



DENR Administrative Order
No. 2021 – 20

JUN 30 2021

SUBJECT : GUIDELINES IN MANAGING UNTENURED FORESTLANDS WITH PLANTATIONS ESTABLISHED THROUGH GOVERNMENT FUNDS

Pursuant to Presidential Decree No. 705, as amended, or the Revised Forestry Code of the Philippines, Philippine Master Plan for Climate Resilient Forestry Development, and to place all remaining untenured forestlands under any appropriate tenure instrument or management arrangement to ensure the sustainable management of the forest resources therein, the following guidelines are hereby issued to provide for the procedure in developing untenured forestlands with plantations established through government funds.

SECTION 1. Basic Policy. The State recognizes the indispensable role of the private sector in natural resources development, thus encourages private enterprise and provides incentives to needed investments. In order to promote Sustainable Forest Management, it is the policy of the Government to place under any appropriate tenure instrument or management arrangement, all parcels of forestlands that are still untenured, in order to ensure the sustainable management of these lands and the resources therein.

SECTION 2. Objectives. The general objective of this Order is to place parcels of forestland that were developed as plantations using government funds under any appropriate tenure instrument or management arrangement. The specific objectives are:

1. Identify areas of forestland with plantations developed using government funds or under the National Greening Program and other similar projects, that are not under any existing tenure program of the Department and recommend management options; and
2. Offer untenured areas to qualified investors and provide appropriate tenure instruments or management arrangement

SECTION 3. Scope and Coverage. This Order shall apply to all lands classified as forestland, that are untenured, but were developed as plantations using government funds.

SECTION 4. Identification of Areas. The Forest Management Bureau shall identify all untenured areas from the central database of the National Greening Program Coordinating Office. A list shall be supported with corresponding maps produced through the Geographic Information System and an exhaustive attribute table which must include relevant information like the species planted, hectarage of the area, original contracting party, cost of investment, recommended management options and other similar data.

The areas to be included in the database must have the following qualifications:

1. The area is within the production zone of the forestland;
2. The plantation developed in the area is not under a co-management agreement with the local government unit; and
3. All plantations developed under the National Greening Program and other similar projects that were turned over to the Department of Environment and Natural Resources and are not yet covered by any appropriate tenure instrument or management arrangement.

SECTION 5. Publication of Areas. The Forest Management Bureau shall publish the list of untenured areas through the official websites of the Bureau, the Department, and the Regional Offices. The publication must include the location of the area, its size, actual improvements therein, species planted, and other relevant information. The same shall serve as a notice to the public that the areas are available for development under existing tenure program.

SECTION 6. Qualified Applicants. Interested persons, both natural or juridical, may develop and manage the identified areas in Section 4 through any appropriate tenure arrangement with the Department.


SECTION 7. Recoup of Investments. A study on the determination for the recoup of investments shall be conducted to consider the stumpage value and the total investment cost of the government over the area, which shall serve as basis of the determination of minimum bid price of the plantation.

SECTION 8. Policy Review and Monitoring. The implementation of this Order shall be reviewed and monitored every five (5) years by the Forest Management Bureau, in coordination with DENR and its Regional Offices, who shall provide the Undersecretary for Policy, Planning, and International Affairs with recommendations for the Order's improvement or enhancement. All legal documents, including tenure agreements issued pursuant to this Order, shall also be monitored and reviewed, in aid of developing policies, rules, and regulations.

SECTION 9. Repealing Clause. All Orders, Circulars, Memoranda, and Issuances that are inconsistent with the provisions of this Order are hereby repealed or amended accordingly.

SECTION 10. Separability Clause. Should any part of this Order be deemed unconstitutional, those provisions not declared so shall remain in force and valid.

SECTION 11. Effectivity Clause. This Order shall take effect fifteen (15) days from publication in a newspaper of general circulation and registration with the Office of the National Administrative Register at the University of the Philippines Law Center.


ROY A. CIMATU
Secretary



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