



NOV 06 2020

DENR ADMINISTRATIVE ORDER
NO. 2020 - 15

SUBJECT : AMENDING CERTAIN PROVISIONS OF DENR ADMINISTRATIVE ORDER NO. 2020-07, "RATIONALIZING DREDGING ACTIVITIES IN HEAVILY-SILTED RIVER CHANNELS PURSUANT TO THE DENR-DPWH-DILG-DOTR JOINT MEMORANDUM CIRCULAR NO. 1 SERIES OF 2019"

In the interest of service and recognizing the powers granted to chartered Economic Zone Authorities within the framework of the Constitution, the provisions of DAO 2020-07 shall be amended as follows:

Part I
GENERAL PROVISIONS

Section 1. Coverage. This Order shall cover the implementation of the DENR River Restoration thru Dredging Activities as embodied in Section 5.4 of the DENR-DPWH-DILG-DOTR Joint Memorandum Circular No. 2019-01 in heavily-silted river channels within the country.

River restoration through dredging activities for the provinces of Zambales, Oriental Mindoro, and Negros Occidental are governed by DENR Administrative Order Nos. 2019-13, DAO 2019-14, and DAO 2020-01, respectively.

River restoration through dredging activities by chartered Economic Zone Authorities, such as the Philippine Economic Zone Authority (PEZA), Aurora Pacific Economic Zone and Freeport Authority (APEZFA), Cagayan Economic Zone Authority (CEZA), Subic Bay Metropolitan Authority (SBMA) and Zamboanga City Special Economic Zone Authority (ZCSEZA) which are mandated to develop, operate and manage designated economic zones shall likewise be covered by this Order.

Part II
QUALIFICATIONS OF LARGE-SCALE DREDGING OPERATORS

Section 4. Other requirements

- a) Deploy all their equipment within 30 days from the Notice to Proceed (NTP) to be issued by the Provincial Government and the equipment shall be under the name of the company, either chartered or leased, and capable of undertaking large scale dredging activity. For dredging activities in heavily-silted river channels within special economic zones, NTP shall be issued by the concerned chartered Economic Zone Authority.

- b) Post a Cash Bond in the amount to be determined by the Inter-Agency Committee, to be held in an account for the Provincial Government or the concerned chartered Economic Zone Authority, in areas within special economic zones, to ensure compliance with this Order and other applicable environmental laws, rules and regulations.

xxx

- e) Secure the necessary permit from the Provincial Government or from the concerned chartered Economic Zone Authority operating the special economic zones and pay the required National and Local Tax as required by law.

Part III

DENR RIVER RESTORATION THROUGH DREDGING ACTIVITIES

Section 1. Local Government Units (LGUs) and chartered Economic Zone Authorities that are interested in undertaking river restoration through dredging activities in specified heavily-silted river channels within their jurisdiction or special economic zones, must submit a letter of intent addressed to the Office of the Secretary.

xxx

Section 3. Application for Issuance of Dredging Clearance. The application for the issuance of Dredging Clearance with the concerned Regional Office of DPWH must be accompanied by the endorsement of the Governor and shall be governed by this Order and other applicable DENR laws, rules and issuances. For dredging activities in heavily-silted river channels within the special economic zones being developed, operated, or managed by a chartered Economic Zone Authority, no endorsement from the local government shall be required.

Part IV

ENVIRONMENTAL MANAGEMENT

Section 2. Programmatic Environmental Impact Assessment (PEIA) or Strategic Environmental Assessment (SEA) per River Channels. In order to ensure that the river restoration activities and the dredging master plan consider the necessary environmental measures, the EMB Regional Office shall conduct the Programmatic EIA or SEA for each river system in coordination with MGB, DPWH and the Provincial Government or the concerned chartered Economic Zone Authority, in case the area is within the special economic zones. The Provincial Government or the chartered Economic Zone Authority may be the proponent for the Programmatic EIA and SEA.

Part VI

OPERATIONS PERMIT

Section 1. Operations Permit. No Operations Permit, Notice of Award and Notice to Proceed shall be issued by the Provincial Government or the chartered Economic Zone Authority for areas within the special economic zones pursuant to this Order, unless the applicant has secured a dredging clearance for flood control dredging and desilting activities in RDZ from the Regional Office of the DPWH based on the DPWH-issued Dredging Master Plan, a valid MOA with the DENR Regional Office, has been duly accredited as a trader, and has obtained ECC.

Section 2. Monitoring and Supervision Fee. A monitoring and supervision fee which shall not be less than five percent (5%) of the market value of the gross output of the materials extracted from the covered area within the RDZ, exclusive of all other taxes, shall be paid to the provincial government or the chartered Economic Zone Authority for areas within the special economic zones for purposes of monitoring and ensuring compliance with this Order and other related issuances.

**Part VII
MONITORING AND ENFORCEMENT**

Section 1. Creation of Inter-Agency Committee. An Inter-agency Committee shall be created, composed of the following:

- a) Governor of the Province or Head of the chartered Economic Zone Authority, for areas within the special economic zones, as Chairperson;
- b) DENR Regional Executive Director as Vice-Chairperson;
- c) DPWH Regional Director as Member;
- d) MGB Regional Director as Member; and
- e) EMB Regional Director as Member.

All other orders and issuances, rules and regulations, and parts thereof inconsistent with this Order are hereby amended, modified or repealed accordingly.

This Order shall take effect fifteen (15) days following its complete publication in a newspaper of general circulation and registration with the Office of the National Administrative Register.



ROY A. CIMATU
Secretary



PUBLICATION: The Manila Times
November 12, 2020
ACKNOWLEDGEMENT: U.P. Law Center
November 18, 2020