9.6	37.9	0.3	0.1	100.0
Tarlac								
	568	2,964	4,938	2,337	22,391	615	35	33,848
%	1.7	8.8	14.6	6.9	66.2	1.8	0.1	100.0

Table D.3 Number of Farmers Expected to Own Agricultural Area

Area	Farmers	%	Others	%	Responded*	Population (1994)	E.No.F.*	1*	2*	Total	
										NO.	%
Tarlac	119	7.2	1,528	92.8	1,647	10,125	731	1,132	60	(1*+2*)	163.0
Bamban	49	7.9	572	92.1	621	19,987	1,577	-	440	440	27.9
Capas	139	6.8	1,914	93.2	2,053	58,004	3,927	1,589	1,252	2,841	72.3
Average/Total	307	7.3	4,014	92.7	4,321	88,114	6,428	2,721	1,752	4,473	69.6
Pampanga											
Magalan	134	18.4	594	81.6	728	44,590	8,208	-	64	64	0.8
Arayat	213	14.1	1,299	85.9	1,512	75,496	10,635	-	336	336	3.2
Sta.Ana	69	5.0	1,310	95.0	1,379	33,664	1,684	-	16	16	0.9
Mexico	303	10.2	2,654	89.8	2,957	70,768	7,252	598	54	652	9.0
Angeles	37	1.5	2,430	98.5	2,467	186,290	2,794	-	16	16	0.6
Mabalacat	73	7.3	925	92.7	998	103,029	7,536	-	237	237	3.1
Others	-	0.0	-	0.0	-	-	-	-	575	575	0.0
Average/Total	829	9.4	9,212	90.6	10,041	513,837	48,437	598	1,298	1,896	3.9

Note: Population data is based on the Resettlement/Evacuation, Appendix M, Interim Report (2), March 1995.

Responded* - Number of unemployed farmers responded during the Resettlement/Evacuation survey

E.No.F.* - Estimated Population of Farmers

1* - No. of farmers expected to own agricultural area under the scheme of Proposed CIP Project

2* - No. of farmers expected to own agricultural area under the scheme of Urgent Irrigation Scheme Rehabilitation

Table D.4 Surface Water Quality

STATION	pH	DO (ppm)	TDS (mg/L)	Ca (mg/L)	Mg (mg/L)	Hardness (mg/L)	Cl (mg/L)	Cd (mg/L)	Cr (mg/L)	Cu (mg/L)	Fe (mg/L)	Pb (mg/L)	Hg (mg/L)	Zn (mg/L)	
Sapang Libutan, Angeles City, Pampanga	7.0	6.2	1,000	127	29	437	0.06	0	-	-	2.3	-	0	0.16	NWRC, Dec. 1983
Dolores, Mabalacat, Pampanga	7.5	7.3	2,266	204	133	1,057	0.12	0	-	-	2.29	-	0	0.07	NWRC, Dec. 1983
Sapang Bato, Angeles City, Pampanga	7.8	6.1	767	126	3	325	0.03	0.003	0.009	0.04	4.9	0.04	-	0.07	JICA, 1994
San Pablo, Mexico, Pampanga	5.5	6.1	800	61	20	233	0.05	0.01	0.02	0.63	14.5	0.04	-	0.07	JICA, 1994
Bamban, Tarlac	7.8	7.8	900	83	13	260	0.07	0.003	0.01	0.03	4.7	0.01	-	0.04	JICA, 1994
Chico River, Culaungan, Concepcion, Tarlac	6.8	4.2	833	76	6	216	0.06	0	0	0.08	8.3	0	-	0.05	JICA, 1994
San Francisco Bridge, Concepcion, Tarlac	7.5	6.1	1,350	81	23	299	0.05	0.002	0	0.02	1.4	0	-	0.02	JICA, 1994
Sapang Bitas, Barangay Dolores, Magalang, Pampanga	6.5	6.1	1,517	234	117	1,065	0.11	0	0	0.01	0.5	0.04	-	0.03	JICA, 1994

Table D.5 Plant Species for Slope Stabilization

Scientific Name	Local/English Name
<i>Acacia auriculiformis</i> A.Cunn. ex Benth.	Japanese Acasia
<i>Pterocarpus indicus</i> Willd.	Narra
<i>Gliricidia sepium</i> (Jacq.) Kunth. ex Walp.	Kakawati
<i>Casuarina equisetifolia</i> J.R. & G. Foster	Agoho
<i>Sesbania grandiflora</i> (L.) Pers.	Katuray
<i>Samanea saman</i> (Jacq.) Merr.	Rain Tree

Table D.6 Wildlife Species Observed and Recorded in the Study Area

	Species	Common Name	Habitat		
			Town/Villages	Grassland	Forest
I.	MAMMALS:				
1.	<i>Rattus Mindanensis</i>	Phil. Ricefield Rat	x	x	x
2.	<i>Rattus exulans</i>	Pacific Island Rat	x	x	x
3.	<i>Sus philippensis</i>	Phil. Warty Pig	-	-	x
II.	BIRDS				
1.	<i>Haliastur indus</i>	Brahminy Kite	-	x	x
2.	<i>Coturnix chinensis</i>	Painted Quail	-	x	-
3.	<i>Phapitreron leucotis</i>	Brown Fruit Dove	-	-	x
4.	<i>Geopelia striata</i>	Zebra Dove	-	x	x
5.	<i>Loriculus philippensis</i>	Phil Hanging Parakeet	-	-	x
6.	<i>Centropus viridis</i>	Philippine Coucal	-	x	x
7.	<i>Collocalia esculenta</i>	Glossy Swiftlet	-	x	x
8.	<i>Merops viridis</i>	Bee-Eater	-	x	x
9.	<i>Hirundo rustica</i>	Barn Swallow	-	x	x
10.	<i>Hirundo striolata</i>	Mosque Swallow	-	x	x
11.	<i>Hirundo tahitica</i>	Pacific Swallow	-	x	x
12.	<i>Oriolus chinensis</i>	Black-naped Oriole	-	x	x
13.	<i>Corvus macrorhynchos</i>	Large-billed Crow	x	x	x
14.	<i>Pycnonotus goiavier</i>	Yellow-vented Bulbul	x	x	x
15.	<i>Hypsipetes philippinus</i>	Philippine Bulbul	-	-	x
16.	<i>Saxicola caprata</i>	Pied Chat	-	x	-
17.	<i>Megalurus palustris</i>	Canegrass Warbler	-	x	x
18.	<i>Cisticola exilis</i>	Fantail-Warbler	-	x	x
19.	<i>Orthotomus atrogularis</i>	Common Tailorbird	-	-	x
20.	<i>Rhipidura cyaniceps</i>	Blue-headed Fantail	-	-	x
21.	<i>Anthus novaeseelandiae</i>	Richard's Pipit	-	x	-
22.	<i>Artamus leucorhynchus</i>	Woodswallow	-	x	x
23.	<i>Lanius cristatus</i>	Brown Shrike	-	x	-
24.	<i>Lanius schach</i>	Schach's Shrike	-	x	x
25.	<i>Dicaeum hypoleucum</i>	White-bellied Flowerpecker	-	-	x
26.	<i>Zosterops meyeri</i>	Philippine White-eye	-	-	x
27.	<i>Passer montanus</i>	Tree Sparrow	x	x	-
28.	<i>Lonchura malacca</i>	Chestnut Munia	-	x	-
29.	<i>Lochura punctulata</i>	Nutmeg Munia	-	x	-
30.	<i>Lochura leucogastra</i>	White-bellied Munia	x	x	-
III.	REPTILES:				
A.	Lizards				
1.	<i>Lochura leucogastra</i>	Spiny-tailed House Gecko	x	x	x
2.	<i>Gekko gekko</i>	Towkay Tecko	x	x	x
3.	<i>Draco spilopterus</i>	Flying Lizard	-	-	x
4.	<i>Mabuya multifasciata</i>	Common Ground Skink	-	x	x
5.	<i>Varanus salvator</i>	Common Monitor Lizard	-	x	x
B.	Snakes:				
6.	<i>Dendrelaphis terrificus</i>	Common Grass Snake	-	x	x
7.	<i>Elaphe erythrura</i>	Red-tailed Rat Snake	x	x	x
8.	<i>Lycodon aulicus</i>	Common House Snake	x	x	-
9.	<i>Naja naja philippensis</i>	Philippine Cobra	-	x	x
10.	<i>Ophiophagus hannah</i>	King Cobra	-	x	x
11.	<i>Python reticulatus</i>	Reticulated Python	-	x	x
C.	Turtles:				
12.	<i>Coura amboinensis</i>	Common Pond Turtle	-	-	x
IV.	AMPHIBIANS:				
1.	<i>Bufo marinus</i>	Marine Toad	x	x	-
2.	<i>Rana cancrivora</i>	Estuarine Frog	x	x	-
3.	<i>Rana limnocharis</i>	Ricefield Frog	x	-	-

Table D.7 Summary on the Biodiversity of Birds

Location	Diversity	Dominance	Evenness
1. Sapang Bato, Angeles	Low	Very Low	Very High
2. San Mateo, Mexico	Low	Low	Very High
3. San Lorenzo, Mexico	Moderate	Low	Very High
4. Talimundoc, Concepcion	Low	Low	Very High
5. Culantingan, Concepcion	Low	Moderate	Very High
6. Castillo, Concepcion	Low	Low	Very High
7. San Francisco, Concepcion	Low	Moderate	Very High
8. Candaba Swamp	Very High	Very Low	Very High
9. Mt. Arayat National Park	Moderate	Very Low	Very High

Table D.8 Type of Feeding of the Wildlife in the Study Area

Type of Food Feeding	Amphibians	Reptiles	Birds	Mammals	TOTAL
1. Insectivores (insect-eater)	4	8	34	2	48
2. Carnivores (flesh-eaters)	-	6	2	2	10
3. Aquatic Surface Feeders	-	-	21	-	22
4. Shorebirds and Soil Probers	-	-	12	-	12
5. Frugivores (Fruit-eaters)	-	-	7	3	10
6. Graminivores (Seed-eaters)	-	-	7	-	3
7. Omnivores (Animal/Plant diet)	-	-	2	3	5
TOTAL	4	14	85	10	110

Table D.9 Most Common Means of Making Living in the Study Area

Barangay	Farming	Employment	Livestock	Unemployed	Total
Bamban					
Bangcu	6	0	6	0	12
Culumbasa	11	0	6	0	17
La Paz	4	2	1	2	9
San Pedro	4	0	4	0	8
Concepcion					
San Antonio	9	0	4	0	13
San Bartolome	11	1	5	1	18
San Nicolas	11	0	11	11	33
Balutu	5	0	5	0	10
Calius Gueco	10	1	9	9	29
Panalicsican	9	0	8	0	17
Talimunduc	5	0	5	0	10
Lilibangan	11	1	7	0	19
Magao	9	0	3	3	15
Mabalacat					
Altu Bola	11	2	7	2	22
Cacutud	7	0	4	0	11
Pacapagal	5	0	5	0	10
Mexico					
Balas	6	1	2	4	13
Concepcion	11	0	11	0	22
Laput	11	0	3	3	17
San Juan	11	3	8	8	30
San Antonio	8	5	6	2	21
San Lorenzo	8	0	6	1	15
Total	183	16	126	46	371
%	49.3	4.3	34.0	12.4	100

Note: Survey is based on the answer sheet collected from the public hearing held for the Project.

Table D.10 Size of Farming Area and the Family Income

(Unit: Peso/y)

	Concepcion		Bamban		Mexico		Mabalacat		Total	
	Number of Re-spondents	%	Number of Re-spondents	%	Number of Re-spondents	%	Number of Re-spondents	%	Number of Re-spondents	%
A. Size of Farming Area										
0.5 - 1.5	2	8	2	33	2	12	1	13	7	13
2.0 - 3.0	9	36	3	50	7	41	1	13	20	36
3.5 - 5.0	13	52	1	17	6	35	4	50	24	43
above 5.0	1	4	0	0	0	0	2	25	3	5
Not Indicated	0	0	0	0	2	12	0	0	2	4
TOTAL	25	100	6	100	17	100	8	100	56	100
B. Family Income/year										
1. Crop Farming										
None	6	24	0	0	1	6	1	13	12	21
< P10,000	5	20	1	17	1	6	0	0	6	11
P10,000 - P20,000	1	4	2	33	4	24	1	13	9	16
P21,000 - 30,000	2	8	0	0	1	6	0	0	4	7
above P30,000	5	20	1	17	2	12	0	0	3	5
Not Indicated	6	24	2	33	8	47	6	75	22	39
TOTAL	25	100	6	100	17	100	8	100	56	100
2. Farm Animal Raising										
None	6	24	0	0	2	12	0	0	12	21
P1,000 - P3,000	1	4	1	17	0	0	0	0	2	4
P3,001 - P6,000	2	8	0	0	0	0	0	0	2	4
P6,001 - P10,000	3	12	0	0	0	0	0	0	2	4
above P10,000	5	20	2	33	0	0	2	25	9	16
Not Indicated	8	32	3	50	15	88	6	75	29	52
TOTAL	25	100	6	100	17	100	8	100	56	100
3. From Other Sources/month										
None	6	24	0	0	1	6	0	0	7	13
Below P3,000	4	16	0	0	2	12	2	25	8	14
P3,001-P5,000	3	12	1	17	0	0	1	13	5	9
P5,001-P10,000	2	8	0	0	0	0	0	0	2	4
Not Indicated	10	40	5	83	14	82	5	63	34	61
TOTAL	25	100	6	100	17	100	8	100	56	100

Table D.11 Survey on the Public Awareness

a. Meetings Held by the Local Communities

(1/)

Barangay	Frequency of the Meeting	Reasons for Attending the Meeting								Attend	Does not Attend	No Answer	Total
		1	2	3	4	5	6	7	8				
BANGCU	Monthly	0	3	0	0	0	1	0	0	6	0	0	6
CALUBASA	Weekly	3	2	0	0	0	2	0	0	10	0	1	11
LA PAZ	By-monthly	1	3	1	0	0	2	1	0	8	0	0	8
SAN PEDRO	Monthly	0	2	1	1	1	0	0	0	6	0	5	11
ALMENDRAS	Monthly	0	0	0	0	0	0	0	0	10	0	0	10
SAN ANTONIO	Monthly	2	1	3	0	11	3	0	0	10	0	0	10
SAN BARTOLOME	Monthly	0	1	5	0	0	3	0	0	11	0	0	11
SAN NICHOLAS	Monthly	0	0	0	0	0	11	0	0	11	0	0	11
BALUTU	Monthly	0	2	2	0	0	0	0	0	5	0	0	5
CALLIUS GUECO	Monthly	0	0	0	0	0	0	9	0	10	0	0	10
PANALICSICAN	Monthly	0	0	0	0	1	0	0	0	9	0	0	9
TALIMUNDOK	Weekly	0	0	1	0	0	0	0	0	5	0	1	6
LILIBANGAN	By-Monthly	2	2	2	0	3	0	0	0	10	1	0	11
MAGAO	Monthly	2	1	2	1	0	0	0	0	9	0	0	9
ATLU BOLA	Monthly	2	0	6	0	1	2	0	0	11	0	0	11
CACUTUD	Monthly	2	1	2	0	1	1	1	0	9	0	0	9
MACAPAGAL	Monthly	0	2	0	0	1	1	2	0	6	0	0	6
BALAS	Monthly	0	2	0	0	0	0	2	2	8	0	1	9
CONCEPCION	Monthly	0	1	0	0	0	0	0	0	1	0	10	11
LAPUT	Monthly	1	5	1	0	0	2	0	0	10	0	1	11
SAN JUAN	Monthly	1	6	1	0	0	1	0	0	10	0	1	11
SAN ANTONIO	Monthly	1	6	0	0	0	0	0	0	8	0	0	8
SAN LORENZO	Monthly	1	1	0	0	2	1	0	0	7	0	1	8
Total										189	1	22	212
%										89.15	0.47	10.38	100

1. To know tasks/ responsibilities
2. To discuss problems/programs for the barangay
3. To gain new knowledge about the barangay
4. To obtain informations that will be discussed with barangay members
5. To promote unity among barangay members
6. To extend informations to fellow barangay members
7. Attending meetings is an obligation of every barangay official
8. To share personal knowledge to others

Table D.12 Perceptions of the Local Residents on the Agricultural Production and Its Marketing after the Mt. Pinatubo Eruption

Problems/Concerns	arac				Pampanga				Total Number of Respondents	
	Concepcion		Bamban		Mexico		Mabalacat			
	Number of Respondents	%	Number of Respondents	%	Number of Respondents	%	Number of Respondents	%		
A. POST-PINATUBO ERUPTION PRODUCTION PROBLEMS										
1. Lack of financing for farmers	5	17	2	29	3	18	2	18	12	18
2. Reduced Area and fertility of agricultural lands due to lahar	2	7	0	0	0	0	0	0	2	3
3. Low yield and high cost of production in lahar-affected farms	3	10	2	29	0	0	1	9	6	9
4. Lahar-affected farms unfit for farming/when to plant lahar affected farm	2	7	0	0	2	12	0	0	4	6
5. Fear of lahar and mudflow	1	3	0	0	0	0	0	0	1	2
6. Unable to raise animals	1	3	0	0	0	0	0	0	1	2
7. Feed scarcity for animal raising	1	3	0	0	0	0	0	0	1	2
8. Hoof and mouth disease scare	4	13	0	0	0	0	0	0	4	6
9. Lack of water for irrigation	0	0	1	14	1	6	4	36	6	9
10. No Barangay Road/No Bridge across Papaya Creek	3	10	1	14	0	0	0	0	4	6
11. Locust Infestation	0	0	0	0	0	0	2	18	2	3
12. Lack of machinery/farm equipment	1	3	0	0	0	0	0	0	1	2
13. Not Indicated	7	23	1	14	11	65	2	18	21	32
Total	30	100	7	100	17	100	11	100	65	100
B. MARKETING PROBLEMS										
1. Low prices of farm produce	16	57	2	33	8	47	4	50	30	51
2. No Products to market	1	4	0	0	0	0	0	0	1	2
3. Poor roads and high transport cost	4	14	1	17	0	0	0	0	5	8
4. Poor demand of and difficulty to market pork due to HMD scare	4	14	0	0	0	0	0	0	4	7
5. No Regular Buyer	0	0	1	17	0	0	0	0	1	2
6. No Problems	2	7	0	0	3	18	0	0	5	8
7. Not Indicated	1	4	2	33	6	35	4	50	13	22
Total	28	100	6	100	17	100	8	100	59	100

Table D.13 Perceptions of the Local Residents on the Solutions to the Production and Marketing Agricultural Commodities After the Mt.Pinatubo Eruption

PARTICULAR	Tarlac				Pampanga				Total Project Area	
	Concepcion		Bamban		Mexico		Mabalacat		Number of Respondents	%
	Number of Respondents	%	Number of Respondents	%	Number of Respondents	%	Number of Respondents	%		
A. Solutions and Assistance Extended by the Government/Private Organizations										
1. None	6	23	0	0	10	50	1	13	17	28
2. PEC's Credit & Supervisory Services	1	4	0	0	0	0	0	0	1	2
3. Free seeds/fertilizers for Farmers	3	12	3	50	1	5	2	25	9	15
4. Farmers cooperative formation	1	4	0	0	1	5	0	0	2	3
5. Technical assistance on improved farming	3	12	0	0	1	5	1	13	5	8
6. Free water pump/Disc Plow	2	8	0	0	2	10	0	0	4	7
7. Animal Production/Vaccination for HMD	2	8	0	0	0	0	0	0	2	3
8. Finance Support (e.g. Land Bank)	1	4	1	17	2	10	0	0	4	7
9. Not Indicated	7	27	2	33	3	15	4	50	16	27
Total	26	100	6	100	20	100	8	100	60	100
B. MARKETING SOLUTIONS										
1. Raise Prices of Agricultural Products	15	60	4	67	1	6	1	13	21	38
2. More Outlets to buy products at Attractive Prices	0	0	0	0	0	0	1	13	1	2
3. Provide More Funds to the Cooperatives	1	4	0	0	0	0	2	25	3	5
4. Vaccination Program of Animals to remedy	4	16	0	0	0	0	0	0	4	7
5. Formation of Cooperatives	0	0	0	0	2	12	0	0	2	4
6. Road Construction/Repair	2	8	0	0	0	0	0	0	2	4
7. None	0	0	0	0	3	18	2	25	5	9
8. Not Indicated	3	12	2	33	11	65	2	25	18	32
TOTAL	25	100	6	100	17	100	8	100	56	100

Table D.14 Perception of the Local Residents on the Demand of Government/Private Sector Assistance

PARTICULAR	Tarlac		Pampanga		Total Project Area	
	Concepcion		Mexico		Mabalacat	
	Number of Respondents	%	Number of Respondents	%	Number of Respondents	%
A. FURTHER ASSISTANCE NEEDED FOR AGRICULTURAL PRODUCTION/ANIMAL RAISING						
1. Capital/Farm Financing with low interest	12	33	5	63	10	38
2. Animal dispersal and production (e.g. cattle, feeds)	5	14	0	0	3	12
3. Free High yielding seed variety/Free production inputs (e.g. fertilizers, etc.)	10	28	0	0	3	12
4. Technical Assistance on improved Farming land livestock production	0	0	0	0	2	8
5. More Livelihood Programs	3	8	0	0	0	0
6. Total vaccination of animals	1	3	0	0	0	0
7. Kubota equipment to remove lahar deposit and cultivate farm	5	14	2	25	2	8
8. Irrigation pump	0	0	0	0	1	4
9. Attractive Market Price for Farm Produce	0	0	0	0	0	0
10. Not Indicated	0	0	1	13	5	19
Total	36	100	8	100	26	100
					9	100
B. OTHER COMMUNITY PROJECTS						
1. More funds for crops/other projects	6	20	0	0	0	0
2. Livelihood Programs for Women and youth (e.g. rattan, handicrafts, high speed sewing, etc.)	8	27	0	0	0	0
3. Animal Dispersal and production (cattle, poultry, pigs, ducks)	7	23	3	43	6	32
4. Bridge Construction/road improvement in Papaya Creek	3	10	0	0	1	5
5. Farmers Cooperative/Training and Capability Strengthening	6	20	0	0	4	21
6. More Employment Opportunities	0	0	1	14	2	11
7. Fish Culture	0	0	1	14	0	0
8. Rehabilitation of Farmlands	0	0	1	14	0	0
9. Not Indicated	0	0	1	14	6	32
Total	30	100	7	100	19	100
					13	100
					79	100

Table D.15 Summary of the Results of Community Hearing

Items	Demand on the Project	
	5 Years	10 Years
<p>A. Environment & Sanitation</p> <p>Responsible Agency: DENR</p>	<p>Waste management Greening of rehabilitated areas with shrubs and trees</p>	<p>Plant trees on the dike Create canal Create bird watching places</p>
<p>B. Health and Nutrition</p> <p>Responsible Agency: MPC Social Services - DOH</p>	<p>All houses provided with water sealed toilets Health Center provided with complete medicine and with feeding program</p>	<p>Resident doctors Community-based health program</p>
<p>C. Livelihood</p> <p>Responsible Agency: MPC Livelihood DTI-CLDP</p>	<p>Hallow blocks making Piggery Poultry Dress making</p>	<p>Establishment of community-based cooperative to manage the operation and marketing of products</p>
<p>D. Agriculture (farming)</p> <p>Responsible Agency: DA - NIA</p>	<p>Building irrigation and drainage canal for farming area Provide appropriate technical support for the rehabilitation of lahar-covered areas</p>	<p>Introduction of high values crops adapted to the area's farming systems</p>
<p>E. Youth and Sports</p> <p>Responsible Agency: MPC Social Services - DECS</p>	<p>Enhancement of sports activities such as basketball, softball, volleyball Introduction of skills development such as vocational institute</p>	<p>Construction of a sports and youth center</p>
<p>F. Infrastructure</p> <p>Responsible Agency: DPWH Lower Abacan Project Municipal Government</p>	<p>Dikes built according to JICA Plan Paved barangay road Health center building Additional school building Basketball court for the village communities</p>	<p>Paved roads to sitios</p>
<p>G. Education, Women and Family</p> <p>Responsible Agency: MPC Social Services DECS - DA</p>	<p>Training for family-oriented income generation project such as food preparation Development of gender friendly farm machineries Account women's contribution to farming systems</p>	<p>Establishment of cooperative store for the Marketing of products</p>

Table D.16 The Most Needed Projects in the Study Area

Barangay	Irrigation System	Livelihood Project	Communal Machineries	Financial Support	Land Rehabilitation	Road Construction	Maintenance of Dikes	School Buildings	Bridge Construction	Employment Generation
Bamban	2	0	0	0	0	0	1	0	0	0
Bangu	3	3	0	0	2	1	4	0	0	0
Culumbasa	1	3	0	0	0	0	0	0	0	1
La Paz	0	1	0	0	0	0	0	0	0	0
San Pedro	0	0	0	0	0	0	0	0	0	0
Concepcion	0	5	2	0	0	1	2	2	0	0
San Antonio	0	6	0	0	1	0	0	2	0	0
San Bartolome	0	0	0	0	0	0	0	0	0	0
San Nicolas	0	0	0	0	0	0	0	0	0	0
Balutu	0	5	0	0	0	0	0	0	0	0
Calius Guesco	4	1	0	0	6	0	9	0	9	0
Panalisican	0	8	0	0	0	0	0	0	0	0
Talimunduc	0	4	0	0	0	0	0	0	0	0
Lilibangan	2	3	1	1	0	0	1	1	0	0
Magao	1	4	1	1	1	0	0	0	0	0
Mabalacut	0	9	0	0	1	0	1	0	0	0
Altu Bola	0	7	0	0	0	0	0	0	0	0
Cacutud	0	0	0	0	0	0	0	0	0	0
Pacapagai	0	0	0	0	0	0	1	0	0	0
Mexico	0	0	0	0	0	0	0	0	0	0
Balans	1	2	0	0	0	0	3	0	0	0
Concepcion	0	2	0	0	0	0	0	0	0	0
Laput	1	4	0	0	0	0	1	0	0	0
San Juan	9	1	0	0	0	0	0	0	0	0
San Antonio	4	2	0	0	0	0	1	0	0	0
San Lorenzo	3	3	0	0	1	0	0	1	0	0
Total	41	73	4	3	18	12	30	6	9	1
%	19.3	34.4	1.9	1.4	8.5	5.7	14.2	2.8	4.2	0.5

Note) Sampling was made in the selected area only.

Attachment A

**Regulations of DENR on EIA
Administrative Order 21, Series of 1992**



Administrative Order 21, Series of 1992

Subject: Amending the Revised Rules and Regulations Implementing P.D.1586 (Environmental Impact Statement)

Article 1 Policy Objectives and Definition of Terms

Section 1 Basic Policy

1.1 Consistent with the basic policy of the state to assure the availability and sustainability of the country's natural resources through its judicious use in order to achieve immediate economic gains and in pursuance to Presidential Decree 1586 and Proclamation 2146, the following amendments to the revised rules and regulations implementing the Environmental Impact Statement System are hereby promulgated.

Section 2 Policy Objectives

1.2.1 To identify environmental constraints and opportunities of natural system in order to guide the planning and development of project activities from the selection of appropriate site to the design, implementation and termination so that environmental considerations are incorporated in the early stages of project development.

1.2.2 To identify, predict and describe in appropriate terms the costs and benefits of development projects and assess the likely primary and secondary changes therein and systematically present the results for review and decision-making.

1.2.3 To ensure the success of development projects through finding ways to reduce unacceptable impacts and prescribe the most appropriate and cost-effective mitigating measures.

1.2.4 To involve as much as possible a wide spectrum of concerned sectors and the adjacent communities who will be affected by the project development in the exchange of views, information and concerns in order to effect projects that are beneficial to the majority and acceptable to the community.

1.2.5 To provide the basis for assessing the actual impacts of implemented and completed projects and identify other significant impacts in order to effect corrective actions and to improve future projects of similar type and magnitude.

Section 3 Definition of Terms

1.3.1 For the purpose of these rules and regulations and whenever any of the following words and terms are used therein shall have the meaning ascribed in this section.

- a. DENR refers to the Department of Environment and Natural Resources
- b. EMB refers to the Environmental Management Bureau
- c. Environmental Impact Statement (EIS) System refers to the entire process of organization, administration and procedure institutionalized for the purpose of assessing the significance of the effects of physical developments on the quality of the environment.
- d. Environmental Impact Assessment (EIA) refers to the process of predicting the likely environmental consequences of implementing project activities.

- e. **Environmental Impact Statement (EIS)** refers to the documents(s) of studies on the environmental impacts of the project including the discussions on direct and indirect consequences upon human welfare and ecological and environmental integrity. The EIS may vary from project to project but shall contain in every case all the relevant information and details about the project to enable the DENR and other concerned parties to make judicious decisions. Such EIS shall substantially conform with the outline set forth in Annex A.
- f. **Environmental Compliance Certificate (ECC)** refers to the document issued by the Secretary of the DENR or his duly authorized representative certifying that at the proposed project under consideration will not bring about an unacceptable environmental impact and that the proponent has complied with the requirements of the Environmental Impact Statement (EIS) System.
- g. **Environmental Impact Statement Monitoring and Evaluation** refers to the process of comparing the predicted impacts on the environment as stipulated in the EIS with those which actually occurred after the implementation and operation of the project.
- h. **Environmental Impact/Statement Review Committee** refers to the body of experts from various fields created by DENR whose main task is to assist the DENR in evaluating EIS and other documents.
- i. **Compliance Monitoring** refers to the activity designated to gauge the level of compliance with the conditions stipulated in the ECC issued and in the EIS or PD submitted.
- j. **Environmentally Critical Projects (ECP)** refer to those projects which have high potential for negative environmental impacts and are listed in Presidential Proclamation 2146 dated December 14, 1981.
- k. **Environmental Critical Areas (ECA)** refer to those areas which are environmentally sensitive and are listed in Presidential Proclamation 2146 dated December 14, 1981.
- l. **Project** refers to activities including actions, programs or undertaking regardless of scale or magnitude which may have significant impact on the environment.
- m. **Project Proponent (PP)** refers to any entity, private and government organizations, persons, owners/agents, planning or intending to undertake a project.
- n. **Project Description (PD)** refers to the document submitted by the project proponent substantially describing the proposed project particularly those aspects of the project which will likely cause environmental impact. Such project description shall substantially conform with the outline set forth in Annex B hereof.
- o. **Public Hearing** refers to the activity undertaken by DENR to gather facts and thresh out all issues, concerns and apprehensions and at the same time provide the project proponent with the opportunity to present the project to the people/community who would be affected by such.
- p. **RED** refers to the Regional Executive Director of DENR.

- q. RTD refers to the Regional Technical Director for Environmental Management and Protected Areas Services of the DENR regional offices.
- r. PENRO refers to the Provincial Environment and Natural Resources Officer of the DENR.
- s. CENRO refers to the Community Environment and Natural Resources Officer of the DENR.

Article II Procedures for Processing of ECC Applications

Section I Screening of Projects

2.1.1 The proponent shall submit a duly accomplished ENFORM I which shall serve as the basis for determining whether the project is within the purview of the EIS System. The said form appears as Annex C.

2.1.2 Projects that fall within the purview of the EIS System are as follows:

- a) Environmentally Critical Projects (ECP) wherein the project proponent shall submit an EIS to EMB.
- b) Projects that fall within ECA wherein project proponents shall be required to submit PDs to DENR Regional Offices. However, they may be required later to submit an EIS if deemed necessary.

2.1.3 Projects Not Covered by the EIS System

- a) Environmentally Critical Projects which have been operational prior to 1982 are not be covered by the scope of the EIS System except in cases where their operations are expanded in terms of daily production capacity or the coverage of its original area in which case such project will be covered by the EIS System.
- b) Exempted Projects

Any proposed activity or operation that does not fall within the category stated in Article II, Section I of this order and which are characterized by all of the following conditions:

- discharges minimal amount of wastes and the management of such wastes are relatively easy;
- has a capitalization of not more than P 500,000;
- employs not more than 20 persons.

An exemption certificate however, shall still have to be issued by the DENR for those projects in which the above criteria apply.

Likewise, pursuant to Article II Section II of P.D. 1586, some projects may be exempted by the President or his duly authorized representative for reasons of national interest or in compliance with international commitments. Such exemptions, however, does not preclude the DENR to require the proponent from instituting the necessary remedial measures to protect the environment.

- 2.1.4 The proponent shall pay the necessary fees in accordance with the schedule of fees.

Further, for exempted projects that are within ECA, comments and/or recommendations shall be submitted from appropriate units or agencies which have jurisdiction over these ECA, prior to the issuance of the exemption certificate by DENR.

Section 2 Processing of EIS and PD

The EMB shall be responsible for processing EIS documents of Environmentally Critical Projects (ECP). The DENR Regional Offices shall be responsible for those projects that fall within the scope of Environmentally Critical Areas (ECA) and exempted projects. The flow charts showing the processing steps enumerated below appear as Annex D-1 and D-2.

A. Steps in the Review and Evaluation of Environmental Impact Statements(EIS)

- 2.2.1 Upon determination by DENR that the project shall be subject to an EIS, a copy of the scoping guidelines shall be given to the project proponent for his guidance. On the basis of the above and on the outline given, the proponent has the option to commission the undertaking of the EIS to a competent professional group or by the proponent's technical staff.
- 2.2.2 Upon completion of the EIS the proponent shall submit at least fifteen (15) legible copies of the document to the DENR for review.
- 2.2.3 Upon receipt of the EIS, the DENR shall forward the document to the concerned EIS unit which shall initially evaluate the submitted document as to its content and completeness of the supporting documents. Within thirty (30) days, the EIS Unit shall decide whether or not the information contained in the EIS is sufficient for a thorough evaluation of the project's environmental impacts. The EIS Unit shall then inform the proponent of any additional information that may be needed for further evaluation of the EIS. After the evaluation, the EIS Unit may:
- a. recommend issuance of the Environmental Compliance Certificate (ECC);
 - b. recommend conduct of an ocular inspection of the proposed project site to check the veracity of the information contained in the submitted EIS, or;
 - c. recommend further review by the EIS Review Committee to thoroughly assess the submitted EIS with respect to accuracy of the data presented, the applicability of the mitigating measures and the adequacy of the monitoring program.
- 2.2.4 For projects referred to the Review Committee, the EIS Unit shall convene the committee whose members shall be selected from the pool of experts/area subject specialists.
- The Review Committee can require the holding of a public hearing to be conducted by the DENR/EMB or the Regional Office, subject to the process stipulated in Article II Section 3 or any likewise require the project proponent to submit additional information if necessary.
- 2.2.5 After a thorough evaluation of all inputs the Review Committee shall recommend for the approval or denial of the ECC by the Secretary of the DENR or his duly designated representative.

B. Steps in the Review and Evaluation of Project Descriptions

- 2.2.6 Projects requiring Project Descriptions shall follow same process as required in the review of EIS, except for the conduct of public hearing which is not necessary at this stage.
- 2.2.7 Upon submission of the PD, the regional EIS unit shall review and evaluate the documents and determine the accuracy of data and assessments presented, the applicability of mitigating measures, the adequacy of the monitoring programs and public acceptability of the projects. The RTDs can always request for additional information if necessary. Part of the evaluation process is the ocular inspection of the project site which may be conducted by the EIS Unit with the assistance of the PENRO/CENRO.
- 2.2.8 Once all pertinent information have been validated, the RTD can recommend for the granting or denial of the ECC to the Regional Executive Director (RED). The Regional Office shall decide not more than two (2) months from receipt of the PDs whether it shall issue or deny the ECC to the concerned proponent.
- 2.2.9 In cases wherein the EIA Unit considers the project requires an EIS, the RTD shall inform the proponent of the requirements and said application shall follow the process stipulated in Article II Section 2.A.

Section 3 Conduct of Public Hearing

Public hearing may be initiated by the DENR when the magnitude of the project is such that a great number of people are affected or when there is mounting public opposition against the proposed project.

2.3.1 Notice

A notice of public hearing shall be published once a week for two (2) consecutive weeks in any newspaper of general circulation at least twenty (20) calendar days prior to the scheduled hearing. Notice shall likewise be posted in a conspicuous place in the municipality or barangay where the project is to be located. All expenses incurred for the notices shall be charged to the project proponent.

2.3.2 Designation of Hearing Office

The Secretary or his duly designated representative shall appoint hearing officers in the conduct of public hearings.

2.3.3 Powers and Duties of Hearing Officers

Hearing Officers shall have the power and authority to conduct proceedings with the aim of further eliciting information and more pertinent facts.

They will ensure that all participating parties are given the opportunity to air their positions/concerns regarding the project and that same are adequately discussed.

The Hearing Officers shall submit a report of their findings to the EIS Review Committee within fifteen (15) working days after the hearing.

Copies of the report shall be considered as public documents and shall be made available to all concerned parties and other interested entities.

2.3.4 Nature of Proceedings

The conduct of public hearings shall be summary in nature and does not strictly adhere to the technical rules of evidence.

Section 4 Granting of ECC

2.4.1 An Environmental Compliance Certificate (ECC) is issued by the DENR Secretary or his duly designated representative to a project proponent after having satisfied the process described in Article II of this Order.

Section 5 EIA Monitoring

2.5.1 All ECPs will be subjected to periodic compliance monitoring by the EMB and all other projects by the DENR Regional Offices.

2.5.2 The EMB can call on the assistance of the regional office in the conduct of compliance monitoring activities while the latter can call on the EMB when the monitoring of the project requires institutional and technical expertise that can be provided by the Bureau.

The EMB shall initiate the formation of a Multipartite Monitoring Team in coordination with the regional office as may be required by the conditions of the ECC.

Article III Duties and Responsibilities of Actors in the EIS Review Process

Section 1 Project Proponents

- a. conduct an Environmental Impact Assessment (EIA) of the proposed project and submit its findings to DENR in accordance with the prescribed guidelines.
- b. provide a true, completed and accurate EIS or PD.
- c. publish the notice of public hearing.
- d. provide resource persons to make presentations and answer questions during public meetings and hearings.
- e. ensure that appropriate post-assessment monitoring and reporting area carried out as required.
- f. initiate, in certain cases, the establishment of the Environmental Guarantee Fund (EGF) as stipulated in the ECC which shall make available reserve funds for monitoring activities and the immediate rehabilitation and/or compensation of affected parties should negative impacts occur in relation to the project.
- g. submit the required reports to the DENR.

Section 2 DENR

3.2.1 Office of the Secretary

- a. formulate EIA policies, plans and programs and advise the BMB and Regional Offices from time to time in the efficient implementation of produces and programs.
- b. advise the President and Congress on the enactment and modification of laws relative to the EIS System.
- c. Approve or deny the issuance of an Environmental Compliance Certificate for EIS documents related to ECP.

3.2.2 EMB

- a. coordinate the implementation of the necessary policies and guidelines relative to the EIS System.
- b. conduct assessments and evaluation of the EIS to serve as basis for recommending the issuance/denial of the ECC and/or advise the project proponent that his project as planned needs modifications and corrections.
- c. serve as the administrative body which shall carry out the procedural processes of the EIS System.
- d. develop procedural assessment guidelines and prescribe the appropriate scoping guidelines for specific project types.
- e. chair the EIS Review Committee.
- f. solicit in writing comments from other government agencies and persons with expertise or regulatory powers over the proposed projects.
- g. coordinate with the DENR field offices, local government units (LGUs), non-governmental organizations (NGOs), people's organizations (POs), project proponents and other government agencies in the conduct of actual compliance and multipartite monitoring of projects granted ECC.
- h. initiate the conduct of public hearings for environmentally critical projects.
- i. provide technical assistance to the Regional Office in the review, inspection, monitoring and the conduct of public hearing.

3.2.3 Regional Offices

- a. implement laws; policies, plans, programs, projects, rules and regulations of the DENR relative to the EIS System.
- b. assess and evaluate PD/EIS of ECA.
- c. conduct on-site inspection for PD/EIS for ECA.
- d. investigate EIS-related complaints.
- e. assist EMB in the conduct of on-site inspection for EIS of ECP and make the necessary recommendations.

- f. conduct actual compliance monitoring of projects granted ECC and prepare the necessary reports.
- g. coordinate with other government agencies, non-government organizations, local government units, private offices and project proponents in the region in the implementation and enforcement of EIS System rules and regulations and public information campaign.
- h. initiate the conduct of public hearing whenever necessary.
- i. initiate the conduct of training for PENRO/CENRO on the EIS System.
- j. chair the Regional EIS Review Committee.
- k. approve or deny the ECC for EIS and PD that are in ECAs.
- l. issue exemption certificates for exempted projects.

3.2.4 PENRO and CENRO

- a. coordinate with local government units, barangay officials, NGOs, POs, and local residents relative to the EIS System.
- b. conduct public information campaign regarding the EIS System.
- c. assist the Regional Office I the conduct of on-site inspections and monitoring.

3.2.5 EIS Review Committee

- a. assist the EIS unit in the evaluation and review of EIS documents.
- b. make recommendations regarding the issuance or non-issuance of Environmental Compliance Certificate of proposed projects under review.

Article IV Penalties, Ground for Cancellation of ECC and Administrative Sanction

The Secretary of the Department of Environment and Natural Resources or his duly authorized representative shall impose penalties upon person (s) found violating provisions of PD 1586 or its implementing rules and regulations.

Section 1 Scope of Violations

- 4.1.1 Critical projects found operating without ECC.
- 4.1.2 Projects within ECA but found operating without ECC; and
- 4.1.3 Projects found violating ECC conditions.

Section 2 Imposition of Penalties

- 4.2.1 A report which will serve as the basis for the imposition of fine will be prepared by the EIA Unit. The report among others should include the following information:
 - a. Brief background of the project including previous violation, if any;

- b. Nature of the violation and/or the ECC conditions violated;
 - c. Results and discussion on any measurement, sampling or monitoring activities conducted either by EMB, Regional Environmental Management Protected Areas (EMPAS) or DENR accredited research institutions, academic and or technical organizations.
 - d. Discussion on the results obtained and the corresponding adverse impacts caused by the violations.
 - e. Recommended amount of fine to be imposed in accordance with this Order.
- 4.2.2 The report shall be submitted to the Director of EMB or the Regional Executive Director (RED) as the case maybe for appropriate action.
- 4.2.3 The EMB Director or RED shall issue an order for the imposition of penalties.
- 4.2.4 Nature of Violations and Corresponding Fines.

The violation of ECC requirements is categorized as follows:

A. Projects which are established and/or operating without an ECC.

Any project which has been classified as environmentally critical and/or located in environmentally critical area and established and/or operating without an ECC shall be liable to penalty.

Any project proponent operating without an ECC shall be informed by DENR about the nature of the violation and the corresponding amount of fine imposed therein in accordance with schedule presented below.

The DENR shall evaluate the merits of the explanation submitted by the Proponent and decide whether or not a fine and the requirement of the submission of EIS/PD shall be imposed.

The amount of fine shall not exceed P50,000 at the discretion of the DENR.

The proponent shall settle all requirements within thirty (30) days upon confirmation.

Failure to comply with these requirements shall be a ground for issuance of an order for the cessation of project operation.

B. Projects Violating ECC Conditions

1. First Violation

The project proponent shall be informed by the Director of the EMB or the RED about the nature of the violation and shall be asked to explain within seven (7) days upon receipt of notification why they should not be penalized. The Director of the EMB or the RED shall decide within seven days (7) upon receipt of explanation whether the justification presented merits consideration or a violation has been committed.

The Director of EMB or RED shall impose a fine and require the proponent to submit a plan that will address the violations.

The amount of fines for every violation of the ECC conditions shall not exceed P50,000 thereof, which shall be set at the discretion of the DENR.

The project proponent is required to settle all the requirements within fifteen (15) days upon receipt of notification. Failure to comply with these requirements would constitute an automatic ground for the suspension of their ECC.

2. Subsequent Violations

Any project proponent found to have committed further violation of any or all ECC conditions shall be required by the EMB/Regional Office to cease operation and have his ECC revoked.

Section 3 Implementing Body

The EMB/DENR Regional Offices shall be responsible in determining whether there has been any violation of P.D. 1586, and its implementing rules and regulations.

Section 4 Administrative Authority/Sanction

4.4.1 The EMB/DENR is the agency which reviews the EIS and PD. As such all DENR Personnel are not allowed to be involved in any way, whatsoever, directly or indirectly in the preparation of EIS and/or PD documents. Any personnel found to have violated this provisions shall be liable to administrative sanctions and penalties in accordance with the Rules and Regulations of the Civil Service Commission.

Section 5 Motion for Reconsideration

4.5.1 All motions for reconsideration by the project proponent shall be submitted to the EMB Director or RED within fifteen (15) days upon receipt of the DENR order. The EMB Director or the RED shall decide on this motion for reconsideration within thirty (30) days upon receipt of the motion. The decision of the EMB Director or the RED, as the case may be, shall be the final.

Section 6 Appeals

4.6.1 Any appeal from the decision/order of the EMB Director or RED shall be filed by the project proponent with the Office of the Secretary within fifteen (15) days upon receipt of the said order or devisor. The Secretary shall decide on the appeal within a period of thirty (30) days upon receipt of the said appeal. The decision of the Secretary shall be final and executory.

Article V Supplemental Rules and Regulations

5.1 Projects which have not been responded by the proponent within a year from the date of filing shall be automatically invalidated. The DENR shall send/notify the proponent one month before the proposed termination date.

5.2 If after termination, the proponent decides to proceed with his project it is considered as a new application and shall pay the corresponding fee.

Article VI Effectivity

These Rules and Regulations shall take effect thirty (30) days after publication in any newspaper of general circulation.

Article VII Repealing Clause

All Rules and Regulations found inconsistent herewith shall be superseded by this administrative order.

(signed)
Fulgencio Factoran, Jr.
Secretary

Recommending Approval:

(signed)
Victor O. Ramos
Undersecretary for Field Operations

(signed)
Delfin J. Ganapin Jr.
OIC-Undersecretary for
Environment and Research

(signed)
Rodrigo U. Fuentes
Director, EMB

Attachment B

**Presidential Decree No.1586
Establishing an Environmental Impact Statement System
Including Other Environmental Management Related Measures
and For Other Purposes**

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 1506

ESTABLISHING AN ENVIRONMENTAL IMPACT STATEMENT SYSTEM INCLUDING OTHER ENVIRONMENTAL MANAGEMENT

RELATED MEASURES AND FOR OTHER PURPOSES.

WHEREAS, the pursuit of a comprehensive and integrated environmental protection program necessitates the establishment and institutionalization of a system whereby the exigencies of socio-economic undertakings can be reconciled with the requirements of environmental quality;

WHEREAS, the regulatory requirements of Environmental Impact Statement and Assessments instituted in pursuit of this national environmental protection program have to work into their full regulatory and procedural details in a manner consistent with the goals of the program.

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 declare:

SECTION 1. *Policy.* — It is hereby declared the policy of the State to attain and maintain a rational and orderly balance between socio-economic growth and environmental protection.

SEC. 2. *Environmental Impact Statement System.* — There is hereby established an Environmental Impact Statement System founded and based on the environmental impact statement required, under Section 4 of Presidential Decree No. 1151, of all agencies and instrumentalities of the national government, including government-owned or controlled corporations, as well as private corporations, firms and entities for every proposed project and undertaking which signi-

ficantly affect the quality of the environment.

SEC. 3. *Determination of Lead Agency.* — The Minister of Human Settlements of his designated representative is hereby authorized to name the Lead Agencies referred to in Section 4 of Presidential Decree No. 1151, which shall have jurisdiction to undertake the preparation of the necessary environmental impact statements on declared environmentally critical projects and areas. All Environmental Impact Statements shall be submitted to the National Environmental Protection Council for review and evolution.

SEC. 4. *Presidential Proclamation of Environmentally Critical Areas and Projects.* — The President of the Philippines may, on his own initiative or upon recommendation of the National Environmental Protection Council, by proclamation declare certain projects, undertakings or areas in the country as environmentally critical. No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate issued by the President or his duly authorized representative. For the proper management of said critical project or area, the President may by his proclamation reorganized such government offices, agencies, institutions, corporations or instrumentalities including the realignment of government personnel, and their specific functions

and responsibilities.

For the same purpose as above, the Ministry of Human Settlements shall: (a) prepare the proper land or water use pattern for said critical project(s) or areas; (b) establish ambient environmental quality standards; (c) develop a program of environmental enhancement or protective measures against calamitous factors such as earthquake, floods, water erosion and others, and (d) perform such other functions as may be directed by the President from time to time.

SEC. 5. *Environmentally Non-Critical Projects.* — All other projects, undertakings and areas not declared by the President as environmentally critical shall be considered as non-critical and shall not be required to submit an environmental impact statement. The National Environmental Protection Council, thru the Ministry of Human Settlements may however require non-critical projects and undertakings to provide additional environmental safeguards as it may deem necessary.

SEC. 6. *Secretariat.* — The National Environmental Protection Council is hereby authorized to constitute the necessary secretariat which will administer the Environmental Impact Statement System and undertake the processing and evaluation of environmental impact statement.

SEC. 7. *Management and Financial Assistance.* — The Ministry of Human Settlements is hereby authorized to provide management and financial support to government offices and instrumentalities placed under its supervision pursuant to this Decree financed from its existing appropriation or from budgetary augmentation as the Minister of Human Settlements may deem necessary.

SEC. 8. *Rules and Regulations.* — The National Environmental Protection Council shall issue the necessary rules and regulations to implement this Decree. For this purpose, the National Pollution Control Commission may be availed of as one of its implementing arms, consistent with the powers and responsibilities of the National Pollution Control Commission as provided in P.D. No. 984.

SEC. 9. *Penalty for Violation.* — Any person, corporation or partnership found violating Section 4, of this Decree, or the terms and conditions in the issuance of the Environmental Compliance Certificate, or of the standards, rules and regulations issued by the National Environmental

Protection Council pursuant to this Decree shall be punished by the suspension or cancellation of his/its certificate and/or a fine in an amount not to exceed fifty thousand pesos (50,000.00) for every violation thereof, at the discretion of the National Environmental Protection Council.

SEC. 10. *Environmental Revolving Fund.* — Proceeds from the penalties prescribed in the preceding Section 9 and other penalties imposed by the National Pollution Control Commission as authorized in P.D. 984 shall be automatically appropriated into an Environment Revolving Fund hereby created as an exemption to P.D. 711 and P.D. 1234. The fund shall be used exclusively for the operations of the National Environmental Protection Council and the National Pollution Control Commission in the implementation of this Decree. The rules and regulations for the utilization of this fund shall be formulated by the Ministry of Human Settlements and submitted to the President for approval.

SEC. 11. *Repealing Clause.* — The inter-agency Advisory Council of the National Pollution Control Commission created under Section 4 of P.D. 984 is hereby abolished and its powers and responsibilities are forthwith delegates and transferred to the Council of the National Environmental Protection Council.

All laws, decrees, executive orders, rules and regulations, inconsistent herewith are hereby repealed amended or modified accordingly.

SEC. 12. *Effectivity Clause.* — This Decree shall take effect immediately.

DONE in the City of Manila, this 11th day of June in the year of Our Lord Nineteen Hundred and Seventy-Eight.

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

BY THE PRESIDENT

(SGD.) JACOB C. CLAVE
Presidential Executive Assistant

Certified Copy:

(SGD.) MELOUIDES T. DELA CRUZ
Presidential Staff, Director
Malacanang Records Office

RULES AND REGULATIONS IMPLEMENTING THE INTENT AND PROVISIONS OF PRESIDENTIAL DECREE NO. 1586 ESTABLISHING THE ENVIRONMENTAL IMPACT STATEMENT SYSTEM IN RELATION TO PRESIDENTIAL DECREE NO. 1151 PROMULGATING THE PHILIPPINE ENVIRONMENTAL POLICY

Pursuant to Section 8 of Presidential Decree No. 1586, in relation to Sec. 4 of P.D. No. 1151, the National Environmental Protection Council (NEPC) hereby adopts the following rules and regulations.

**ARTICLE I
SCOPE, DEFINITION OF TERMS
FUNCTIONS, AND RESPONSIBILITIES**

SECTION 1. Scope. — These revised rules and regulations shall apply to project planned by any government agency or instrumentality including government-owned or controlled corporations, private corporations, firms, individuals or other entities, which fall within the definition of an Environmentally Critical Project, or which will be located within an Environmentally Critical Area. The proponents/planners of such projects shall obtain an Environmental Compliance Certificate as herein provided.

SEC. 2. Definition of Terms. — For purposes of these revised rules and regulations.

a) "Environment" means all facets of man's surroundings: physical, ecological, aesthetic, cultural, economic, historic, institutional and social;

b) "Project" means activities including actions, programs, or undertakings, regardless of magnitude, which may have significant impact on the environment;

c) "Project Proponent" refers to persons, owners/agents, organizations, or other entities planning or proposing to undertake a project;

d) "Lead Agency" refers to government agency or agencies which have the expertise and direct responsibility concerning particular types of projects or undertakings as listed in Appendix A hereof;

e) "Environmental Compliance Certificate" refers to the document issued by the President of the Philippines or his duly authorized representative certifying that the project under consideration will not bring about an unacceptable environ-

mental impact and that the proponent has complied with the requirements of the Environmental Impact Statement System;

f) "Project Description" refers to the document submitted by the project proponent substantially describing the proposed project particularly those aspects of the project which will likely cause adverse environmental impact. Such project description shall substantially conform with the outline set forth in Appendix B hereof;

g) "Environmental Impact Statement" (EIS) refers to the documentation of the studies of the environmental impact of a project including a discussion of the direct and indirect consequences upon human welfare and ecological and environmental integrity. The EIS may vary from project to project but shall in every case contain all relevant environmental informations and details about the project to enable the NEPC to make a judicious decision.

SEC. 3. Functions of Lead Agencies. — The lead agencies shall.

a) In the preparation of the EIS and the determination of environmentally critical projects:

1. Assist the project proponents in determining whether the project is environmentally critical or will be located within an environmentally critical area;

2. Assist project proponents in complying with the requirements of the EIS System as provided herein. The assistance to be provided shall be limited to the rendering explanations of the EIS System and Environmental Assessment, methodologies for preparing an EIS and collecting data, and to the making of suggestions as to where the proponent may get further information or assistance. The lead agency is not obliged to provide manpower in collecting data or to prepare an EIS for the project proponent;

b) Store information on environment parameters which are pertinent to projects for which they are responsible and to make the same available to project proponent.

SEC. 4. Functions of the NEPC Secretariat. — The NEPC Secretariat shall.

a) Serve as the administrative body which shall carry out the procedural processes of the EIS System;

b) Assist lead agencies in the discharge of their functions;

c) Evaluate EIS documents to serve as basis for recommending the issuance of an Environmental Compliance Certificate;

d) Prescribe the appropriate outline for specific projects;

e) Coordinate with the NPCC in the monitoring of project granted an Environmental Compliance Certificate;

f) Perform such other functions, as may be assigned to it from time to time by the NEPC.

If a project falling within the scope of the EIS System is also subject to regulatory or licensing procedures of agencies other than NEPC, the environmental information requirements of such agencies shall be integrated into the prescribed outline for the EIS.

SEC. 5. *EIS Review Committee.* — There shall be an EIS Review Committee to be created by the NEPC within the NEPC Secretariat which shall be composed of experts from various fields whose main task is to assist the NEPC in evaluating EIS and other documents pursuant to these rules and regulations: provided, that a representative of the NEPC shall sit with the committee for the purpose.

The EIS Review Committee shall, among others, include the following as members: ecologist, limnologist, physicist, environmental chemist, wildlife biologist, botanist, hydrologist, sociologist, environmental economist, marine ecologist, soil scientist, health expert, geologist, environmental engineer, historian, archeologist, and environmental lawyer.

SEC. 6. *Rights and Obligations of Interested Parties.* — Interested parties may:

a) Suggest to NEPC the inclusion of certain projects or areas which in their opinion are environmentally critical;

b) Appear and adduce evidence in public hearings;

c) Submit written comments on the environmental law, rules, and regulations;

d) Report to NEPC violations of environmental law, rules, and regulations.

SEC. 7. *Duties and Responsibilities of a Project Proponent.* — Project proponents shall prior to project implementations:

a) Identify the lead agency with which to coordinate;

b) Prepare and submit pertinent documents required by the agencies and/or the NEPC;

c) Gather all informations necessary for the preparation of an EIS if required, provided that the cost of data gathering, plan preparation, documentation, publication, and other expenses in connection therewith shall be borne by project proponents.

SEC. 8. *Programmatic Compliance.* — Any project proponent intending to implement a program consisting of a series of similar projects, or a project subdivided into several phases and/or stages may file for an EIS to cover its intended program or project, respectively. The EIS Review Committee shall determine at this stage whether or not programmatic compliance with the EIS System is feasible in each case, and advise the project proponent as to whether the EIS may be prepared in programmatic form.

ARTICLE II

DECLARATION OF ENVIRONMENTALLY CRITICAL PROJECTS OR AREAS

SECTION 1. *Declaration of Environmentally Critical Projects or Areas.* — The declaration of certain projects or areas a environmentally critical shall be by Presidential Proclamation in accordance with Sec. 4 of P.D. No. 1586. Such environmentally critical projects or areas so declared shall fall within the scope of the EIS System.

SEC. 2. *Compliance with the EIS System.* — No project which falls within the scope of the EIS System shall be implemented without first securing an Environmental Compliance Certificate, provided that the President or his duly authorized representative may, *motu proprio* or upon recommendation of the NEPC, for reasons of national interest or in compliance with international commitment, exempt a project from the requirement of submitting EIS. Such exemption, however, shall not preclude the NEPC or appropriate lead agency from requiring the project proponent to institute necessary remedial measures to protect the environment.

SEC. 3. *Criteria.* — The NEPC shall, after exhaustive studies and extensive research and consultations, formulate and adopt the criteria to be used as bases for determining the projects or areas that shall be declared an environmentally critical by the President.

ARTICLE III

PROCEDURES

SECTION 1. Environmental Compliance Certificate. — The following procedures shall be observed in obtaining an Environmental Compliance Certificate:

a) The project proponent initially determines whether or not a project falls within the EIS System. In case of uncertainty, the project proponent shall request the assistance of the lead agency to make such determination;

In case of a negative determination the project proponent may proceed with the project;

In case of a positive determination, the project proponent shall be required to file a Project Description with the NEPC in the form prescribed for this purpose;

b) The EIS Review Committee of NEPC studies the Project Description. If the proposed project is to be located within an Environmentally Critical Area, but does not fall under any of the categories of Environmentally Critical Projects, and should it be determined by the Committee that said proposed project will have no or negligible effects upon the Environmentally Critical Area, the Committee may immediately recommend to the President or his duly authorized representative, the issuance of an Environmental Compliance Certificate for the project;

If the Committee determines that the proposed project is not within the scope of the EIS System, the NEPC shall immediately inform the project proponent to proceed with the project but may require the latter to adopt appropriate environmental safeguards as it may deem necessary;

The required action under this sub-section shall be completed within fifteen (15) working days from receipt of a duly accomplished project description;

c) The project proponent shall prepare an Environmental Impact Assessment reported in the form of a draft EIS to be submitted to the lead agency including all the data required by the NEPC. The NEPC prescribed outline shall be followed in preparing the EIS for the project;

d) The lead agency shall review the draft EIS and cause the preparation of the final EIS to be submitted to the NEPC. Expenses for the preparation of the EIS shall be on the account of

the project proponent;

The Committee shall decide within fifteen (15) working days whether the EIS conforms with the prescribed EIS outline. If not, the project proponent is required to complete and resubmit the same to the Committee which shall act on it within the same period;

Once the EIS is completed, the NEPC Secretariat shall publish a brief description of the project covered and elicit comments from pertinent government agencies or interested parties. All comments must be submitted in writing to NEPC within thirty (30) calendar days from receipt of NEPC request. The NEPC may require the project proponent to reply to any such comments. If the expected environmental impact of the project is of substantial magnitude in terms of the number of people affected, the area affected, the cost involved, inter-alia, the NEPC may call a public hearing, in which case, the provision of Article IV shall apply;

e) The project proponent shall furnish sufficient copies of the EIS documents to the NEPC and to the lead agency. These documents shall be made available for perusal and reproduction to interested parties during the usual business hours;

f) The EIS Review Committee shall deliberate upon the EIS, and evaluate all comments submitted by interested parties and commenting agencies. Within fifteen (15) working days after receipt of the report of the hearing officer, the Committee shall.

1. recommend to the President the issuance of an Environmental Compliance Certificate; or

2. advise the project proponent that his projects as planned will bring about unacceptable environmental impacts unless modified, in which case, the project proponent may modify the plan and submit a revised EIS in accordance with the procedure determined by the Committee; or

3. advise the project proponent that the project is totally unacceptable stating the reasons therefor.

SEC. 2. Flow Chart.—The procedures set forth in Sec. 1 of this Article is presented in a flow chart attached hereto as Appendix D which shall form part of these revised rules and regulations.

ARTICLE IV
PUBLIC HEARING

SECTION 1. *Notice.* — Whenever a public hearing is to be conducted under these revised rules and regulations, notice thereof shall be published once a week for two (2) consecutive weeks in any newspaper of general circulation at least twenty (20) calendar days prior to public hearing. Notice shall likewise be posted in a conspicuous place in the municipality or barangay where the project is to be located. All the expenses of the notices shall be for the account of the project proponent. The NEPC Secretariat shall solicit in writing comments from other government agencies with expertise or regulatory power over the proposed project, as well as the designated lead agency.

SEC. 2. *Designation of Hearing Officers.* — The NEPC may appoint/designate any qualified person as a Hearing Officer, to conduct the public hearing.

SEC. 3. *Power and Duties of Hearing Officers.* — Hearing Officers shall have the power and authority to conduct proceedings in the name of the NEPC with the aim of further eliciting more pertinent facts and information. He may adopt such procedures as maybe necessary for the speedy disposition of the application involved.

SEC. 4. *Parties.* — The parties to the public hearing may include the project proponent, the lead agencies concerned, the commenting agencies, and other interested parties.

SEC. 5. *Nature of Proceedings.* — The proceedings in the public hearing shall be summary in character and may not strictly adhere to the technical rules of evidence and procedures. The proceedings shall be duly recorded.

SEC. 6. *Report.* — The hearing officer shall render a report of his findings to the EIS Review Committee within fifteen (15) working days from the termination of the hearing.

ARTICLE V
GENERAL PROVISIONS

SECTION 1. *Penalties.* — Any person, natural or juridical, found violating the provisions of these revised rules and regulations or the directives and order issued thereunder by the NEPC or its

duly authorized representatives or agencies, shall be punished by the suspension or cancellation of his/its Environmental Compliance Certificate and/or a fine not to exceed Fifty Thousand Pesos (P50,000.00) for every violation thereof at the discretion of the NEPC.

SEC. 2. *Transitory Provision.* — All projects where an EIS is required under Presidential Decree No. 1151, and its implementing rules and regulations and guidelines, the proponents of which have not prepared the necessary EIS and/or obtained approval thereof from the NEPC at the time of the effectivity of these rules and regulations, shall be now governed by the provisions hereof.

SEC. 3. *Repealing Clause.* — All provisions of the Rules and Regulations and the Guidelines, including all revisions or amendments thereof, issued by the NEPC pursuant to Section 4 of Presidential Decree No. 1151, are hereby repealed, amended and/or modified accordingly.

SEC. 4. *Effectivity.* — These revised rules and regulations shall take effect thirty (30) days after publication thereof in the Official Gazette.

APPROVED:

IMELDA ROMUALDEZ MARCOS
Chairman
NATIONAL ENVIRONMENTAL
PROTECTION COUNCIL
Ministry of Human Settlements

RECOMMENDING APPROVAL:

CELSO R. ROQUE
Executive Director
National Environmental
Protection Council

EIS Implementing Rules and Regulations

Pursuant to the provisions of Presidential Decree No. 1121, and in furtherance of the national policy to effectuate a responsive environmental protection program, these rules and regulations implementing the Environmental Impact Statement System is deemed hereby

approved with the concurrence of the Members of this Council.

Done in the City of Manila this 23rd day of November in the year of Our Lord Nineteen Hundred and Seventy Nine.

WE CONCUR:

JOSE J. LEIDO, JR.
Minister of Natural Resources

JUAN PONCE ENRILE
Minister of National Defense

JOSE ROÑO
Minister of Local Governments
and Community Development

JOSE DANS
Minister of Transportation
and Communications

GERONIMO VELASCO
Minister of Energy

RONALDO ZAMORA
Chairman, Executive Committee
Environmental Center of
the Philippines

RUBEN B. ANCIETA
Presidential Assistant for
Development

ROBERTO ONGPIN,
Minister of Industry

VICENTE PATERNO
Minister of Public Highways

ALFREDO JUINIO
Minister of Public Works

JAIME C. LAYA
Minister of the Budget

MELECIO MAGNO
Chairman, National Science
Development Board

GUILLERMO PECACHE
Commissioner, National Pollution
Control Commission

JOSE C. BENITEZ
Deputy Chairman, Human
Settlements Regulatory
Commission

CELSO R. ROQUE
Secretary

Adopted by the Chairman and Members of
the Council on 23 November, 1979.

Attachment C

**Proclaiming Certain Areas and
Types of Projects as
Environmentally Critical and
Within the Scope of the
Environmental Impact Statement System Established Under
Presidential Decree No.1586**

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 2146

PROCLAIMING CERTAIN AREAS AND TYPES OF PROJECTS AS ENVIRONMENTALLY CRITICAL AND WITHIN THE SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT SYSTEM ESTABLISH UNDER PRESIDENTIAL DECREE NO. 1586

WHEREAS, it is the national policy to attain and maintain a rational and orderly balance between socio-economic growth and environmental conservation and protection;

WHEREAS, there is an urgent need to bring about an intensive, integrated program of environmental protection through a requirement of environmental impact assessments and statements;

WHEREAS, the environmental impact statement system established under Presidential Decree No. 1586 calls for the proper management of environmentally critical area;

WHEREAS, the pursuit of a comprehensive and integrated environmental protection program necessitates the establishment and institutionalization of a system whereby the exigencies of socio-economic undertakings can be reconciled with the requirements of environmental protection and conservation;

WHEREAS, the national leadership mandates the establishment of such a system to regulate and minimize the environmental impacts of projects and undertakings which may significantly affect the quality of the environment in Presidential Decree No. 1586, and

WHEREAS, in the effective implementation of such system, there arises the need to identify and declare certain projects determined to be environmentally critical.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, hereby proclaim the following areas and types of projects as environmentally critical and within the scope of the Environmental Impact Statement System:

A. Environmentally Critical Projects

I. Heavy Industries

- a. Non-ferrous metal industries
- b. Iron and steel mills
- c. Petroleum and petro-chemical industries including oil and gas
- d. Smelting plants

II. Resource Extractive Industries

- a. Major mining and quarrying projects
- b. Forestry projects
 - 1. Logging
 - 2. Major wood processing projects
 - 3. Introduction of fauna (exotic-animals) in public/private forests
 - 4. Forest occupancy
 - 5. Extraction of mangrove products
 - 6. Grazing
- c. Fishery Projects
 - 1. Dikes for/and fishpond development projects

III. Infrastructure Projects

- a. Major dams
- b. Major power plants (fossil-fueled, nuclear fueled, hydroelectric or geothermal)
- c. Major reclamation projects
- d. Major roads and bridges

B. Environmentally Critical Areas

- 1. All areas declared by law as national parks, watershed reserves, wildlife preserves and sanctuaries;
- 2. Areas set aside as aesthetic potential tourist spots;
- 3. Areas which constitute the habitat for any endangered or threatened species of indigenous Philippine Wildlife (flora and fauna);
- 4. Areas of unique historic, archaeological, or scientific interests;
- 5. Areas which are traditionally occupied by cultural communities or tribes;
- 6. Areas frequently visited and/or hard-hit by natural calamities (geologic hazards, floods, typhoons, volcanic activity, etc.);
- 7. Areas with critical slopes;
- 8. Areas classified as prime agricultural lands;
- 9. Recharged areas of aquifers;
- 10. Water bodies characterized by one or any combination of the following conditions;
 - a. tapped for domestic purposes;

- b. within the controlled and/or protected areas declared by appropriate authorities;
 - c. which support wildlife and fishery activities.
11. Mangrove areas characterized by one or any combination of the following conditions:
- a. with primary pristine and dense young growth;
 - b. adjoining mouth of major river systems;
 - c. near or adjacent to traditional productive fry or fishing grounds;
 - d. which act as natural buffers against shore erosion, strong winds and storm floods;
 - e. on which people are dependent for their livelihood.
12. Coral reefs characterized by one or any combination of the following conditions:
- a. With 50% and above live coralline cover;
 - b. Spawning and nursery grounds for fish;
 - c. Which act as natural breakwater of coastlines.

This Proclamation shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 14th day of December, in the year of Our Lord, nineteen hundred and eighty-one.

(SGD.) FERDINAND E. MARCOS
President of the Philippine

Attachment D

**Republic Act and Administrative Order
Related to National Integrated Protected Areas System**

REPUBLIC OF THE PHILIPPINES
CONGRESS OF THE PHILIPPINES
METRO MANILA

Fifth Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second
day of July, nineteen hundred and ninety-one.

(REPUBLIC ACT NO. 7586)

AN ACT PROVIDING FOR THE ESTABLISHMENT AND MANAGEMENT OF NATIONAL
INTEGRATED PROTECTED AREAS SYSTEM, DEFINING ITS SCOPE AND COVER-
AGE, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Title.* — This Act shall be known and referred to as the "National Integrated Protected Areas System Act of 1992."

SEC. 2. *Declaration of Policy.* — Cognizant of the profound impact of man's activities on all components of the natural environment particularly the effect of increasing population, resource exploitation and industrial advancement and recognizing the critical importance of protecting and maintaining the natural biological and physical diversities of the environment notably on areas with biologically unique features to sustain human life and development, as well as plant and animal life, it is hereby declared the policy of the State to secure for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution.

It is hereby recognized that these areas, although distinct in features, possess common ecological values that may be incorporated into a holistic plan representative of our natural heritage; that

effective administration of these areas is possible only through cooperation among national government, local government and concerned private organizations; that the use and enjoyment of these protected areas must be consistent with the principles of biological diversity and sustainable development.

To this end, there is hereby established a National Integrated Protected Areas System (NIPAS), which shall encompass outstanding remarkable areas and biologically important public lands that are habitats of rare and endangered species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine, all of which shall be designated as "protected areas."

SEC. 3. *Categories.* — The following categories of protected areas are hereby established:

- (a) Strict nature reserve;
- (b) Natural park;
- (c) Natural monument;
- (d) Wildlife sanctuary;
- (e) Protected landscapes and seascapes;
- (f) Resource reserve;
- (g) Natural biotic areas; and
- (h) Other categories established by law, conventions or international agreements which the Philippine Government is a signatory.

SEC. 4. *Definition of Terms.* — For purposes of this Act, the following terms shall be defined as follows:

(a) "National Integrated Protected Areas Systems (NIPAS)" is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;

(b) "Protected area" refers to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;

(c) "Buffer zones" are identified areas outside the boundaries of and immediately adjacent to designated protected areas pursuant to Section 8 that need special development control in order to avoid or minimize harm to the protected area;

(d) "Indigenous cultural community" refers to a group of people sharing common bonds of language, customs, traditions and other distinctive cultural traits, and who have, since time immemorial, occupied, possessed and utilized a territory;

(e) "National park" refers to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas;

(f) "Natural monument" is a relatively small area focused on protection of small features to protect or preserve nationally significant natural features on account of their special interest or unique characteristics;

(g) "Natural biotic area" is an area set aside to allow the way of life of societies living in harmony with the environment to adapt to modern technology at their pace;

(h) "Natural park" is a relatively large area not materially altered by human activity where extractive resource uses are not allowed and maintained to protect outstanding natural and scenic areas of national or international significance for scientific, educational and recreational use;

(i) "Protected landscapes/seascapes" are areas of national significance which are characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of these areas;

(j) "Resource reserve" is an extensive and relatively isolated and uninhabited area normally with difficult access designated as such to protect natural resources of the area for future use and prevent or contain development activities that could affect the resource pending the establishment of objectives which are based upon appropriate knowledge and planning;

(k) "Strict nature reserve" is an area possessing some outstanding ecosystem, features and/or species of flora and fauna of national scientific importance maintained to protect nature and maintain processes in an undisturbed state in order to have ecologically representative examples of the natural environment available for scientific study, environmental monitoring, education, and for the maintenance of genetic resources in a dynamic and evolutionary state;

(l) "Tenured migrant communities" are communities within protected areas which have actually and continuously occupied such areas for five (5) years before the designation of the same as protected.

areas in accordance with this Act and are solely dependent therein for subsistence; and

(m) "Wildlife sanctuary" comprises an area which assures the natural conditions necessary to protect nationally significant species, groups of species, biotic communities or physical features of the environment where these may require specific human manipulation for the perpetuation.

SEC. 5. Establishment and Extent of the System. --- The establishment and operationalization of the System shall involve the following:

(a) All areas or islands in the Philippines proclaimed, designated or set aside, pursuant to a law, presidential decree, presidential proclamation or executive order as national park, game refuge, bird and wildlife sanctuary, wilderness area, strict nature reserve, watershed, mangrove reserve, fish sanctuary, natural and historical landmark, protected and managed landscape/seascape as well as identified virgin forests before the effectivity of this Act are hereby designated as initial components of the System. The initial components of the System shall be governed by existing laws, rules and regulations, not inconsistent with this Act;

(b) Within one (1) year from the effectivity of this Act, the DENR shall submit to the Senate and the House of Representatives a map and legal description or natural boundaries of each protected area initially comprising the System. Such maps and legal descriptions shall, by virtue of this Act, constitute the official documentary representation of the entire System, subject to such changes as Congress deems necessary;

(c) All DENR records pertaining to said protected areas, including maps and legal descriptions or natural boundaries, copies of rules and regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications shall be made available to the public. These legal documents pertaining to protected areas shall also be available to the public in the respective DENR Regional Offices, Provincial Environment and Natural Resources Offices (PENROs) and Community Environment and Natural Resources Offices (CENROs) where NIPAS areas are located;

(d) Within three (3) years from the effectivity of this Act, the DENR shall study and review each area tentatively composing the System as to its suitability or nonsuitability for preservation as protected area and inclusion in the System according to the categories established in Section 3 hereof and report its findings to the President as soon as each study is completed. The study must include in each area:

- (1) A forest occupants survey;
- (2) An ethnographic study;
- (3) A protected area resource profile;

(4) Land use plans done in coordination with the respective Regional Development Councils;
and

(5) Such other background studies as will be sufficient bases for selection.

The DENR shall:

(i) Notify the public of the proposed action through publication in a newspaper of general circulation, and such other means as the System deems necessary in the area or areas in the vicinity of the affected land thirty (30) days prior to the public hearing;

(ii) Conduct public hearings at the locations nearest to the area affected;

(iii) At least thirty (30) days prior to the date of hearing advise all local government units (LGUs) in the affected areas, national agencies concerned, people's organizations and nongovernment organizations and invite such officials to submit their views on the proposed action at the hearing not later than thirty (30) days following the date of the hearing; and

(iv) Give due consideration to the recommendations at the public hearing; and provide sufficient explanation for his recommendations contrary to the general sentiments expressed in the public hearing;

(e) Upon receipt of the recommendations of the DENR, the President shall issue a presidential proclamation designating the recommended areas as protected areas and providing for measures for their protection until such time when Congress shall have enacted a law finally declaring such recommended areas as part of the integrated protected area systems; and

(f) Thereafter, the President shall send to the Senate and the House of Representatives his recommendations with respect to the designations as protected areas or reclassification of each area on which review has been completed; together with maps and legal description of boundaries. The President, in his recommendation, may propose the alteration of existing boundaries of any or all proclaimed protected areas, addition of any contiguous area of public land or predominant physical and biological value. Nothing contained herein shall limit the President to propose, as part of his recommendation to Congress, additional areas which have not been designated or executive order as protected areas.

SEC. 6. *Additional Areas to be Integrated to the System.* -- Notwithstanding the establishment of the initial component of the System, the Secretary shall propose the inclusion in the System of additional areas with outstanding physical features, anthropological significance and biological diversity in accordance with the provisions of Section 5 (d).

SEC. 7. *Disestablishment as Protected Area.* -- When in the opinion of the DENR a certain

protected area should be withdrawn or disestablished, or its boundaries modified as warranted by a study and sanctioned by the majority of the members of the respective boards for the protected area as herein established in Section 11, it shall, in turn, advise Congress. Disestablishment of a protected area under the System or modification of its boundary shall take effect pursuant to an act of Congress. Thereafter, said area shall revert to the category of public forest unless otherwise classified by Congress: *Provided, however,* That after disestablishment by Congress, the 'Secretary' may recommend the transfer of such disestablishment area to other government agencies to serve other priority programs of national interest.

SEC. 8. *Buffer Zones.* — For each protected area, there shall be established peripheral buffer zones when necessary, in the same manner as Congress establishes the protected area, to protect the same from activities that will directly and indirectly harm it. Such buffer zones shall be included in the individual protected area management plan that shall be prepared for each protected area. The DENR shall exercise its authority over protected areas as provided in this Act on such area designated as buffer zones.

SEC. 9. *Management Plans.* — There shall be a general management planning strategy to serve as guide in formulating individual plans for each protected area. The management planning strategy shall, at the minimum, promote the adoption and implementation of innovative management techniques including, if necessary, the concept of zoning, buffer zone management for multiple use and protection, habitat conservation and rehabilitation, diversity management, community organizing socioeconomic and scientific researches, site-specific policy development, pest management, and fire control. The management planning strategy shall also provide guidelines for the protection of indigenous cultural communities, other tenured migrant communities and sites and for close coordination between and among local agencies of the Government as well as the private sector.

Each component area of the System shall be planned and administered to further protect and enhance the permanent preservation of its natural conditions. A management manual shall be formulated and developed which must contain the following: an individual management plan prepared by three (3) experts, basic background information, field inventory of the resources within the area, an assessment of assets and limitations, regional interrelationships, particular objectives for managing the area, appropriate division of the area into management zones, a review of the boundaries of the area, and a design of the management programs.

SEC. 10. *Administration and Management of the System.* — The National Integrated Protected Area System is hereby placed under the control and administration of the Department of Environment and Natural Resources. For this purpose, there is hereby created a division in the regional offices of the Department to be called the Protected Areas and Wildlife Division in regions where protected areas have been established, which shall be under the supervision of a Regional Technical Director, and shall include subordinate officers, clerks, and employees as may be proposed by the Secretary, duly approved by the Department of Budget and Management, and appropriated for by Congress. The Service thus established shall manage protected areas and promote the permanent preservation, to the greatest extent possible of their natural conditions.

To carry out the mandate of this Act, the Secretary of the DENR is empowered to perform any and all of the following acts:

- (a) To conduct studies on various characteristic features and conditions of the different protected areas, using commonalities in their characteristics, classify and define them into categories and prescribe permissible or prohibited human activities in each category in the System;
- (b) To adopt and enforce a land-use scheme and zoning plan in adjoining areas for the preservation and control of activities that may threaten the ecological balance in the protected areas;
- (c) To cause the preparation of and exercise the power to review all plans and proposals for the management of protected areas;
- (d) To promulgate rules and regulations necessary to carry out the provisions of this Act;
- (e) To deputize field officers and delegate any of his powers under this Act and other laws to expedite its implementation and enforcement;
- (f) To fix and prescribe reasonable NIPAS fees to be collected from government agencies or any person, firm or corporation deriving benefits from the protected areas;
- (g) To exact administrative fees and fines as authorized in Section 21 for violations of guidelines, rules and regulations of this Act as would endanger the viability of protected areas;
- (h) To enter into contracts and/or agreements with private entities or public agencies as may be necessary to carry out the purposes of this Act;
- (i) To accept in the name of the Philippine Government and in behalf of NIPAS funds, gifts or bequests of money for immediate disbursements or other property in the interest of the NIPAS, its activities, or its services;
- (j) To call on any agency or instrumentality of the Government as well as academic institutions, nongovernment organizations and the private sector as may be necessary to accomplish the objectives and activities of the System;
- (k) To submit an annual report to the President of the Philippines and to Congress on the status of protected areas in the country;
- (l) To establish a uniform marker for the System, including an appropriate and distinctive symbol for each category in the System, in consultation with appropriate government agencies

and public and private organizations;

(m) To determine the specification of the class, type and style of buildings and other structures to be constructed in protected areas and the materials to be used;

(n) Control the construction, operation and maintenance of roads, trails, waterworks, sewerage, fire protection, and sanitation systems and other public utilities within the protected area;

(o) Control occupancy of suitable portions of the protected area and resettle outside of said area forest occupants therein, with the exception of the members of indigenous communities area; and

(p) To perform such other functions as may be directed by the President of the Philippines, and to do such acts as may be necessary or incidental to the accomplishment of the purpose and objectives of the System.

SEC. 11. Protected Area Management Board. -- A Protected Area Management Board for each of the established protected area shall be created and shall be composed of the following: the Regional Executive Director under whose jurisdiction the protected area is located; one (1) representative from the autonomous regional government, if applicable; the Provincial Development Officer; one (1) representative from the municipal government; one (1) representative from each barangay covering the protected area; one (1) representative from each tribal community, if applicable; and, at least three (3) representatives from nongovernment organizations/local community organizations, and if necessary, one (1) if representative from other departments or national government agencies involved in protected area management.

The Board shall, by a majority vote, decide the allocations for budget, approve proposals for funding, decide matters relating to planning, peripheral protection and general administration of the area in accordance with the general management strategy. The members of the Board shall serve for a term of five (5) years without compensation, except for actual and necessary traveling and subsistence expenses incurred in the performance of their duties. They shall be appointed by the Secretary of the DENR as follows:

(a) A member who shall be appointed to represent each local government down to barangay level whose territory or portion is included in the protected area. Each appointee shall be the person designated by the head of such LGU, except for the Provincial Development Officer who shall serve *ex officio*;

(b) A member from nongovernment organizations who shall be endorsed by heads of organizations which are preferably based in the area or which have established and recognized interest in protected areas;

(c) The RED/s in the region/s where such protected area lies shall sit as *ex officio* member of the Board and shall serve as adviser/s in matters related to the technical aspect of management of the area; and

(d) The RED shall act as chairman of the Board. When there are two (2) or more REDs in the Board, the secretary shall designate one (1) of them to be Chairman. Vacancies shall be filled in the same manner as the original appointment.

SEC. 12. *Environmental Impact Assessment.* — Proposals for activities which are outside the scope of the management plan for protected areas shall be subject to an environmental impact assessment as required by law before they are adopted, and the results thereof shall be taken into consideration in the decision-making process. No actual implementation of such activities shall be allowed without the required Environmental Compliance Certificate (ECC) under the Philippine Environment Impact Assessment (EIA) system. In instances where such activities are allowed to be undertaken, the proponent shall plan and carry them out in such manner as will minimize any adverse effects and take preventive and remedial action when appropriate. The proponent shall be liable for any damage due to lack of caution or indiscretion.

SEC. 13. *Ancestral Lands and Rights Over Them.* — Ancestral lands and customary rights and interest arising shall be accorded due recognition. The DENR shall prescribe rules and regulations to govern ancestral lands within protected areas: Provided, That the DENR shall have no power to evict indigenous communities from their present occupancy nor resettle them to another area without their consent: Provided, however, That all rules and regulations, whether adversely affecting said communities or not, shall be subjected to notice and hearing to be participated in by members of concerned indigenous community.

SEC. 14. *Survey for Energy Resources.* — Consistent with the policies declared in Section 2, hereof, protected areas, except strict nature reserves and natural parks, may be subjected to exploration only for the purpose of gathering information on energy resources and only if such activity is carried out with the least damage to surrounding areas. Surveys shall be conducted only in accordance with a program approved by the DENR, and the result of such surveys shall be made available to the public and submitted to the President for recommendation to Congress. Any exploitation and utilization of energy resources found within NIPAS areas shall be allowed only through a law passed by Congress.

SEC. 15. *Areas Under the Management of Other Departments and Government Instrumentalities.* — Should there be protected areas, or portions thereof, under the jurisdiction of government instrumentalities other than the DENR, such jurisdictions shall, prior to the passage of this Act, remain in the said department or government instrumentality: Provided, That the department or government instrumentality exercising administrative jurisdiction over said protected area or a portion thereof shall coordinate with the DENR in the preparation of its management plans, upon the effectivity of this Act.

SEC. 16. *Integrated Protected Areas Fund.* — There is hereby established a trust fund to be known as Integrated Protected Areas (IPAS) Fund for purposes of financing projects of the System. The IPAS may solicit and receive donations, endowments, and grants in the form of contributions, and such endowments shall be exempted from income or gift taxes and all other taxes, charges or fees imposed by the Government or any political subdivision or instrumentality thereof.)

All incomes generated from the operation of the System or management of wild flora and fauna shall accrue to the Fund and may be utilized directly by the DENR for the above purpose. These incomes shall be derived from:

(a) Taxes from the permitted sale and export of flora and fauna and other resources from protected areas;

(b) Proceeds from lease of multiple-use areas;

(c) Contributions from industries and facilities directly benefiting from the protected area; and

(d) Such other fees and incomes derived from the operation of the protected area.

Disbursements from the Fund shall be made solely for the protection, maintenance, administration, and management of the System, and duly approved projects endorsed by the PAMBs, in the amounts authorized by the DENR.

SEC. 17. *Annual Report to Congress.* — At the opening of each session of Congress, the DENR shall report to the President, for transmission to Congress, on the status of the System, regulation in force and other pertinent information, together with recommendations.

SEC. 18. *Field Officers.* — All officials, technical personnel and forest guards employed in the integrated protected area service or all persons deputized by the DENR, upon recommendation of the Management Board shall be considered as field officers and shall have the authority to investigate and search premises and buildings and make arrests, in accordance with the rules on criminal procedure for the violation of laws and regulations relating to protected areas. Persons arrested shall be brought to the nearest police precinct for investigation.

Nothing herein mentioned shall be construed as preventing regular law enforcers and police officers from arresting any person in the act of violating said laws and regulations.

SEC. 19. *Special Prosecutors.* — The Department of Justice shall designate special prosecutors to prosecute violations of laws, rules and regulations in protected areas.

SEC. 20. *Prohibited Acts.* — Except as may be allowed by the nature of their categories and

pursuant to rules and regulations governing the same, the following acts are prohibited within protected areas:

- (a) Hunting, destroying, disturbing, or mere possession of any plants or animals or products derived therefrom without a permit from the Management Board;
- (b) Dumping of any waste products detrimental to the protected area, or to the plants and animals or inhabitants therein;
- (c) Use of any motorized equipment without a permit from the Management Board;
- (d) Mutilating, defacing or destroying objects of natural beauty, or objects of interest to cultural communities (of scenic value);
- (e) Damaging and leaving roads and trails in a damaged condition;
- (f) Squatting, mineral locating, or otherwise occupying any land;
- (g) Constructing or maintaining any kind of structure, fence or enclosures, conducting any business enterprise without a permit;
- (h) Leaving in exposed or unsanitary conditions refuse or debris, or depositing in ground or in bodies of water; and
- (i) Altering, removing, destroying or defacing boundary marks or signs.

SEC. 21. *Penalties.* — Whoever violates this Act or any rules and regulations issued by the Department pursuant to this Act or whoever is found guilty by a competent court of justice of any of the offenses in the preceding section shall be fined in the amount of not less than Five thousand pesos (P5,000) nor more than Five hundred thousand pesos (P500,000), exclusive of the value of the thing damaged or imprisonment for not less than one (1) year but not more than six (6) years, or both, as determined by the court: *Provided, That,* if the area requires rehabilitation or restoration as determined by the court, the offender shall also be required to restore or compensate for the restoration to the damage: *Provided, further,* That the court shall order the eviction of the offender from the land and the forfeiture in favor of the Government of all minerals, timber or any species collected or removed including all equipment, devices and firearms used in connection therewith, and any construction or improvement made thereon by the offender. If the offender is an association or corporation, the president or manager shall be directly responsible for the act of his employees and laborers: *Provided, finally,* That the DENR may impose administrative fines and penalties consistent with this Act.

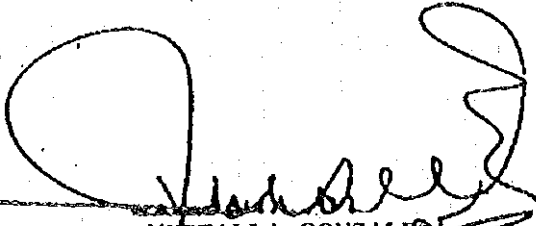
SEC. 22. *Separability Clause.* — If any part or section of this Act is declared unconstitutional,

such declaration shall not affect the other parts or sections of this Act.

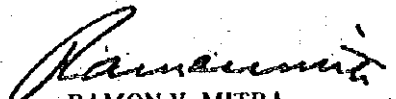
SEC. 23. *Repealing Clause.* — All laws, presidential decrees, executive orders, rules and regulations inconsistent with any provisions of this Act shall be deemed repealed or modified accordingly.

SEC. 24. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

Approved,

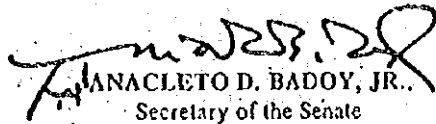


NIPTALI A. GONZALES
President of the Senate

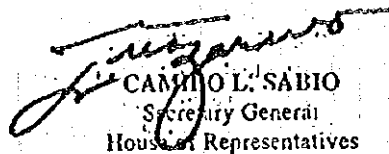


RAMON V. MITRA
Speaker of the House of Representatives

This Act which is consolidation of House Bill No. 34696 and Senate Bill No. 1914 was finally passed by the House of Representatives and the Senate on February 6, 1992.

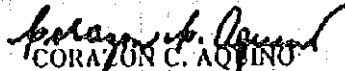


TANACLETO D. BADOY, JR.
Secretary of the Senate



CAMILO L. SABIO
Secretary General
House of Representatives

Approved: June 1, 1992



CORASON C. AQUINO
President of the Philippines



DEPARTMENT OF
ENVIRONMENT AND
NATURAL RESOURCES

DEPARTMENT ADMINISTRATIVE ORDER)
NO. 25
Series of 1992

June 29, 1992

**SUBJECT: NATIONAL PROTECTED AREAS SYSTEM (NIPAS)
IMPLEMENTING RULES AND REGULATIONS**

Pursuant to Section 10(d) of Republic Act No. 7586 otherwise known as the "National Integrated Protected Areas System Act of 1992" (the Act), this Administrative Order setting forth the rules and regulations governing implementation of the Act is hereby promulgated.

The purpose of this Order is to set forth in detail the processes by which DENR and other concerned institutions and agencies will establish, administer and manage the NIPAS, focusing particularly on the twin objectives of biodiversity conservation and sustainable development.

For the purposes of this Order, the categories of protected areas and the definitions of terms are those provided in Sections 3 and 4 of the Act.

Chapter I
Basic Policy

Section 1. The policy of the State provides that the management, protection, sustainable development, and rehabilitation of protected areas shall be undertaken primarily to ensure the conservation of biological diversity and that the use and enjoyment of protected areas must be consistent with that principle. It is further acknowledged that the effective administration of the NIPAS will require a partnership between the Government through the DENR, and other interested parties including the indigenous cultural communities.

Chapter II
Scope

Section 2. This Order shall apply to all areas that, prior to the effectivity of the Act on 01 June 1992, have been designated or set aside pursuant to a law, presidential decree, presidential

proclamation or executive order as a national park, game refuge, bird and wildlife sanctuary, wilderness area, strict nature reserve, watershed, mangrove reserve, fish sanctuary, natural and historical landmark, protected and managed landscape or seascape as well as to identified virgin forests. It shall also apply to other protected areas that may later be established pursuant to the Act.

Chapter III The Establishment of NIPAS Areas

Establishing Initial Components of the System

Section 3. The first stage in the establishment of the initial components of the NIPAS will involve a four-step process for the DENR. The steps will include: (i) compiling technical descriptions and maps of the areas designated in Section 2; (ii) an initial screening of these areas for their suitability for inclusion in the NIPAS; (iii) studies and public hearings to build a case for formal establishment of suitable areas in this group as protected areas; and (iv) preparing final recommendations for the President and the Congress. The DENR Regional Office under the direction of the Regional Executive Director (RED) shall undertake or cause to undertake the activities from (a) to (i) below, as a preparatory stage for the establishment of the initial components of the NIPAS:

(a) *Compilation of Maps and Technical Descriptions of Protected Areas.* — Within ninety (90) days from effectivity of this Order, compile and submit to the Secretary, maps and corresponding technical descriptions of all areas under the jurisdiction of the Region that are covered under Section 2 of this Order. These materials shall be submitted to the Congress by the Secretary within one (1) year from effectivity of this Order and constitute the official documents representing the initial components of the NIPAS. Areas so documented shall be governed by existing laws, rules and regulations consistent with the Act.

In developing technical descriptions for identified virgin forests, include mossy forest as well as any contiguous residual forest of good quality that is above 1000 meters in elevation or slopes greater than fifty (5) percent.

(b) *Initial Screening.* — After the maps and technical descriptions of the initial NIPAS components have been compiled, evaluate the suitability or unsuitability of each area for inclusion in the NIPAS under one or more of the existing protected area categories provided in the Act. Criteria and guidelines for the evaluation shall be provided by the Secretary. Areas regarded as unsuitable shall, together with the rationale for that decision, be reported to the Secretary within nine (9) months from the effectivity of this Order.

(c) *Public Notification.* — The general public, local government units, non-government organization, indigenous communities and all other concerned institutions and agencies shall be informed through the various media of: (i) presence of protected areas within their locality; (ii) the result of the initial screening by the DENR; (iii) the NIPAS Law, (iv) this order, and other relevant

documents pertaining to the NIPAS. The maps and technical descriptions of areas covered under Section 2 shall be made available to the public at RENRO, PENRO and CENRO offices and posted in municipal and/or barangay halls and other conspicuous public places near the said areas.

A national information and education program shall also be undertaken by the DENR to inform the general public of the existence of the NIPAS and its goals, objectives and activities.

(d) *Initial Consultation.* — Organize consultative meetings at locations within or near the areas identified for possible establishment as protected areas, providing at least thirty (3) days notice to the public prior to such meetings. Among the topics that shall be presented and discussed in said public meetings are: (i) the effects of forest destruction; (ii) the importance of biodiversity conservation and watershed protection; (iii) the NIPAS Act, this Order and other relevant regulatory documents; (iv) the role of the Protected Area Management Board; (v) strategies for recognizing ancestral domain and addressing other tenure issues; and (vi) the relationships of biodiversity conservation to livelihood in protected areas. Records on the consultation as well as the names of participants and any written comments presented shall be submitted to the Secretary.

(e) *Census and Registration of Protected Area Occupants.* — Undertake a census of persons living in the proposed protected area and buffer zones or otherwise utilizing them, using the format provided by the Secretary. These activity should establish basic census data, the ethnographic and tenure status of migrants and indigenous communities as well as provide a basis for planning buffer zones and alternative livelihood activities. In the ten initial sites funded by the GEF, the NGO and DENR site staff shall participate in the data collection under the direction of a competent NGO or consultant as a means of becoming better acquainted with the site and its people. Copies of any previous forest occupant census conducted in the area should be obtained for the purpose of corroborating claims of tenure. This shall be completed within a period of six (6) months after the deadline set in Section 3.a.

(f) *Resource Profiling.* — Gather and compile relevant information on the biophysical features of the area, including topography, unique geological features, soil type, existing vegetation cover and flora and fauna, particularly threatened and endangered species, as well as important nesting and/or breeding sites. Present the results using a standard format provided by the Secretary. A brief history of man-made disturbances and ongoing programs/projects, research and other development activities shall also be included. This activity shall be completed within a period of twelve (12) months after public notification on the existence of the initial components of NIPAS.

(g) *Initial Protected Area Plan.* — Compile information developed in the studies and from other available sources. If the area is still judged to be suitable for inclusion in the NIPAS, develop a land use plan for each proposed protected area in coordination with the Regional Development Council. Involve indigenous cultural communities and tenured migrants within the proposed protected area and others within adjoining buffer zones and nearby communities as partners in this planning process. The finished plan shall include: (i) the basic rationale for the protected area; (ii) proposed boundaries

including buffer zones; and (iii) an initial designation of management zones, including buffer zones, with purposes; strategies and allowable uses specified for each. Boundaries and management zones shall also be indicated on maps of 1:50,000 scale or larger.

(h) *Public Hearings.* -- Conduct public hearings on the proposed inclusion of each area under the NIPAS. The DENR shall: (i) notify the public of proposed establishment of the protected area under the NIPAS Act through publication in newspapers of general circulation and such other means deemed necessary in the vicinity of the affected land at least 30 days prior to the public hearing, ensuring that all affected local government units (LGUs), concerned national agencies, indigenous community people's organizations and NGOs are properly notified; (ii) conduct public hearings at locations nearest to the affected land; (iii) present the basic rationale for establishment and for the proposed boundaries including the buffer zones, giving particular emphasis to the issues of the basic management plan, the recognition of indigenous community rights, tenure and livelihood potential that would be allowed and/or provided; (iv) make a written record of the names of those in attendance and of the proceedings; (v) allow all who are present an opportunity to state their views and/or submit them in writing; and (vi) allow the further submission of views on the proposed action in writing for 30 days following the hearing date.

(i) *Regional Review and Recommendation.* -- Following the public hearings, make any modifications of the boundary and/or management plan that may be warranted and, if sufficient public support for inclusion of the area under the NIPAS is evident, prepare and submit to the Secretary a report that includes a draft Presidential Proclamation designating the area as a protected area, a statement summarizing the rationale for establishment, the basic management approach, photographs, a map and technical description that includes buffer zones, a record of the public hearings and such other documents as may be required, using a format provided by the Secretary. For the initial components of the system, this must be completed within two-and-one-half (2.5) years from the effectivity of the Act.

(j) *National Review and Recommendation.* -- Within three (3) years of the effectivity of the Act, the Secretary, based on the review of recommendations made by the Regional Offices, shall recommend to the President the areas for inclusion as initial components under the NIPAS. The Secretary shall likewise recommend to the President for endorsement to the Congress the disestablishment of areas from the initial components that, after study and review, are deemed unsuitable for inclusion under the NIPAS (see Section 5 below).

(k) *Presidential Proclamation.* -- Upon receipt of DENR recommendation and supporting documents, the President shall issue a Presidential Proclamation designating the recommended area as a protected area and providing for protection measures until such time as Congress shall have enacted a law declaring the area as part of NIPAS.

(l) *Congressional Action.* -- For areas recommended by the Secretary and proclaimed by the President, a law pursuant to the NIPAS shall be enacted by Congress.

(m) *Demarcation.* — Upon enactment of a law defining and establishing a protected area, the boundary of the said area shall be established and demarcated on the ground with concrete monuments or other prominent physical landmarks or features. Index and station numbers shall be engraved on the monuments or markers to serve as reference. In the case of marine protected areas, boundaries shall be marked where practicable, with internationally-accepted buoys.

Later Components of the NIPAS

Section 4. Establishment of Additional Protected Areas: — Notwithstanding the establishment of the above initial components of the NIPAS, additional protected areas may be proposed by the Secretary following the provisions of Section 5 (d) of the Act and in accordance with procedures set forth in Sections 3 (e)-3 (j) of this Order. In this instance, Section 3 (a) - 3 (b) would be replaced by an initial reconnaissance survey to verify the area's biodiversity or other special features and to identify probable boundaries, mapping at a scale of 1:50,000 and a written rationale for proposing the area for inclusion in the NIPAS.

Section 5. Disestablishment of Protected Areas Including Alterations of Boundaries. — Pursuant to Section 7 of the Act, a protected area may be disestablished or its boundaries modified in accordance with the following procedures:

(a) The basis for recommending for disestablishment or boundary modification of an established protected area shall be warranted by a study prepared for the purpose. Such a study shall be undertaken by the pertinent regional office under the direction/supervision of the RED;

(b) Results of the study and recommendation for disestablishment or boundary modification shall be presented at public hearings prior to submission to the Secretary. Provided, that if the area has been previously established under the Act, the recommendation shall be supported by a majority of members of the Protected Area Management Board (See Chapter V);

(c) The DENR Secretary shall then advise and submit to Congress his recommendation together with relevant supporting documents;

(d) Recommended disestablishment or boundary modification pursuant to Section 7 of the Act shall only take effect after Congressional Action;

(e) Areas disestablished by Congress shall revert to the category of public forest unless otherwise specified under the law providing for disestablishment. This shall not prejudice existing or future delineation of the area as ancestral domain.

(f) The Secretary may recommend the transfer of disestablished areas to other government agencies for the implementation of priority programs serving the national interest. Provided, that where applicable, ancestral claims shall be accorded the highest priority.

traditional and sustainable means of livelihood within their ancestral domain unless they so concur.

For the purposes of this Section, the word "sustainable" shall mean not causing permanent or long term diminishment or qualitative degradation of biological species or of other resources extracted or disturbed; "traditional" shall mean using no power machinery in the extraction process and consistent with historically customary techniques of production; and "commercial" shall mean involving market sale in volume or value in excess of that required to maintain a basic subsistence for workers and their dependents.

(a) *Strict Protection Zone.* — Areas with high bio-diversity value which shall be closed to all human activity except for scientific studies and/or ceremonial or religious use by indigenous communities.

(b) *Sustainable Use Zone.* — Natural areas where the habitat and its associated biodiversity shall be conserved but where consistent with the management plan and with PAMB approval; (i) indigenous community members and/or tenured migrants and/or buffer zone residents may be allowed to collect and utilize natural resources using traditional sustainable methods that are not in conflict with biodiversity conservation requirements; (ii) research, including the reintroduction of indigenous species, may be undertaken; and (iii) park visitors may be allowed limited use. Provided, no clearing, farming, settlement, commercial utilization or other activities detrimental to biodiversity conservation shall be undertaken. The level of allowable activity can be expected to vary from one situation to another.

(c) *Restoration Zone.* — Areas of degraded habitat where the long term goal will be to restore natural habitat with its associated biodiversity and to rezone the area to a more strict protection level. Initially, natural regeneration will be assisted through such human interventions as fire control, cogon suppression and the planting of native species including indigenous pioneer tree species as well as climax species. Exotic species (not native to the site) shall not be used in the restoration process. Existing houses and agricultural developments may be allowed to remain initially but would be phased out eventually.

(d) *Habitat Management Zones.* — Areas with significant habitat and species values where management practices are required periodically to maintain specific non-climax habitat types or conditions required by rare, threatened or endangered species. Examples would be forest openings for the tamaraw or brushy forest for the Philippine tarsier. Human habitation and sustainable use may be allowed if they play a habitat management role.

(e) *Multiple-Use Zones.* — Areas where settlement, traditional and/or sustainable land use, including agriculture, agroforestry, extraction activities and other income generating or livelihood activities, may be allowed to the extent prescribed in the management plan. Land tenure may be granted to tenured residents, whether indigenous cultural community members or migrants.

general planning strategy prepared at the national level. The protected area management plan shall be contained within a management manual as provided by Section 9 of the Act. Protected area management shall be under the direction of a site specific Protected Area Management Board as provided in Chapter V of this Order and NGOs are expected to play an important role in area management along with DENR staff.

The General Management Planning Strategy (GMPS)

Section 8. *GMPS preparation.* -- Within one (1) year after effectivity of the Act, the Protected Area and Wildlife Bureau (PAWB) under the technical direction of the Undersecretary for Environment and Research shall prepare the General Management Planning Strategy. This document shall serve as a guide in the formulation of site specific management plans, including buffer zones. The GMPS shall, at the minimum, address the following:

(a) Promoting the adoption and implementation of innovative management techniques such as: management zones; buffer zones for multiple use and protection; habitat conservation and rehabilitation; biodiversity management; community organizing; socioeconomic and scientific researches; site-specific policy development; post management and fire control;

(b) Providing for the protection of indigenous cultural community domains and interests and for the rights of tenured migrants; and

(c) Creating closer coordination between and among the DENR, local government, the private sector and the general populace.

In addition to contributions from various technical experts in protected area and biodiversity management, the PAWB shall solicit the assistance of NGOs in GMPS preparation, particularly in the areas of community-based resource management and indigenous cultural community concerns.

Section 9. *GMPS Adoption.* -- Within thirty (30) days after submission of the final draft of the GMPS and by the PAWB; the same shall be adopted by the NIPAS Policy and Program Steering Committee and issued by the Secretary as a Department Administrative Order.
Management Zones

Section 10. *Protected Area Management Zoning.* -- To provide flexibility in management, each protected area and its attached buffer zones shall be divided into one or more of the categories listed below. Cultural communities, tenured migrants, other existing protected area users and local governments shall be a part of the decision making process in zone establishment and management planning. Management objectives and strategies shall be developed for each zone and specific approaches and technologies identified and implemented in accordance with the strategy to meet those objectives. Provided, that the zoning of a protected area and its buffer zones and management prescriptions within those zones shall not restrict the rights of indigenous communities to pursue

(f) *Buffer Zone.* — Areas outside the protected area but adjoining it that are established by law (Section 8 of the Act) and under the control of the DENR through the Park Area Management Board. These are effectively multiple-use zones that are to be managed to provide a social fence to prevent encroachment into the protected area by outsiders. Land tenure may be granted to occupants who qualify. Buffer zones should be treated as an integral part of the protected area in management planning.

(g) *Cultural Zones.* — Areas with significant cultural, religious, spiritual or anthropological values where traditional rights exist and ceremonies and/or other cultural practices take place.

(h) *Recreational Zones.* — Areas of high recreational, tourism, educational, or environmental awareness values where sustainable eco-tourism, recreational, conservation education or public awareness activities may be allowed as prescribed in the management plan.

(i) *Special Use Zones.* — Areas containing existing installations of national significance, such as telecommunication facilities, irrigation canals or electric power lines. Such installations may be retained subject to mutual agreements among the concerned parties, provided such installations will not violate any of the prohibitions contained in Section 20 of the Act.

(j) Other management zones such as may be used in the management plan and approved by the Secretary.

The Management Plan and Management Manual

Section 11. *Preparation.* — A Management Manual which contains the protected area Management Plan and supporting data shall be prepared in accordance with Section 9 of the Act. The Management Plan shall serve as the basic long term framework plan in the management of the protected area and as a guide in the preparation of the annual operations plan and budget. The Management Manual shall be drafted with the assistance of experts in such fields as socioeconomic planning, ecology and protected area management, reviewed and endorsed by the PAMB, and approved by the Secretary.

Section 12. *Content.* — The content of the Management Manual shall include the following:

- (a) Executive Summary:
- (b) Description of the Protected Area:
 - (i) Historical Background
 - (ii) Biogeographic Setting
 - (iii) Regional and Local Setting

- (iv) Topography, Geology and Soils
- (v) Climate
- (vi) Boundaries and the Rationale for Their Location
- (vii) Flora and Fauna, Habitats, and Ecosystems
- (viii) Human Population and Current Land Use
- (ix) Legal Status and Regulations
- (x) Current Management Activities and Research
- (xi) Initial Environmental Examination Report

(c) Issues:

- (i) Conservation Value
- (ii) Biodiversity Concerns
- (iii) Habitat Rehabilitation Needs
- (iv) Management Constraints
- (v) Local Interests, Rights and Concerns
- (vi) Development Potential, including Tourism
- (vii) Changes Required in Legal Status

(d) Management Plan: This section will draw upon the background and issued to justify the goals, objectives, strategy and management activities to be used.

- (i) Goals -- long term
- (ii) Objectives -- to be achieved within the life of the project or plan, quantifiable to the extent possible.
- (iii) Key management issues --
- (iv) Site Management Strategy -- what is the plan that will integrate management activities to address key management issues to meet the objectives..
- (v) Management Activities -- an overall strategy is needed as well as zone specific strategies and management activities. Buffer zones shall be treated as an integral part of the protected area when planning.

- a. community organization
- b. ancestral domain and rights
- c. tenure for tenured protected area and buffer zone residents
- d. boundary demarcation
- e. management zone boundaries and the rationale for each
- f. protection program
 - by wardens
 - by the community
- g. habitat rehabilitation.
- h. habitat management
- i. sustainable use
- j. infrastructure, including maintenance

(h) The public shall be duly notified of above actions following the procedure in Section 3 of this Order.

Section 6. Establishment of Buffer Zones. — Buffer zones are intended to provide an extra layer of protection around the protected area while also providing livelihood opportunities based on sustainable resource utilization. The major goal is to encourage buffer zones residents and/or managers to establish a strong social fence that will prevent encroachment into the protected area by others, that is, to provide sufficiently strong incentives so that buffer zone users will help to protect the protected area. This will, in nearly every instance, require a process of community organization and development to succeed. The following general guidelines are provided pending the promulgation of a more specific set by the Secretary.

(a) Buffer zones must be established by law in the same manner that a protected area is established. Therefore, every effort shall be made to include the appropriate buffer zones in the original recommendations for establishment.

(b) When buffer zones are established after the protected area has been established, the procedures to be followed are those set forth in Section 4 of this Order.

(c) The PAMB and the PAS shall exercise authority over buffer zones on behalf of the DENR (Section 8 of the Act) in cooperation with NGOS and other government agencies. Management and land use practices for buffer zones shall be prescribed in the management plan.

(d) The range of resource management activities that may be allowed in various portions of the buffer zone must be broad so as to give maximum management flexibility. If very limited resource access is contemplated, the area should be considered for inclusion in the protected area. In cases where there is conflict in the classification of buffer zone such classification shall not impair the traditional livelihood of cultural communities.

(e) Those who will manage buffer zone areas; indigenous cultural communities, tenured migrants and others; must play a prominent role in developing the plans, policies and rules for buffer zone management.

Chapter IV Management Plan Preparation, Approval and Adoption

Section 7. Two-tiered Management Planning. — NIPAS site management planning and implementation shall be undertaken by protected area staff, which may include an NGO component, by technical specialists and representatives of local communities within and near the site following a

- k. visitor program and accommodations
- l. specific management plans for each management zone, including buffer zones.

- (e) Bio-Inventory and Research Program
- (f) Special Studies
- (g) Monitoring and Evaluation
- (h) Management Information Data Base Development
- (i) Administration

- (i) Staffing
- (ii) Work Program
- (iii) Budget

- (j) Annexes

- (i) Maps (1:50,000), pictures, aerial photographs
- (ii) Species lists, etc.
- (iii) References

Section 13. Public Consultations and Hearings. — In preparing the management plans, an iterative process of public consultations and hearings with the local communities, non-government organizations and people's organizations operating in and/or familiar with the conditions in the concerned protected area, local government units and concerned national government offices shall be undertaken to the fullest extent possible. The goal is a workable plan strongly supported by the local community. It shall be the responsibility of the Regional Executive Director (RED) to insure compliance with this provision.

Section 14. Endorsement and Adoption. — The Management Plan shall be endorsed to the Secretary for his approval and officially adopted by the PAMB in their capacity as representatives of the local communities in the concerned protected areas.

Section 15. Implementation. — The Management Plan shall be translated into an annual work program and supporting budget by the protected area staff under the direction of the PAS following the government budgetary cycle. The work program and budget shall be approved by a majority of the PAMB but may be modified from time to time as the situation demands.

Section 16. Review and Update. — The Management Plan shall be reviewed and updated on a regular basis, at least once every three (3) years. However, in cases where significant physical developments occur within the protected area or critical resource constraints prevent the implementation of important programs/projects, the Plan or some components thereof may be revised/modified. Any modification or revision of the Plan shall, however, be approved by a majority of

PAMB members.

Section 17. National Review of Management Plans. -- To ensure consistency of individual Management Plans with the philosophy, spirit and objectives of the Act with the guidelines set forth under the General Management Planning Strategy and as provided under Section 10 (c) of the Act, the Secretary shall reserve the right to review all plans and proposals for the management of protected areas. In the exercise of this authority, the Secretary shall delegate the review to the IPAS Technical Coordinating Committee in coordination with PAWB. Based on the outcome of the review, the Secretary shall issue the pertinent directories/instructions to concerned implementing units.

Chapter V The Protected Area Management Board

Section 18. Duties and Functions of the Board. -- Each established protected area shall be administered by a Protected Area Management Board (PAMB). The Board shall by consensus or majority vote, approve or take necessary actions to:

(a) Decide matters relating to planning, resource protection and general administration of the area in accordance with the General Management Planning Strategy (GMPS).

(b) Approve proposals, work plans, action plans, guidelines, for management of the protected area in accordance with the approved Management Plan.

(c) Delineate and demarcate protected area boundaries buffer zones, ancestral domains, and recognize the rights and privileges of indigenous communities under the provisions of the Act.

(d) Promulgate rules and regulations to promote development programs and projects on biodiversity conservation and sustainable development consistent with the Management Manual of the protected area.

(e) Ensure the implementation of programs as prescribed in the Management Plan in order to provide employment to the people dwelling in and around the protected area.

(f) Control and regulate the construction, operation and maintenance of roads, trails, water works, sewerage, fire protection and sanitation systems and other public utilities within the protected area.

(g) Monitor and evaluate the performance of protected area personnel, NGOs and the communities in providing for biodiversity conservation and socio-cultural and economic development and report their assessments to the NIPAS Policy and Program Steering Committee (NPPSC) and the IPAF Governing Board.

Section 19. *Composition of the Board.* — Membership of the PAMB shall comprise the following:

(a) The DENR Regional Executive Director (RED) as Chairman and advisor in matters related to the technical aspects of protected area management. When there are two or more REDs on the Board, the Secretary shall designate one of them to be the Chairman.

(b) One representative of the Autonomous Regional Government where this is applicable.

(c) The Provincial Development Officer from each province with territory within the protected area.

(d) One representative from each Municipal Government with territory within the protected area.

(e) One representative from each Barangay with territory within the Protected area:

(f) One representative from each tribal community residing within the protected area, if applicable.

(g) At least three (3) representatives from local NGO's and community organizations, including people's organizations, church or civic organizations. These representatives shall be based in or near protected area.

(h) One representative, if necessary, from other national government departments that may be involved in protected area management. In situations wherein two or more such departments are involved, the representative shall be chosen by and among themselves.

Section 20. *Selection and Appointment of Board Members.* — The Secretary shall formally appoint the Board members: The RED(s) and Provincial Development Officer(s) serve *ex-officio*. Representatives of municipalities and barangays shall be recommended by the head of the local government unit they represent. Each tribal community within the protected area shall nominate its representative. Concerned NGO/local community organizations based in the area or with recognized interests in protected areas shall choose their representatives by and among themselves.

Section 21. *Term of Office and Compensation.* — Board members shall serve for a term of five years without compensation, except for actual and necessary travelling and subsistence expenses incurred in the performance of their duties. Provided, that whenever a vacancy occurs during the term of a member, a new member shall be appointed in the same manner as the original appointment in order to complete the unfinished term of the said vacancy.

Section 22. *Executive Committee.* — In view of the large size of the Management Board expected in some NIPAs sites, the PAMB may create an Executive Committee to be composed of the RTD as Chairman, and at least two representatives each from local government, concerned NGO's and indigenous cultural communities if applicable. The Board shall determine the authorities to be delegated to the Executive Committee.

Section 23. *Meetings.* — The PAMB shall meet monthly. Provided, that the Executive Committee, when established, may meet in lieu of the full PAMB, provided, further that the PAMB

shall meet en-banc at least twice yearly. A quorum shall consist of a majority of the members of the group meeting. The Chairman may call special meetings as deemed necessary. The Board shall formulate guidelines on calling special meetings and how they should be conducted.

Section 24. *Minutes of Meetings.* — Minutes of Board and Executive Committee meetings shall be prepared by the Secretariat (Section 26) and sent to the Secretary by the Chairman within seven (7) days of the the meeting.

Section 25. *Authority of the RED to Delegate the PAMB Chairmanship.* — The Secretary shall authorize, as he hereby authorizes, the RED to designate his RTD to represent him as Chairman of the PAMB whenever the RED cannot personally attend Board meetings.

Section 26. *Secretariat.* — The protected area staff shall serve as the Secretariat to the PAMB under the direction of the Protected Area Superintendent.

Section 27. *Removal.* — A member of the PAMB may be removed for cause including the following:

- (a) More than three (3) unexcused absences during regularly scheduled Board meetings;
- (b) Commission of acts prejudicial to protected area management as embodied in Section 20 of R.A. 7586 or other existing rules and regulations governing protected areas;
- (c) Graft and corruption; and
- (d) Conviction on criminal acts.

Section 28. *Interim PAMB.* — The Act provides for a PAMB for each established IPAS site. In cases where initial components have been identified and funding made available, the Secretary may create an interim PAMB using the procedures found in Sections 18 through 21 of this Order.

Chapter VI Administration of the NIPAS

Section 29. *Administrative Authority.* — Section 10 of the Act places the NIPAS under control and administration of the DENR and creates a Protected Areas and Wildlife Division (PAWD) under the supervision of a Regional Technical Director in regions where protected areas have been established. Parts (a)-(p) of Section 10 define the Secretary's powers to carry out the mandate of the Act, including the authority to delegate those powers. Section 11 of the Act then provides for a Protected Area Management Board as a vehicle for representative management on site. And, consistent with the twin objectives of delegating management authority and responsibilities to the pertinent level of operations; and, enhancing effective partnership between government and affected local and indigenous communities, the following management and administration levels are defined with their corresponding functions and responsibilities to make operational the intentions of the Act.

Central-based

Section 30. *The Secretary.* — The Secretary shall be responsible for the supervision, management and administration of the NIPAS. In the performance of this function, the Secretary shall create an inter-agency committee. For this purpose, the Secretary may create a NIPAS Policy and Program Steering Committee under his chairmanship in order to enhance policy and program coordination within DENR with other government agencies, NGOs and other elements of the private sector.

Section 31. *The Undersecretary.* — Serving the Secretary as technical advisor and performing the above functions in his absence shall be the Undersecretary for the Environment and Research or the Undersecretary for Field Operations, as the Secretary may so decide.

Section 32. — *Protected Areas and Wildlife Bureau (PAWB):* — The PAWB shall, under the leadership of its director, serve as the lead unit for system-wide planning, technical assistance coordination among DENR programs/projects and availing of expertise from other DENR Staff Bureaus, an IPAS Technical Coordinating Committee under the Chairmanship of the PAWB Director shall be created.

Section 33. *Additional Responsibilities of the Secretary.* — The Secretary is charged by law with the following additional responsibilities:

(a) *Annual Report to Congress.* — Pursuant to Section 17 of the Act the Secretary shall report to the President, for transmission to Congress on the status of the NIPAS, regulations in force and other pertinent information and recommendations.

(b) *Markers for Protected Areas.* — A uniform marker for NIPAS, including an appropriate and distinctive symbol for each category in the system, in consultation with appropriate government agencies and public and private organizations, shall be established by the Secretary.

(c) *Specification of Facilities for Protected Areas.* — The specification of the class, type and style of buildings and other structures to be constructed in protected areas and the materials to be used shall be approved by the Secretary.

Region-Based

Section 34. *Regional Executive Director (RED).* — The RED, as Chairman of the PAMB, shall:

(a) enforce policies, rules and regulations adopted by DENR and the PAMB for protected areas under his jurisdiction; and

(b) represent the interests and concerns of local and indigenous communities and insure that

these are addressed by DENR central-based management.

Section 35. Regional Technical Director (RTD). — The RTD shall assist the RED and provide technical direction and supervision over the Protected Areas and Wildlife Division. In the absence of the RED, the RTD shall assume the RED's responsibilities over the protected areas.

Section 36. Protected Areas and Wildlife Division (PAWD). — A PAWD shall be created in each region where protected areas have been established. The PAWD shall include subordinate officers, clerks and other employees who shall coordinate and monitor the activities related to protected area management and wildlife resources conservation within the Region.

Site-Based

Section 37. Protected Area Management Board (PAMB). — The PAMB shall perform its functions in accordance with Section 18 of this Order.

Section 38. The Protected Area Superintendent (PAS). — The PAS who shall be residing inside the protected area shall be the chief operating DENR officer at the site. As such, he shall be directly responsible to the PAMB and the RED. His duties and responsibilities shall include the following:

Administrative

(a) Serve as chief administrative officer of the protected area for the purpose of implementing the Management Plan as detailed in the annual work program.

(b) Establish a productive partnership with the local community, including groups, in the planning, protection and management of the protected area.

(c) The performance and good morale of his staff.

(d) The proper utilization of annual budget allocations and the proper disposition of fees and other funds generated within the protected area.

(e) Develop and implement a park information, education and visitor program.

(f) Develop and implement a natural history documentation program and to oversee research that may be conducted within the area.

(g) Integrate the roles of NGO and DENR staff in the operation of the area.

(h) Document the processes involved in the establishment and management of the protected area, with particular reference to the development of relationships with cultural communities,

tenured migrants, buffer zone residents and others in establishing effective protection of the area. Glean the lessons learned from this documentation and use them in future planning.

Regulatory

(a) To act as peace officer for the purpose of maintaining peace and order within the protected area. As peace officer, he shall exercise police supervision therein, and may arrest any person found in any place within protected areas who is committing, has committed, or is about to commit an offense against the provisions of the Act or this Order.

(b) Enforce the rules and regulations established to protect the area and preserve the protected area from trespass, damage, injury and illegal occupancy.

(c) require, when necessary, any person entering or passing across through or any part of the protected area under his jurisdiction, to give the following information: name, address, the proposed duration of stay inside the protected area and the portion which he intends to visit or has visited and such other information of a similar nature as may be referred to him.

(d) Summarily remove or eject the area persons who have rendered themselves obnoxious by disorderly conduct or bad behavior or who have violated any of the regulations on the protected area;

(e) Require persons cutting and/or gathering forest products or hunting or fishing within the protected area to produce, upon demand, authority or permit to do so.

(f) Seize and confiscate timber or other forest products, game birds, animals and fish including instruments, tools and conveyances used inside the protected area by unlicensed persons, or if licensed, in violation of protected area laws, rules and regulations; and, to report them in accordance with the present rules, regulations and guidelines issued by the Secretary concerning confiscation, seizure and disposition of illegally cut, gathered and transported forest products, and other natural resources and confiscated wildlife.

(g) Perform such other powers and duties as may from time to time be prescribed by higher authorities.

Section 39. Delegation of Authority. — The PAS may, as necessary, delegate the authority granted in Section 24 to his staff.

Section 40. Other Protected Area Personnel. — The PAS shall be supported by a sufficient number of personnel who shall be performing day-to-day management, protection and administration of the protected areas. Subject to DBM approval of requested positions and availability of funds, such staff shall include the following:

- (a) Assistant Protected Area Manager/Head Protection Officers
- (b) Protected Area and Wardens Officer.
- (c) Community Relations Officer
- (d) Biologist/Research Workers
- (e) Administrative Officer
- (f) Office Clerks
- (g) Protected Area, Field Maintenance Workers.
- (h) others as may be required and approved.

At least fifty (5) percent of site level staff shall be recruited from residents living in the immediate vicinity of the protected area, or be natives of the area.

Section 41. Budget, Facilities and Allowances for Site-Based Personnel. — The DENR exert all efforts to provide each protected area with its own budget for salaries, uniforms, fuel, house feed, travel allowances and others as prescribed in the Management Plans. As such, the following shall be provided subject to the availability of funds:

(a) **Uniforms.** — All protected areas staff shall be provided by DENR shall with three (3) sets of uniforms replaceable annually.

(b) **Housing.** — The DENR shall provide housing for all protected area staff required to reside inside the protected area.

(c) **Hardship Allowances.** — All protected area staff shall be provided with twenty-five (25%) percent of their salary as hardship allowance provided they reside at the site.

(d) **Other Facilities and Allowances.** — The DENR shall provide as necessary, or as recommended by the PAS or Management Board any additional facilities or allowances.

Section 42. Park Management Board. — Within one year after the effectivity of the Act, the Secretary shall create a PAMB for each of the protected area. Chapter V above provides the details of the functions, composition, selection, appointment procedures and other matters pertaining to the Board.

Section 43. Non-Government Organizations (NGOs). — NGOs are expected to play a significant role in the establishment and management of many protected areas, particularly in the development community-based mechanisms related to area protection. These would include the development of good community relations, community participation in planning, conflict resolution activities and developing the basis for the issuance of tenure instruments.

Chapter VII
Indigenous Cultural Communities

Section 44. Recognition of Ancestral Domain.—Ancestral domain and other customary rights and interests of indigenous communities shall be accorded due recognition in protected areas. Moreover, the preservation of ancestral domain and customary rights within protected areas shall be a management objective.

Section 45. Identification of Indigenous Cultural Communities. — The protected area staff shall immediately locate any indigenous cultural communities that may exist in or near the site and identify themselves to the tribal leaders.

Section 46. Determination of Ancestral Claims. — The evaluation of ancestral domain claims shall follow the procedures set for in DAO series of 1991. The PAMB, in coordination with the Indigenous Community Affairs Division of the DENR and other concerned groups, shall undertake this evaluation. The proof of ancestral domain claim shall include the following evidences:

- (a) Tax declarations and proof of payment of taxes;
- b) Survey plans and/or sketch maps;
- (c) Spanish documents;
- (d) Historical accounts;
- (e) Anthropological data;
- (f) Ancient documents;
- (g) Burial grounds or pictures thereof;
- (h) Written records of customs and traditions;
- (i) Old improvements such as planted trees, stone walls, rice fields, water systems, orchards, farms, monuments, houses and other old structures, or pictures thereof;
- (j) Written and oral testimonies of living witnesses made under oath;
- (k) Traditional structures of indigenous social and government systems, with names of recognized leaders;
- (l) Religious sites and/or artifacts found in the area;

(m) Genealogical surveys; and

- (n) Other documents attesting directly or indirectly to the long terms occupation of the area that show possession since time innumerial, or through their predecessors-in-interest, in the concept of owners and in accordance with their customs and traditions.
- (o) Other criteria that may be set by the Secretary or prescribed by law.

Section 47. *Delineation and Demarcation.* — When a claim of ancestral domain is accepted, following the procedures identified in Section 46 of this Order, the Secretary shall direct the delineation and demarcation of the same concerned DENR offices in coordination with the PAMB. This process shall terminate with the issuance of a Certificate of Ancestral Domain Claim and/or a Community Forest Stewardship Agreement until such time as Congress provides other forms of recognition for ancestral domain.

Section 48. *Other Forms of Tenure.* — Members of indigenous cultural communities may avail of other forms of land tenure if they so qualify.

Section 49. *Plans, policies and Rules for Land and Resource Use within Ancestral Domain.* — The formulation and implementation of plans, policies, rules and guidelines governing land and resource use within the territorial domain of indigenous cultural communities shall be done in partnership, with the affected indigenous cultural communities. Such plans, policies, rules and guidelines shall take into consideration: (a) the maintenance of indigenous community rights over livelihood sources; (b) their desires to maintain their sociocultural and spiritual integrity; (c) prevention of degradation of the areas; and, (d) encroachment by any development activities or outside people. Therefore, the prohibitions found in Section 70 of this Order shall not be enforced for members of indigenous cultural communities until this process has been completed.

Chapter VIII Tenured Migrants

Section 50. *Recognition of Tenure.* — Any person who has actually and continuously occupied an area for five (5) years prior to its designation as part of a protected area in accordance with the Section 5 (a) of the Act and is solely dependent on that area for subsistence shall be considered a tenured migrant. As a tenured migrant he shall be eligible to become a steward of a portion of land within the multiple use management or buffer zone of the protected area, and from which he may derive subsistence. Provided, however, that those migrants who would not qualify for the category for tenure shall be resettled outside the protected area.

Section 51. *Evidence of Tenure.* — The PAMB shall consider the following as evidences in support of tenured migrant status:

- (a) cultivated trees at their fruit-bearing stage;

- (b) physical structures in the area indicating prolonged occupancy;
- (c) tax declaration receipts;
- (d) certification from the barangay captain or any two respected members of the nearest community attesting to occupancy; and
- (e) other relevant data (e.g. previous census reports) that may be accepted by the PAMB.

Section 52. Security of Tenure. — The DENR shall develop a tenure instrument consistent with the conservation goal of IPAS. Such instrument shall be prepared within 12 months of effectivity of the Act.

Section 53. Restrictions on the Activities of Tenured Migrants Within Protected Areas and Their Buffer Zones. — The rights, interests and activities of tenured migrants within protected areas and their adjoining buffer zones shall be governed by the principles of biodiversity protection and sustainable development and by the guidelines prescribed in the management plan as well as the prohibitions set out in Section 20 of the Act. Provided, that all plans, policies and guidelines affecting tenured migrants shall be developed and implemented in partnership with them.

Chapter IX Special Uses and Concerns

Section 54. Energy Exploration. — Consistent with Section 14 of the Act, surveys for energy resources within the protected areas may be conducted only for the purpose of gathering information on energy reserves in accordance with the management plan. Provided, however, that no surveys or exploration shall be allowed in strict nature reserves and natural parks.

Section 55. Facilities of Other Government Institutions (GO), NGOs and Private Companies Inside Protected Areas. — Existing facilities of GOs, NGOs and private institutions that are found inside the protected area shall be assessed in terms of their significance to national interest and their impact on the protected area; provided that on those facilities found significant to national interest, a contract shall be negotiated and payment of fees for the use of the land shall be based on a profit-sharing agreement or other measures in accordance with law; provided further, that those facilities whose purpose are found inconsistent with the goals of the protected area management shall vacate such area at the earliest possible time.

Section 56. Environment Impact Assessment. — Proposal for activities which are outside the scope of the management plan for protected areas shall be subject to an environmental impact assessment as required by law before they are adopted, and the results thereof shall be taken into consideration in the decision-making process. No actual implementation of such activities shall be

allowed without the required Environment Compliance Certificate (ECC) under the Philippine Environment Impact Assessment (EIA) System. In instances where such activities are allowed to be undertaken, the proponent shall plan and carry them out in such manner as to minimize any adverse effects and take preventive and remedial action when appropriate. The proponent shall be liable for any damage due to lack of caution, or indiscretion.

Chapter X Protected Area Funds

Section 57: *Integrated Protected Areas Fund (IPAF).* — The IPAF has been established by the Act for the purpose of promoting the sustained financing of the System. The fund may receive revenues generated within protected areas, donor support and other funds as provided by law, and disburse the same to finance projects of the NIPAS.

Section 58: *IPAF Income Sources.* — IPAF income shall be deposited in a Special Account under the name of the Fund with a qualified Philippine Government Bank. The following income has been allocated under the Act for the IPAF:

- (a) Taxes for the permitted sale and export of flora and fauna and other resources;
- (b) Proceeds from the lease of multiple use areas, including tourism concessions;
- (c) Contributions from industries and facilities directly benefitting from the protected area;
- (d) Fines and fees, including protected area entry fees, collected and derived from operation of the protected area;
- (e) Contributions, donations, endowments and grants from any source; and
- (f) Such other revenues as may be derived from the operation of the protected areas.

Section 59: *Fixing of Fees and Charges.* — The Secretary pursuant to Section 10 (f) of the Act, shall fix and prescribe reasonable fees to be collected from government agencies or any person, firm or corporation deriving benefits from the protected areas. Such fees and charges are currently prescribed under DAO 05, Series of 1991. Any changes in the prescribed fees and charges shall be approved by the Secretary upon the recommendation of PAWB through the Undersecretary for the Environment and Research.

Section 60: *Collection of Monies.* — The PAS or his duly appointed representative shall collect pertinent fees, charges and donations at the site and be responsible for depositing the same in the Special Account. The PAS shall submit a statement of amounts collected during the preceding quarter within the first 15 days of each quarter to the PAMB, who in turn shall submit same to NPPSC through the PAWB, with an extra copy for the Secretary. The PAS shall also remit the required percentage of the collections to the central IPAF account as provided for in Section 61 of this Order.

Section 61: *Fund Administration.* — An IPAF Governing Board shall be established to administer the Fund and to decide on fund allocation among the protected areas. This shall include

the creation of subfunds or accounts for: (i) each protected area to receive revenues generated by that area or contributions specified for that area; and (ii) contributions or other funds specified for a particular activity that may involve more than one area. Allocations for any protected area shall be managed by its respective PAMB subject to guidelines established by the Board. Provided, that at least seventy-five percent of the revenues generated by a protected area shall be retained for the development and maintenance of that area and utilized subject to the IPAF Board guidelines cited above, with the balance being remitted to the Central IPAF Fund.

Pending the actual creation of the Board, the NIPAS Policy and Program Steering Committee shall provide the: (i) guidelines for the establishment of a Trust or Endowment Fund shall be prepared in consultation with pertinent government agencies, and (ii) the allocation criteria and the expense outlays for which the Fund may be appropriately used. In such deliberations, the views of pertinent NGOs shall be taken and considered.

Section 62. Composition of the IPAF Governing Board. — The Governing Board shall be composed of seven (7) members: the Secretary or his duly authorized representative as ex-officio Chairman of the Board; two (2) from the DENR or other government agency; two (2) from duly accredited NGOs which have proven track records in the field of conservation management; and two (2) representing indigenous communities. The NGO and indigenous community representatives shall be nominated by and among themselves.

Section 63. Appointment. — Members of the IPAF Governing Board shall be formally appointed by the Secretary on the basis of above nominations and endorsed to him by the NIPAS Policy and Steering Committee.

Section 64. Terms and Office. — IPAF Governing Board members shall serve for a term of three (3) years without compensation from the government, except for travel and other actual expenses incurred in the performance of their duties and responsibilities. After the lapse of three (3) years, a new appointment by the Secretary is necessary to enable any member to continue his functions. Any vacancy shall be filled in the same manner as the original appointment and maintain the specified balance in representation. If the vacancy occurs during a regular term of office, the replacement shall serve only the unexpired portion of the original appointment.

Section 65. Functions of the IPAF Governing Board. — The Governing Board shall perform the following functions:

- (a) Determine and decide procedures on the management, allocation and disbursement of the IPAF and decide by a majority vote, on issues and problems concerning the same.
- (b) Issue guidelines to account and audit the funds released and disbursed to ensure the protection and maximum utility of the IPAF.
- (c) Issue guidelines to govern the conduct of its business.

Section 66. *Disbursements.* -- Disbursements from the Fund or any of its sub funds shall be made solely for the protection, maintenance, administration and management of the NIPAS and duly approved projects endorsed by the PAMBs, in the amounts authorized by the Secretary or his duly designated representative.

Section 67. *Meetings.* -- The Governing Board shall meet the first Monday of each quarter of the year to discuss its business. Any member of the Governing Board may, by written request, call a special meeting on any other date.

Section 68. *Quorum.* -- A majority of the Board membership shall constitute a quorum.

Section 69. *Removal from Office.* -- The Secretary may remove and replace any member for cause, including the following:

- (a) Commission of graft and corruption.
- (b) Commission of acts prejudicial to the Fund.
- (c) Incurring more than three (3) consecutive absences.

Chapter XI Prohibited Acts and Penalties

Section 70. *Prohibited Acts.* -- Pursuant to Section 20 of the Act and Section 48 of this Order, the following are prohibited acts inside protected areas:

- (a) Hunting, destroying, disturbing, or mere possession of any plant or animal or products derived therefrom without a permit, specifically authorizing such activity, from the Board or in the case of indigenous cultural communities without a mutually agreed policy;
- (b) Dumping or otherwise disposing of any waste products detrimental to the protected area to the plants and animals or inhabitants therein;
- (c) Use of any motorized equipment without a permit;
- (d) Mutilating, defacing or destroying objects of natural beauty, or burial grounds, religious sites, artifacts or other objects belonging to cultural communities;
- (e) Damaging and leaving roads and trails in damaged condition;
- (f) Squatting, mineral exploration, or otherwise illegally occupying any land;

(g) Constructing or maintaining any kind of structure, fence or enclosures and conducting any business enterprise without a permit;

(h) Leaving in exposed or unsanitary condition, refuse or debris, or deposing wastes in bodies of water;

(i) Altering, removing, destroying or defacing boundary marks or signs.

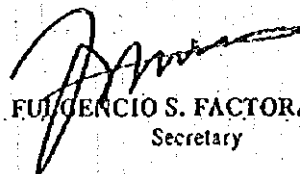
Section 71. *Penalties*.— Any person found guilty of any offense enumerated above shall, pursuant to Section 21 of the Act, be fined in the amount of not less than Five Thousand Pesos (P5,000.00) or more than Five Hundred Thousand Pesos (P500,000.00), exclusive of the value of the thing damaged, or imprisonment for not less than one (1) year but not more than six (6) years, or both as determined by the court. Provided, that if the area requires rehabilitation or restoration as determined by the court, the offender shall also be required to restore or compensate for the restoration of the damage; Provided further, that the court shall order the eviction of the offender from the land and the forfeiture in favor of the government of all mineral, timber or any species collected or removed including all equipment, devices and firearms used in connection therewith, and any construction or improvement made thereon by the offender. If the offender is an association or corporation the president or manager shall be directly responsible for the act of his employees and laborers. Provided finally that, the DENR may impose administrative fines and penalties consistent with this Act.

Chapter XII General Provisions

Section 72. *Amendment*.— This Order may be amended wholly or in part by the Secretary through public notification.

Section 73. *Repealing Clause*. — The order repeals, modifies or amends accordingly all previous orders, memoranda, circulars and other issuances inconsistent herewith.

Section 74. *Effectivity*. — This Order shall take effect fifteen (15) days after its complete publication in newspapers of general circulation.


FULGENCIO S. FACTORAN, JR.
Secretary

Attachment E

Administrative Order NO.48

**Establishment of a National List of Rare(R), Endangered(E),
Threatened(T), Vulnerable(V), Indeterminate(I), and
Insufficiently Known(K)
Species of Philippine Wild Birds, Mammals, and Reptiles**

Administrative Order
No. 48
September 13, 1991

SUBJECT: Establishment of a National List of Rare (R), Endangered (E), Threatened (T), Vulnerable (V), Indeterminate (I), and Insufficiently Known (K) Species of Philippine Wild Birds, Mammals, and Reptiles

Pursuant to the provisions of Act No. 2590 as amended, Article IV of P.D. 1152, Section 7 of Executive Order No. 192 and other existing wildlife laws, rules and regulations, and in support of the covenants of the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES) and International Union for the conservation of Nature and Natural Resources (IUCN), the species of Philippine wild birds, mammals, and reptiles listed herein are hereby adopted and established as species of priority concern for protection and conservation.

Section 1. Definition of Terms. The following terms, as used in this Order shall be construed to mean as follows:

- 1.1 **Rare (R)** - species and subspecies of wildlife found only in one particular area or only in a few areas in the Philippines in very highly specialized habitat types but occur only in very small numbers and are therefore, seldom met with, even within their preferred habitat types. Their populations are not at present endangered or vulnerable but are at risk;
- 1.2 **Endangered (E)** - species and subspecies of wildlife whose populations are in danger of extinction and whose survival is unlikely if the causal factors continue operating;
- 1.3 **Threatened (T)** - species and subspecies of wildlife whose populations throughout the islands where they are found have suffered high degree of depletions to the point of having their numbers reduced to the minimum, below which, said species or subspecies will totally become extinct;
- 1.4 **Vulnerable (V)** - species and subspecies of wildlife whose populations are still sizeable but are under threat from serious adverse factors throughout their range and are believed likely to move to the endangered category in the near future;

- 1.5 **Indeterminate (I)** - species and subspecies of wildlife whose populations are suspected of belonging to either one of the E, V & R categories but for which insufficient information is currently available to determine definite status;
- 1.6 **Insufficiently Known (K)** - species and subspecies of wildlife that are suspected but not definitely known to belong to any of the above categories because of the lack of information;
- 1.7 **CITES Appendix I (I)** - trade of species and subspecies of wildlife listed under this Appendix is strictly prohibited except for educational, scientific or research and study purposes;
- 1.8 **CITES Appendix II (II)** - trade of species and subspecies of wildlife listed under this Appendix is strictly regulated;
- 1.9 **CITES Appendix III (III)** - populations of species and subspecies of wildlife listed under this Appendix highly need local protection set under national policies as determined by the country's CITES Management Authority;
- 1.10 **Collection** - refers to trapping, hunting, taking, amassing, gathering, and/or owning through any mode of acquisition any species of wildlife listed herein; and
- 1.11 **Trade** - the act of purchasing, selling, offering or exposing for sale, or having in possession for sale, live or dead, or any part of wildlife species listed herein.
Section 2. National List. The species and subspecies of Philippine Wild Birds, Mammals and Reptiles listed in ANNEX A hereof are hereby adopted and established/declared as priority concern for conservation and protection.
Section 3. Establishment of a Common or Local Name of Species. The RED concerned are further instructed to cause the immediate preparation and publication of the equivalent local or common names for each of the species provided for in Section 2 hereof existing within their respective area of jurisdiction in order to enhance further dissemination of these information.
Section 4. Illegal Acts. It shall be unlawful for any person, groups or entity to collect and/or trade the species listed in ANNEX A hereof. Provided that, such acts are covered by a permit granted by the DENR pursuant to the pertinent provisions of DENR AO 96, series of 1988 entitled, "Policies on the Allocation of Quota on Wildlife".

Section 5. Repealing Clause. All orders, circulars, memoranda or other instructions inconsistent herewith are hereby repealed and/or amended accordingly.

Section 6. Effectivity Clause. This Order takes effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary

National List of Priority Species of Philippine Wild Birds, Mammals and Reptiles

AVES

ORDER PELECANIFORMES

FAMILY PELECANIDAE

COMMON NAME	SCIENTIFIC NAME	STATUS
1. Spot-billed Pelican/ Philippine Pelican	<i>Pelecanus philippensis</i>	IUCN (T)

ORDER CICONIIFORMES

FAMILY ARDEIDAE

2. Japanese Bittern/ Japanese Night Heron	<i>Corsachius gotsagi</i>	IUCN (T)
3. Chinese Egret	<i>Egretta culophotis</i>	IUCN (T)

FAMILY CICONIIDAE

4. Woolly-necked stork White-necked stork	<i>Ciconia episcopus</i>	IUCN (V)*
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FAMILY THRESKIORNITHIDAE

5. Black-faced Spoonbill/ Lesser Spoonbill	<i>Platalea minor</i>	IUCN (T)
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ORDER FALCONIFORMES

FAMILY ACCIPITRIDAE

6. Crested Lizard Hawk	<i>Aviceda jerdoni magnirostris</i>	IUCN (T)
7. Barred Honey Buzzard	<i>Pernis celebensis steerei</i>	CITES (II)

8. Asiatic Honey Buzzard	<i>Pernis ptilorhynchus</i>	CITES (II)	ORDER GALLIFORMES
9. Black-winged Kite	<i>Elanus caeruleus hypoleucus</i>	CITES (II)	FAMILY MEGAPODIIDAE
10. Black-eared Kite	<i>Milvus migrans lineatus</i>	CITES (II)	<i>Megapodius freycinet</i>
11. Brahminy Kite/White & Red Eagle Kite	<i>Haliastur indus intermedius</i>	CITES (II)	33. Philippine Megapode/ Incubator Bird
12. White-breasted Sea Eagle	<i>Haliaeetus leucogaster</i>	CITES (II)	FAMILY PHASIANIDAE
13. Gray-headed Fishing Eagle	<i>Ichthyophaga ichthyactis</i>	CITES (II)	34. Palawan Peacock Pheasant
14. Serpent Eagle	<i>Spilornis holospilus</i>	CITES (II)	ORDER GRUIFORMES
15. Marsh Harrier	<i>Circus aeruginosus spilonotus</i>	CITES (II)	FAMILY TURNICIDAE
16. Pied Harrier	<i>Circus melanoleucus</i>	CITES (II)	<i>Turnix worcesteri</i>
17. Asiatic Sparrow Hawk	<i>Accipiter gularis</i>	CITES (II)	FAMILY GRUIDAE
18. Philippine Sparrow Hawk	<i>Accipiter virgatus confusus</i>	CITES (II)	36. Eastern Sarus Crane
19. Crested Goshawk	<i>Accipiter trivirgatus</i>	CITES (II)	ORDER CHARADRIIFORMES
20. Chinese Hawk/ Gray Frog Hawk	<i>Accipiter soloensis</i>	CITES (II)	FAMILY SCOLOPACIDAE
21. Gray-faced Buzzard	<i>Buteo indicus</i>	CITES (II)	<i>Numenius minutus</i>
22. Common Buzzard	<i>Buteo buteo japonensis</i>	CITES (II)	<i>Numenius madagascariensis</i>
23. Philippine Eagle/ Monkey-eating Eagle	<i>Pithecophaga jefferyi</i>	IUCN (E)	<i>Tringa gutifera</i>
24. Rufous-bellied Dwarf Eagle	<i>Hieracius kienri formosus</i>	CITES (II)	<i>Limnodromus semipalmatus</i>
25. Changeable hawk Eagle	<i>Spizacus cirrhatius limnaceus</i>	CITES (II)	40. Oriental Dowitcher/ Asian Dowitcher
26. Philippine Hawk Eagle	<i>Spizacus philippensis</i>	CITES (II)	41. Chinese Crested Tern
27. Osprey	FAMILY PANDIONIDAE <i>Pandion haliaetus</i>	CITES (II)	FAMILY LARIDAE
28. Philippine Falconet	FAMILY FALCONIDAE <i>Microhierax erythrogenys</i>	CITES (II)	<i>Sterna simmermanni</i>
29. Kestrel	<i>Falco tinnunculus interstinctus</i>	CITES (II)	ORDER COLUMBIFORMES
30. Oriental Hobby	<i>Falco severus severus</i>	CITES (II)	FAMILY COLUMBIDAE
31. Peregrine Falcon	<i>Falco peregrinus ernesti</i>	CITES (I)	
32. Migratory Peregrine falcon	<i>Falco peregrinus calidus</i>	CITES (I)	

Species	IUCN (K)	Species	IUCN (K)	Species	IUCN (K)
42. Flame-breasted/Marche's Fruit Dove	IUCN (K)	<i>Ptilinopus marchei</i>	IUCN (K)	64. Sooty's Coucal	IUCN (K)
43. Negros Fruit Dove	IUCN (T)	<i>Ptilinopus arcanus</i>	IUCN (T)	65. Scale-feathered cuckoo/Scale-feathered malkoha	CITES (II)*
44. Mindoro Imperial Pigeon	CITES (I)	<i>Ducula mindorensis</i>	CITES (I)		
45. Spotted Imperial Pigeon	IUCN (K)	<i>Ducula carola</i>	IUCN (K)		
46. Luzon Bleeding Heart Pigeon	CITES (II)	<i>Galliolumba luzonica luzonica</i>	CITES (II)		
47. Mindoro Bleeding Heart Pigeon	IUCN (T)	<i>Galliolumba luzonica planiae</i>	IUCN (T)		
48. Negros Bleeding Heart Pigeon	CITES (II)	<i>Galliolumba luzonica kaayi</i>	CITES (II)		
49. Sulu Bleeding Heart Pigeon	IUCN (T)	<i>Galliolumba luzonica menagei</i>	IUCN (T)		
50. Nicobar Pigeon	CITES (I)	<i>Caloenas nicobarica</i>	CITES (I)		
51. Grey Imperial Pigeon	IUCN (T)	<i>Ducula pickeringii</i>	IUCN (T)		
52. Superb Fruit Dove	CITES (I)*	<i>Ptilinopus superbus</i>	CITES (I)*		
ORDER PSITTACIFORMES					
FAMILY PSITTACIDAE					
53. Mt. Apo Lorikeet/Mindanao Lorikeet	CITES (II)	<i>Trichoglossus johnstoniae</i>	CITES (II)	68. Scops Owl	CITES (II)
54. Philippine Cockatoo/Red-vented Cockatoo	IUCN (K); CITES (II)	<i>Kakatoe leucorhynchos</i>	IUCN (K); CITES (II)	69. Luzon Slender-billed Scops Owl	CITES (II)
55. Blue-headed Racket-tailed Parrot	IUCN (T); CITES (II)	<i>Prioniturus discurus</i>	IUCN (T); CITES (II)	70. Mindoro Scops Owl	IUCN (K)
56. Crimson-spotted Racket-tailed Parrot	IUCN (K); CITES (II)	<i>Prioniturus montanus</i>	IUCN (K); CITES (II)		
57. Palawan Racket-tailed Parrot	IUCN (K); CITES (II)	<i>Prioniturus platenae</i>	IUCN (K); CITES (II)		
58. Green-headed Racket-tailed Parrot	IUCN (K); CITES (II)	<i>Prioniturus luconensis</i>	IUCN (K); CITES (II)		
59. Blue-naped Parrot	IUCN (E)*	<i>erythrathus luconensis</i>	IUCN (E)*		
60. Large-billed Parrot	CITES (II)	<i>Tanygnathus megalonyx</i>	CITES (II)		
61. Blue-backed Parrot	CITES (II)	<i>Tanygnathus sumatranus</i>	CITES (II)		
62. Gunabero	CITES (II)	<i>Bolbopsittacus lunulatus</i>	CITES (II)		
63. Philippine Hanging Parakeet	CITES (II)	<i>Loriculus philippensis</i>	CITES (II)		
ORDER ALCEDINIDAE					
				79. Philippine Forest Kingfisher	IUCN (K)
				80. Winchell's Kingfisher	IUCN (K)

81. Blue-capped kingfisher or Hornbron's kingfisher	<i>Halcyon hornbroni</i>	IUCN (T)	cuckoo-shrike/graybird
FAMILY BUCEROTIDAE			
82. Tactic Hornbill	<i>Penelopides panini</i>	CITES (II)*	
83. Withed billed Hornbill	<i>Aceros leucophaeus</i>	CITES (II)*	
84. Palawan Hornbill	<i>Anhracoceros marchei</i>	CITES (II)*	
85. Sulu Hornbill	<i>Anhracoceros montani</i>	IUCN (T)	
86. Rufous Hornbill	<i>Buceros hydrocorax</i>	IUCN (E)* CITES (II)	
ORDER PICIFORMES			
FAMILY PICIDAE			
87. Three-toed woodpecker	<i>Dinopium javanense everetti</i>	CITES (II)*	
88. Great Slaty woodpecker	<i>Mulleripicus pulverulentus</i>	CITES (II)* CITES (II)*	
89. Sooty Woodpecker	<i>Mulleripicus funebris</i>	CITES (II)*	
90. White-bellied black Woodpecker	<i>Dryocopus javanensis</i>	CITES (II)*	
91. Pygmy Woodpecker	<i>Dendrocopos maculatus</i>	CITES (II)*	
92. Crimson-backed Woodpecker	<i>Chrysocolaptes lucidus</i>	CITES (II)*	
ORDER PASSERIFORMES			
FAMILY EURYLAIMIDAE			
93. Wailed Broadbill	<i>Eurylaimus steerii</i>	IUCN (K)	
FAMILY PITIIDAE			
94. Koch's Pitta or Whiskered pitta	<i>Pitta kochi</i>	IUCN (K); CITES (I)	
95. Steere's pitta	<i>Pitta steerii</i>	IUCN (T)	
FAMILY CAMPEPHAGIDAE			
96. Black Graybird	<i>Coracina coerulescens</i>	IUCN (K)	
97. White-winged	<i>Coracina ostenta</i>	IUCN (T)	
FAMILY PYCNONOTIDAE			
98. Mottled-breasted Bulbul	<i>Hypsipetes siquijorensis</i>	IUCN (K)	
FAMILY MUSCICAPIDAE			
99. White-throated Jungle Flycatcher	<i>Rhinomyias gularis albigularis</i>	IUCN (T)	
100. White-browed/luxon Jungle Flycatcher	<i>Rhinomyias insignis</i>	IUCN (K)	
101. Vaurie's Flycatcher or Cryptic Flycatcher	<i>Ficedula crypta</i>	IUCN (K)	
102. Blue-breasted Flycatcher	<i>Cyornis harti</i>	IUCN (T)	
103. Short-crosted Monarch	<i>Hypothymis helena</i>	IUCN (T)	
104. Celestial Blue Monarch	<i>Hypothymis coelestis</i>	IUCN (T)	
105. Good fellow's Jungle Flycatcher	<i>Rhinomyias goodfellowi</i>	IUCN (V)*	
FAMILY TURDIDAE			
106. Philippine Water Redstart	<i>Rhyacornis bicolor</i>	IUCN (T)	
107. Cebu Black Shama	<i>Copsychus cebuensis</i>	IUCN (T)	
108. White-browed Shama	<i>Copsychus luzonensis</i>	CITES (II)* IUCN (K)	
109. Ashy ground thrush	<i>Zosterora cinerea</i>	IUCN (K)	
FAMILY TIMALIIDAE			
110. Bagobo Babbler	<i>Leonardina woodi</i>	IUCN (T)	
111. Streaked Ground Babbler	<i>Ptilotichta mindanensis</i>	IUCN (K)	
112. Luxon Wren-babbler	<i>Napothera rabori rabori</i>	IUCN (T)	
113. Surpud Tree-babbler	<i>Stachyris juliana</i>	IUCN (K)	
114. Miniature Tit-babbler	<i>Micromacronus leylandi</i>	IUCN (K)	
115. Negros tree babbler	<i>Stachyris nigrorum</i>	IUCN (T)	
FAMILY RHABDORNITHIDAE			

116. Plain-headed Creeper/ Long-billed creeper	<i>Rhabdornis inornatus</i> <i>grandis</i>	IUCN (T)	MAMMALIA ORDER ARTIODACTYLA FAMILY BOVIDAE		
FAMILY FRINGILLIDAE					
117. Japanese yellow Bunting	<i>Emberiza sulphurata</i>	IUCN (T)		<i>Bubalus mindorensis</i>	CITES
118. Philippine bullfinch	<i>Pyrhula leucogenys</i>	IUCN (V)*		FAMILY CERVIDAE	
FAMILY ESTRILIDAE					
119. Green-faced Parrot- finch	<i>Erythrura viridifacies</i>	IUCN (K)		<i>Cervus affredi</i>	IUCN (E)
				<i>Cervus parvius</i>	IUCN (V)
				<i>Cervus mariannus</i>	CITES (I)
					IUCN (E)
120. Mindanao parrotfinch	<i>Erythrura colorata</i>	IUCN (T)		FAMILY TRAGULIDAE	
FAMILY ORIOLIDAE					
121. Isabella Oriole	<i>Oriolus isabellae</i>	IUCN (K)		<i>Tragus napu</i>	Proposed for inclusion under CITES III
FAMILY STURNIDAE					
122. Mt. Apo Myna	<i>Basilornis miranda</i>	IUCN (K)*		ORDER CARNIVORA	
123. Hill Myna/Talking Myna	<i>Gracula religiosa</i> <i>palawanensis</i>	CITES (V)*		FAMILY FELIDAE	
				<i>Felis bengalensis</i>	CITES (II)
FAMILY ZOSTEROPIDAE					
124. Goodfellow's white-eye	<i>Lophozosterops goodfellowi</i>	IUCN (K)*			
125. Cinnamon White-eye	<i>Hypocryptadius cinnamomeus</i>	IUCN (K)*		FAMILY MUSCULIDAE	
NOTE: (*) - Proposed for inclusion under the specified list					
				ORDER RODENTIA	
				FAMILY MURIDAE	
				<i>Batomys</i> sp. ii	IUCN (K)
					CITES (II)
				ORDER PRIMATES	
				FAMILY ERINACEIDAE	
				<i>Podogymnura truci</i>	IUCN (V)
				ORDER PRIMATES	
				FAMILY LORISIDAE	

10. Slow loris or slow lemur
Nycticebus menagensis
CITES (II)

FAMILY CERCOPIHEDICIDAE

11. Philippine monkey or long-tailed macaque
Macaca fascicularis
CITES (II)

FAMILY TARSIIDAE

12. Philippine tarsier
Tarsius syrichta
IUCN (E)

FAMILY TUPAIIDAE

13. Philippine tree shrew or Mindanao slender tailed shrew
Urogale everetti
CITES (II)

14. Palawan tree shrew
Tupaia p. palawanensis
CITES (II)

15. Sea cow or dugong
Dugong dugon
IUCN (V)
CITES (I)
Proposed for uplisting to endangered category

ORDER CHIROPTERA
FAMILY ACERODON

16. Pansy flying fox or Pansy giant fruit bat
Acerodon lucifer
CITES (II)

17. Chapman's fruit bat
Giant fruit bat
-Dobsonia exoleta chapmani
Acerodon jubatus
mindanensis
Eonycteris spelaea glandifera
CITES (II) 18.
CITES (II)
CITES (II)

19. Dawn bat
CITES (II)

20. Long-tongued fruit
Macrolossus lagochilus
CITES (II)

21. Harpy fruit bat
Marpionyceris wiktcheadi
CITES (II)

FAMILY PTEROPIDAE

22. Dog-faced fruit bat
Cynopterus brachyotis
lizoniensis
CITES (II)

23. Short-nosed fruit bat
Pterochirus jagorii
CITES (II)

24. Geoffroy's rousette bat
Rousettus amplexicaudatus
CITES (II)

25. Philippine flying fox/
Philippine giant
fruit bat
Pteropus vampyrus
lanensis
CITES (II)

26. Fruit bat
Pteropus speciosus
CITES (II)

ORDER PHOLIDOTA
FAMILY MANIDAE

27. Palawan scaly anteater
Manis javanica
CITES (II)

REPTILIA
 ORDER CROCODYLIA
 FAMILY CROCODYLIDAE

1. Philippine or freshwater crocodile
Crocodylus mindorensis
2. Estuarine or saltwater crocodile
Crocodylus porosus

IUCN (E)
 CITES (I)

CITES (I)

11. Leyte pond turtle
 or Leyte freshwater turtle

Hosemys leytenensis
 IUCN

ORDER SAURIA
 FAMILY VARANIDAE

3. Gray Monitor lizard
Varanus grayi

IUCN (R)
 CITES (II)

4. Variable Malay Monitor Lizard or Variable Monitor Lizard
Varanus salvator

CITES (II)

FAMILY AGAMIDAE

5. Sailfin lizard
Hydrosaurus postulosus

IUCN (R)

ORDER SERPENTES
 FAMILY BOIDAE

6. Reticulated python
Python reticulatus

CITES (II)

ORDER TESTUDINATA
 FAMILY CHELONIDAE

7. Hawksbill turtle
Eretmochelys imbricata

IUCN (E)
 CITES (I)

8. Olive-ridley turtle
Lepidochelys olivacea

IUCN (E)
 CITES (I)

9. Green sea turtle
Chelonia mydas

IUCN (E)
 CITES (I)

FAMILY DERMOCHELYDAE

10. Leatherback turtle
Dermochelys coriacea

IUCN (E)
 CITES (I)