



**Republic of the Philippines**  
**Department of Environment and Natural Resources**  
Visayas Avenue, Diliman, Quezon City  
Website: <http://www.denr.gov.ph> / E-mail: [web@denrgov.ph](mailto:web@denrgov.ph)

**MEMORANDUM**

FOR/TO : Assistant Director, BMB  
Assistant Director, ERDB  
Assistant Director, EMB  
Assistant Director, FMB  
Assistant Director, LMB  
Assistant Director, MGB  
Representative (OHEA)  
Representative (OCOS)  
Representative (Office of the Undersecretary for Legal, Admin.,  
Human Resources, and Legislative Affairs)  
Representative (Office of the Undersecretary for Field Operations and  
Environment)  
Representative (Office of the Undersecretary for Mining and  
and Muslim Affairs)  
Representative (Office of the Undersecretary Policy, Planning and Int'l.  
Affairs)  
Representative (Office of the Undersecretary for Finance, Information  
Systems and Climate Change)  
Representative (Office of the Undersecretary for Solid Waste  
Management & Local Government Units Concerns)  
Representative (Office of the Undersecretary for Indigenous Peoples  
Affairs & Mindanao Environmental Priority Projects)  
Representative (Office of the Undersecretary for Special Concerns)  
Representative (Office of the Undersecretary for Enforcement)  
Representative (Office of the Assistant Secretary for Policy, Planning  
and  
Foreign-Assisted and Special Projects)  
Representative (Office of the Assistant Secretary for Legal)  
Representative (Office of the Assistant Secretary for Field Ops.-  
Luzon)  
Representative (Office of the Assistant Secretary for Field Ops.-  
Visayas)  
Representative (Office of the Assistant Secretary for Field Ops.-  
Mindanao and Legislative Affairs)  
Representative (Office of the Assistant Secretary for Finance, Info.  
Systems and Mining Concerns)  
Representative (Office of the Assistant Secretary for Enforcement)  
Representative (Office of the Assistant Secretary for Administration  
and Human  
Resources)  
Representative (Legal Affairs Service)

Engr. Ernestina Jose (SCIS)  
For. Conrado Bravante, Jr. (FASPS)

FROM : The Chairperson, and OIC Director Policy and Planning Service  
SUBJECT : **HIGHLIGHTS OF PTWG MEETING NO. 2021-17 HELD ON  
AUGUST 17, 2021 9:30 AM**  
DATE : 14 SEP 2021

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We are furnishing herewith the highlights of the above-cited meeting regarding the following topics:

1. Draft DENR Memorandum Order: Rationalizing the Usage of Manila Bay to Restore its Water to SB Classification to make it Fit for Swimming, Skin Diving and other Forms of Content Recreation;
2. Draft DENR Administrative Order re: Guidelines on the Processing of Applications for Expansion of Areas under Community-Based Forest Management Agreement (CBFMA) to include Adjacent Untenured Areas within Forestlands; and
3. Draft Executive Order re: Promoting Sustainable Integrated Watershed Management in the Philippines.

FOR INFORMATION.

  
MELINDA C. CAPISTRANO



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. (632) 929-66-26 to 29 · (632) 929-62-52  
Website: <http://www.denr.gov.ph> / E-mail: [web@denr.gov.ph](mailto:web@denr.gov.ph)

## DENR-POLICY TECHNICAL WORKING GROUP

### Minutes of Meeting No. 2021-17

August 17, 2021, 9:30 AM

Combination of Virtual Meeting via Zoom and In-Person Hybrid Meeting  
PPS-PSD, 3/F DENR Bldg., Visayas Ave., Diliman, Quezon City

#### I. Attendees

1. Dir. Melinda C. Capistrano- Chairperson
  2. Dir. Norlito A. Eneran- Vice Chairperson
  3. RED Nilo B. Tamoria- Region 4A
  4. For. Roberto A. Oliveros- OUMMA
  5. Ms. Kris Jairah G. Mercado- OUE
  6. For. Flordelino Rey- OASPPFASPS
  7. Mr. Joseph Luke Crisostomo, OASFOL
  8. Ms. Reina Frances D. Requieron- OASECFISMC
  9. Engr. Jed Mangubat- EMB
  10. Mr. Edwin Conception- EMB
  11. Ms. Encarmila Panganiban- OULAHRLA
  12. Atty. Camilo D. Garcia- LAS
  13. For. Ildefonso Quillooy- FMB
  14. For. Rogelio Gibe- FMB
  15. For. Venerando U. Garcia- PSD
  16. For. Roel F. Hatagi- OUIPAMEPP
  17. Atty. Simmonette Lim- ERDB
  18. Mr. Eugene Paranaque- ERDB
  19. Mr. Edwin Concepcion- EMB
  20. For. Ivy Nicole G. Angeles- OCOS
  21. Ms. Nilda Baling- BMB
  22. Mr. Abhay Charan Tufiacao- BMB
  23. Mr. Jay Arididon, BMB
  24. For. Kenneth Tabliga- FMB
  25. For. Rosalie Imperial- FMB
  26. For. Lemuelle Celis- FMB
  27. For. Edward Dumrique- FMB
  28. Mr. Joselito Eyala- OUFOE
  29. Ms. Coleen Bautista- BMB
  30. Mr. Christian Vincent V. Sikatuna- BMB
  31. Mr. Jay Q. Arididon- BMB
  32. Mr. Abhay Charan P. Tunacao- BMB
  33. For. Anselmo Cabrera- FMB
  34. For. Nelissa Maria Rocas- FMB
  35. Mr. John Jaramillo- FMB
  36. For. Jeanna Bago- FMB
  37. Mr. Jeffrey Mesias- BMB
  38. Mr. Joselito Eyala- OUFOE
  39. Ms. Coleen Bautista- BMB
  40. For. Christian Latiza- MGB
  41. For. Glaiza del Rosario- MGB
  42. For. Blessed Joy Panganiban- MGB
  43. For. Teodorico L. Marquez, Jr.- MGB
  44. For. Marnette B. Puthenpurekal- MGB
  45. For. Conrado A. Bravante, Jr.- FASPS
  46. Engr. Franklin, OUIPAMEPP
  47. Ms. Maureen Reyes- OASFOV
  48. For. Rachell Abenir- BMB
  49. For. Lovella Luzette Galindo- LMB
  50. Ms. Aminah Blanco- OULAHRLA
  51. Mr. Pablo de los Reyes, Jr.- BMB
  52. Ms. Rowena Bolinas- BMB
  53. Mr. Christian Satuna, BMB
  54. Engr. Franklin F. Condino
  55. Ms. Marlyn Arzaga- PSD
  56. Representative, DENR 4A
  57. Mr. John Jaramillo- FMB
- FOCAL/ PTWG SECRETARIAT
58. For. Amisol B. Talaria (Forestry)
  59. Ms. Anna Michelle Lim (BMB)
  60. Ms. Maria Theresa Enriquez (MGB)
  61. Mary Lou Retos (LMB)
  62. Cherry Winsom F. Holgado (EMB)
  63. Mr. Nehemiah Leo Carlo Salvador (Host)
  64. For. Emma Liwliwa Baradi-Medina (MGB)

#### II. Highlights of the Meeting

The meeting commenced at 9:42 AM and was presided over by Director Capistrano. She informed that there are three (3) agenda for the meeting. For. Garcia informed the body of the request of the proponent of the draft policy re: Manila Bay that the proposed policy be taken up as second agenda of the meeting. For. Oliveros moved for the approval of the agenda, and it was seconded by other members of the PTWG.

22 **1. Draft DAO re Guidelines on the Processing of Applications for Expansion of Areas**  
23 **under Community-Based Forest Management Agreement (CBFMA) to include**  
24 **Adjacent Untenured Areas within Forestlands**  
25

26 *Presentation and Discussions:*  
27

- 28 • The draft policy was presented by For. Quilloy. He discussed the rationale/objectives  
29 of the draft policy, which is to provide incentives to develop, utilize and manage  
30 specific portions of forestlands to enhance environmental conditions, generate  
31 additional income to improve the POs socio-economic condition towards poverty  
32 reduction and hunger mitigation.  
33

34 Another objective is to place untenured areas adjacent to CBFM areas into proper  
35 management regime cognizant with the programs and strategies of the Philippine  
36 Master Plan for Climate Resilient Forestry Development. According to For. Quilloy,  
37 there are forestland that can be manage by CBFM holders. There's only a need to set  
38 the criteria for them to have a full access to the land. As of July 2021, the Total  
39 CBFMA was issued to 1958 POs. There are 216 POs with 100% area developed and  
40 there are 784 POs with projects outside CBFMA area.  
41

- 42 • For. Quilloy also shared the situation in the field, wherein the CBFMA holder was  
43 contracted out by the Regional Offices to develop the area. There are also instances  
44 where CBFM holder is not aware of their areas and are planting and developing the  
45 adjacent areas. It was only discovered during the survey and resurvey and those good  
46 performing POs were contract out by the Regional Offices.  
47

- 48 • For. Oliveros noted that there are 1,958 POs and 216 POs have 100% area developed  
49 hence, still around 700 POs who have not developed their area. He asked on why there  
50 are POs which developed areas outside their CBFMA areas. In reply, For. Quilloy  
51 explained that the metes and bounds of the area are not clearly defined. Secondly, in  
52 the implementation of the NGP, the POs are required to be registered and have  
53 complete documents. Initially, the POs were engaged as contractors, hence, the  
54 development outside their CBFMA areas.  
55

56 Director Capistrano explained that the National Greening Program (NGP) is there due  
57 to the target and the development of CBFMA was taken for granted.  
58

- 59 • Director Eneran clarified if there are markings on the site surveyed, he said that an  
60 issue may be about proper delineation of CBFMA areas. He asked on the actions being  
61 taken to address the issue, and the procedures for survey or resurvey. In reply For.  
62 Quilloy informed that latest survey/mapping equipment such as Global Positioning  
63 System (GPS) are being used in the survey of areas. On the delineation, FMB  
64 personnel informed that monuments (mohon) are being installed in the areas/surveyed  
65 sites.  
66

67 Director Eneran suggested incorporating in the draft policy the procedures for the  
68 survey or delineation of CBFMA areas.  
69

70 For. Quilloy replied that an FMB Technical Bulletin has been issued to prevent  
71 overlapping of areas.  
72

- 73 • For. Quilloy discussed the processes conducted in the crafting of the proposed policy.  
74

75 *Title*

- 76 • For. Oliveros suggested using the term “covering” in lieu of “to include.” For. Quilloy  
77 commented that they will take note of the suggestion.  
78

79 • Ms. Reyes also explained that “covering” means immediate, to include is to add. On  
80 the proposal to use “covering,” It connotes that the CBFMA is present. There is  
81 untenured area that is separate from the CBFMA area, hence the use of the line “to  
82 include.”

83  
84 For. Oliveros explained that in their definition of terms, adjacent is within common  
85 boundaries and endpoint.

86  
87 For. Garcia suggested that contagious is the proper word.

88  
89 Director Capistrano said that in reality, we might as well capture it.

90  
91 For. Rey said that we will add in a parcelized way.

92  
93 For. Garcia explained that contagious means sharing a common border-touching  
94 and adjacent is next to or adjoining something else.

95  
96 For. Quilloy said that it is not in the original draft but as the result of the workshop  
97 they have revised the title. Likewise, he suggested to place it in the scope and  
98 coverage. For. Quilloy said that they will marry other statement on section 6.5 and  
99 other provisions to capture the scope. It was then agreed by the Chairperson.

100  
101 *Preambular*

102 • For. Oliveros, suggested adding the phrase “is hereby issued” at the end of the  
103 Preambular Statement.

104  
105 *Section 1. Basic Policy*

106 • For. Oliveros asked whether the line was quoted from the 1987 Constitution. For.  
107 Quilloy informed that the provision is a combination of the 1987 Constitution, EO No.  
108 263 provision and other laws.

109  
110 Director Eneran suggested differentiating “healthy environment” from “healthful  
111 ecology” which is what was provided in the 1987 Constitution. For. Quilloy replied  
112 that the former was used as it is easily understood.

113  
114 For. Rey requested clarification if the basic policy is not directly related or anchored  
115 on prefatory statement. Director Capistrano stated that the use of “healthy  
116 environment” is justifiable and easily understood as explained by For. Quilloy.

117  
118 For. Garcia commented that a basic policy normally starts with the provision of the  
119 1987 Constitution and reinforced by other laws.

120  
121 *Section 2 Objectives*

122 • For. Oliveros suggested replacing item 2.1. with the objectives presented in the  
123 powerpoint presentation.

124  
125 *Section 3. Scope and Coverage*

126 • Director Capistrano asked if there is no development in CBFMA or any prosper.

127  
128 For. Quilloy explained that there are holders that are inactive and there are POs with  
129 minimal area development.

130  
131 Director Capistrano asked if those idle and inactive POs were not given a chance to  
132 re- apply for contract.

133  
134 For. Quilloy explained that those POs with expiring contract will not be renewed and  
135 there is a Technical Bulletin regarding the matter.

136 Director Capistrano asked if we cannot remove contract if the POs are not complying  
137 with the terms and conditions.

138  
139 For. Quillooy said that the DENR can do it. He said that there are instructions to  
140 conduct an assessment on tenurial instruments.

141  
142 For. Oliveros said that the Regional Office has an ongoing assessment.

143  
144 • For. Rey said that all CBFMA was cancelled by former Secretary Ramon Paje.

145  
146 It was clarified by For. Quillooy, that there is no issuance during the time of Secretary  
147 Paje and during the time of Secretary Angelo Reyes, the issuance of Resource Use  
148 Permit (RUP) was suspended.

149  
150 *Section 4. Definition of Terms*

151 • For. Oliveros asked on how the definition of “adjacent” will be reflected. For. Quillooy  
152 explained that they will place this in the scope and coverage.

153  
154 • For. Oliveros clarified the definition of stakeholders. In reply, For. Quillooy informed  
155 that this includes other entities who will be involve in the development of CBFMA. He  
156 added that the stakeholders also include the POs.

157  
158 • For. Galindon commented that under the term “separated” under Section 6.5 may be in  
159 conflict with the definition of adjacent untenured areas. For. Quillooy responded that  
160 this will be placed under the scope and coverage.

161 • Ms. Reyes reiterated her suggestion deleting the word “adjacent” to capture Section  
162 6.5. For. Quillooy informed that originally, the priority areas are those that are adjacent.  
163 There are areas with gaps, hence, Section 6.5 was considered. Dir. Capistrano  
164 commented that the official definition of adjacent should be used.

165  
166 • For. Latiza clarified on relinquish areas that can be applied and may be subject to  
167 application for CBFMA or other tenurial instruments. We did not allow this under our  
168 draft SIFMA guidelines.

169  
170 For. Quillooy asked if the mining area is classified as forestland. He explained that if it  
171 is an untenured forestland, the same will qualify for area expansion. The DENR should  
172 protect and maintain the initiative of the project entity. For as long as it is forestland  
173 and qualified under the policy, the same may be covered.

174  
175 For. Gibe recommended that DAO No. 2004-29 will be used as this will be a new  
176 application.

177  
178 Director Capistrano asked if the mined out area will be under the jurisdiction of the  
179 LGU. She said that the area will be open, and we should be quite on it and if they will  
180 qualify they can apply on DAO No. 2004-29.

181  
182 • For. Quillooy commented that the FMB and MGB may issue a Joint Agreement  
183 specifically on the matter before relinquishing the area together with LGUs and for the  
184 DENR and Mining Company to talk about it and to have MOA or MOU to be clear.

185  
186 For. Rey commented that if an area subjected to mining is forestland, a joint agreement  
187 or guidelines may be issued to provide guidance on the matter.

188  
189 *Section 5. Qualifications/Criteria of Eligible CBFMA POs*

190 • Director Capistrano asked on who affirms the CRFM. For. Oliveros suggested revising  
191 the sectioning and heading of the items, i.e. Section 5- areas available for CBFM

192 expansion, Section 6- qualification of CBFM POs, Section 7- requirements for  
193 application, Section 8- processing and approval.

194  
195 For. Quilloy explained that Section 6 pertains to the condition on how the PO and area  
196 will qualify.

197  
198 Director Capistrano suggested reviewing the draft policy section-by-section in order to  
199 determine whether the statements/provisions will need revision. For. Oliveros  
200 commented that Section 5 will pertain to the qualifications of the POs.

201

202 *Section 6. Conditions in the inclusion of Adjacent Untenured Areas for CBFMA area expansion.*

203 • For. Oliveros commented that the word “if” is no longer necessary and the provisions  
204 should be reflected as declarative statements. It was agreed by For. Quilloy.

205 • For. Rey noted that there may no need to use the word “untenured” in the items/sub-  
206 sections. For. Quilloy replied that it is still necessary to include the said word to avoid  
207 confusion on the ground. Likewise, he accepted suggestion on section 6 as Areas and  
208 conditions in the inclusion of adjacent untenured areas for CBFMA area expansion.

209  
210 • Director Capistrano suggested revisiting the section 6 and item 6.1 to avoid redundant  
211 use of the word “area.” It was noted by the proponent.

212  
213 • Director Eneran commented that unlawful occupation is provided under Presidential  
214 Decree (PD) No. 705, as amended, which is considered criminal offense. He asked on  
215 the legal basis to waive criminal prosecution of POs planting outside CBFMA areas.

216  
217 In reply, For. Quilloy explained that they are contracted by the DENR to plant in the  
218 area. Also, the POs are not aware of the metes and bounds of the area. In reply to the  
219 query of Director Eneran, there are documents to prove that use of untenured areas are  
220 authorized. Normally, contracts or MOAs are being executed for this purpose and  
221 there is no intention for them to occupy. The issue is who will protect the area after  
222 three (3) years, and the objective of this policy is to have an onsite manager.

223  
224 • Director Eneran expressed caution that such practice may encourage unlawful  
225 occupation. He reiterated the case of Boracay Island and maybe can be used by  
226 individual to have an area expansion. Likewise, he recommended to have a separate  
227 the policy for the expansion of the tenurial instrument and link it to NGP.

228  
229 For. Oliveros informed that the FMB has also proposed a policy covering untenured  
230 areas. For. Quilloy remarked that the policy mentioned by For. Oliveros was already  
231 approved by the Secretary as DAO No. 2021-10.

232  
233 Director Capistrano suggested to update the survey of forest occupants as what  
234 NAMRIA did. Also, we can use the data to regulate the carrying capacity of the forest  
235 so the LGUs as part of the devolution can be guided on up to what and how many  
236 families or individuals should be in the area. For. Quilloy said that it was coordinated  
237 in PSA.

238  
239 • Ms. Reyes suggested incorporating in the scope and coverage untenured areas covered  
240 by NGP sites. For. Quilloy commented that this is only one case, there can be a nearby  
241 CBFMA and in good performance both in developed and undeveloped forestland  
242 adjacent to CBFMA.

243  
244 • Ms. Reyes suggested removing “areas” in the heading of Section 6 and return to  
245 original header.

246

- 247 • On item 6.1 and 6.3, For. Latiza inquired if the operational definition of “plantable  
248 area” may be added in the definition of terms. For. Quilloy replied that these areas are  
249 specified and so are the uses thereof. According to him, this should already be clear  
250 with the POs as it is specified in the field or in the production area and can be seen in  
251 the prepared Community Resource Management Framework (CRMF).  
252  
253
- 254 • On item 6.3 Director Capistrano asked regarding instances that PO may opt to apply  
255 for expansion. For. Quilloy said that there are instances in the field and they contract  
256 out to other POs of LGUs. For. Oliveros explained that there are areas with no tenure  
257 they use the community labor group under NGP. For. Quilloy said that there is a  
258 waiver attached in this DAO.  
259
- 260 • On item 6.4, For. Quilloy remarked that IEC may be conducted to encourage the  
261 people to join POs in the area. On the query whether an individual may be a member  
262 of two or more POs, the FMB personnel informed that the matter was not raised during  
263 consultations. For. Quilloy opined that ideally, an individual should not be a member  
264 of two or more POs. As such, the practice should be discouraged.  
265
- 266 • For. Galindon asked if the PO participate, does they need to secure a waiver. For.  
267 Quilloy responded that waiver will be required from the PO.  
268

269 *Section 7. Processing and Approval of Application for CBFMA Area Expansion*

- 270 • For. Quilloy noted the proposal to include “requirements” in the heading and content.  
271
- 272 • On item 7.1, For. Latiza asked if the project requires an Environmental Compliance  
273 Certificate (ECC) or Certificate of Non-Coverage. For. Quilloy said that it is under  
274 DAO No. 2004-29, if they expand and outside the project description. For. Quilloy  
275 explained that ECC is not required for issuing tenurial instrument as per memorandum  
276 issuance of EMB. The ECC will be a requirement when it comes to specific activities.  
277
- 278 For. Latiza asked if other requirements mentioned in other sections should be included  
279 in item 7.1 such as GIS-generated maps. For. Quilloy replied that GIS-generated maps  
280 are mentioned in item 7.3. For. Oliveros commented that For. Latiza may be referring  
281 to the sketch map of the area. For. Rey commented that POs may have difficulty  
282 producing the GIS-generated map and geotagged photos. In reply, For. Quilloy  
283 informed the body that geotagged photos are required for activities/meetings  
284 conducted.  
285
- 286 • On item 7.2, For. Oliveros asked on the maximum area for CBFMA expansion. In  
287 reply, For. Quilloy informed that the maximum area is 5,000 hectares or 5 hectares per  
288 PO member.  
289
- 290 • On item 7.3, For. Quilloy clarified that one endorsement by the  
291 barangay/bayan/lungsod should be enough. For opposing LGU stand, For. Quilloy  
292 informed that based on RA No. 7160 or the Local Government Code, it is enough that  
293 the LGU is informed and only consultation in stakeholders was required. For. Oliveros  
294 suggested replacing slash (/) with the word “or”.  
295
- 296 • For. Oliveros asked regarding the NCIP, if the adjacent area wanted to apply but it is  
297 covered by NCIP. For. Quilloy said that it is their option.  
298
- 299 • For. Rey commented that Free Prior and Informed Consent (FPIC) is only required in  
300 CADT areas; CADC areas are not included. For. Quilloy replied that certification will  
301 only be required if it is adjacent to a CADT area.  
302



303 • On item, 7.3, Ms. Reyes suggested adding a requirement re Certificate of Good  
304 Standing of PO. For. Quilloy replied that if the qualifications required in Section 5 are  
305 not met, the PO will not qualify.

306  
307 For. Latiza asked on the document that will prove that a PO is of good standing. For.  
308 Quilloy replied that a tool was developed in rating whether a PO is of good standing.  
309 For. Latiza suggested including a statement on the matter in Section 5.

310  
311 • On item 7.4, Director Capistrano asked on the ten (10) working days for the process.  
312 For. Quilloy said that at the CENRO level there are lots of validation to do.

313  
314 • For. Rey suggested to delete he/she and use of proper term referring to it.

315  
316 • Ms. Reyes asked on item 7.7 regarding the co-terminus with the original CBFMA.  
317 For. Quilloy said that as to what they see the PO will wait for the renewal.

318  
319 • On item 7.8, For. Oliveros asked on why the FMB is not provided a copy of the  
320 agreement. According to him, it is important that the FMS has a database of such  
321 agreements for easier reference. For. Quilloy commented that the number of copies  
322 will be expanded to include the copy for FMB.

323  
324 • For. Latiza asked on the total turn-around time for approval of expansion. For. Quilloy  
325 informed that the document is considered complex. All tenure applications are  
326 considered complex, hence, provided with a 20-day time frame.

327  
328 *Section 8. Database and Monitoring and Evaluation*

329 • For. Latiza inquired whether there is an existing monitoring tool implemented on the  
330 ground for CBFMAs. In reply, For. Quilloy stated that all data on tenures are uploaded  
331 in the eFIS.

332  
333 • For. Oliveros asked if the term “enhance” is appropriate to in relation to the CRMF  
334 and FYWP, or whether “amendment of CRMF and subject to affirmation of FYWP”  
335 may be more applicable. For. Quilloy replied that they will take note of the suggestion.  
336 For. Gibe commented that the proper term to be used is “updating.”

337  
338 • Director Capistrano asked regarding the CRMF, if it is 25 years then the CRMF is 25  
339 years and there is a 5-year work plan. For. Quilloy said that it will be included in the  
340 document to be approved by the RED.

341  
342 • For. Rey asked if this should be in harmony with FLUP, watershed management plan,  
343 what will be our basis to cite the opposition of one LGU. It was seconded by For.  
344 Oliveros that CRMF is in accordance with FLUPs.

345  
346 • Director Eneran asked if the CBFMA is consistent with the 1987 Constitution  
347 regarding production agreement. For. Quilloy explained that the same is compliant  
348 therein, with 75% -25% sharing.

349  
350 *Section 9. Budgetary Support*

351 • For. Latiza asked on who will identify the verifiable indicators. Director Capistrano  
352 replied that this is included in unit of work measurement (UWM).

353  
354 *Agreements:*

355  
356 • On the prefatory statement/title:  
357 - Consider replacing the line “to include” with “covering”

- 358 - Follow the standard format and revise line 20, i.e. this guidelines... is hereby  
359 issued for the guidance of all concerned.
- 360 • On Section 2, replace item 2.1. with the objective indicated in the powerpoint  
361 presentation.
  - 362 • On Section 3, revise the provision by harmonizing the same with the statement under  
363 Section 6.5.
  - 364 • On Section 5
    - 365 - Re-arrange sectioning to: Areas available for CBFM expansion, Qualification of  
366 CBFM Holders POs, Requirements for the Application, Processing and Approval.
    - 367 - include a statement regarding the use of a tool to rate whether the PO is of good  
368 standing.
  - 369 • On Section 6
    - 370 - revisit the section to avoid redundant use of the words “area” and “if.”
    - 371 - recommended to have a separate the policy for the expansion of the tenurial  
372 instrument and link it to NGP.
    - 373 - update the survey of forest occupants
    - 374 - in the heading of Section 6 and return to original header.
  - 375 • On Section 7, incorporate “requirements” in the heading
    - 376 - On item 7.3.1, replace slash (/) with the word “or”.
    - 377 - delete he/she and use of proper term referring to it.
    - 378 - On item 7.8, indicate that the FMB shall also be furnished a copy of the agreement.
  - 379 • On Section 8, replace “enhancement of CRMF” with “updating of CRMF” and  
380 “subject to affirmation of FYWP.”
  - 381 • PSD to submit the revised draft policy.

382  
383 RECESS at 1PM and session resumed at 2PM.

384  
385 **2. Draft DMO re Rationalizing the Usage of Manila Bay to Restore its Water to SB**  
386 **Classification to Make It Fit for Swimming, skin Diving and other Forms of Contact**  
387 **Recreation**

388  
389 ***Presentation and Discussions:***

- 390
- 391 • The draft policy was presented by RED Tadoria. According to him, a series of  
392 meetings was conducted with the secretary on how to address marine litters from the  
393 use of bamboos, addressing the fishery and aquaculture structure within Manila Bay.  
394 He added that the policies of the DENR were reviewed vis-a-vis the Mandamus, with  
395 the instruction to restore the Manila Bay waters into SB classification. He mentioned  
396 the existing policy or IRR of the Clean Water Act, which is the basis for the proposed  
397 policy.
  - 398
  - 399 • According to RED Tadoria, the fisheries was not considered in the title/subject of the  
400 draft policy. Dir. Capistrano commented that the subject may be too lengthy. She  
401 asked whether it should be the DENR that should define the scope of the policy  
402 considering that the Mandamus pertains to several agencies, including the DA on  
403 fisheries. RED Tadoria replied that the Department is open to executing a joint policy  
404 with other agencies. He added that consultations have been conducted with other  
405 agencies, including BFAR and LGUs. Dir. Capistrano asked on the rationale for the  
406 issuance of the policy when the activity is required to be done by the DENR.
  - 407
  - 408 • For. Garcia remarked that the inclusion of the line “restore...” in the subject is that  
409 under DAO 2016-08, the SB classification provides for fishery water class II, tourist  
410 zones and recreational water class. He added that the title/subject may shortened until  
411 the line “SB classification.” Dir. Capistrano asked whether there is a policy classifying  
412 the waters of Manila Bay.
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- For. Rey asked whether the usage or the outflow should be the basis for classifying water usage in Manila Bay. In reply, RED Tamoria informed the body that with regard to water classification under SB, only allowable activity is propagation of mussel and spawning of fry.
  - Mr. Crisostomo asked if the entire Manila Bay is classified as SB level. Dir. Capistrano opined that this may not be the case. For. Oliveros agreed with the suggestion to limit the title up until the line “SB Classification.” He also suggested incorporating in the content the processes/procedures for attaining the SB classification.
  - On the prefatory statement, RED Tamoria informed that the laws/policies in red are enumerations of the legal bases.
  - On Section 5, RED Tamoria explained that all other uses such as installation of fish cages/fish pens shall not be allowed. He reiterated that only propagation of mussels and fry spawning are allowed. Under the Manila Bay Task Force AO, the DENR is authorized to remove illegal structures.
  - Dir. Capistrano opined that the policy should be consulted first with other Mandamus agencies, or if within the DENR, should be consulted with the EMB, BMB, MBCO, Region 4A. She suggested that the proposed policy be reviewed in another PTWG meeting. For. Rey suggested including representatives from DA-BFAR and BMB. For. Oliveros proposed including representatives from DENR-NCR and Region 3.
  - For. Latiza suggested that the objectives discussed by RED Tamoria be incorporated in the draft policy. He also suggested focusing on new interventions to attain the objectives.
  - For. Garcia proposed the conduct of a small group discussion to refine/polish the proposed policy. The meeting will be conducted on August 23, 2021, and the PSD will provide the meeting link.
  - In the chat, Mr. Crisostomo stated that EMB must consider application of mixing zones at points of discharge in Manila Bay by establishments along coastal areas. The SB Class can adversely affect SMEs and other businesses. Assimilative capacity can be considered as a water quality option applying the polluter’s pay principle
  - For. Oliveros moved for the termination of the discussions on the draft policy, subject to the agreement to have the proposed policy discussed in a small group meeting.

455 ***Agreements:***

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- The title to be revised as “Rationalizing the Use of the Manila Bay to Restore Its Water to SB Classification”.
  - PSD to conduct a small-group discussion/meeting on August 23, 2021 to refine/polish the proposed policy. The meeting link will be provided by the PSD. Invite representatives from the MBCO, DENR-NCR, DENR-Region 3, BMB, DA-BFAR, EMB.
  - Another PTWG meeting will be held and BMB, DENR-NCR, DENR-R3, and BFAR shall be invited.

468 **3. Draft Executive Order (EO) re Promoting the Sustainable Integrated Watershed**  
469 **Management in the Philippines**

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471 *Presentation and Discussions:*

- 472  
473 • For. Marlon Atienza presented the draft EO on Promoting the Sustainable Integrated  
474 Watershed Management in the Philippines.  
475  
476 • Director Capistrano clarified regarding the existing EO that is also discussing  
477 regarding watershed management.

478  
479 For. Oliveros said that we have Executive Order No. 318 series of 2004 entitled  
480 Promoting Sustainable Forest Management in the Philippines and he informed that this  
481 EO do not have Implementing Rules and Regulations.

482  
483 For. Atienza pointed out that EO No. 318 covers the forestland, while this draft EO is  
484 for watershed management which is using a ridge to reef approach. He also pointed  
485 out that the focus is on a collaborative management with all the stakeholders. He  
486 discussed the rationale for crafting the draft EO..

- 487  
488 • For. Oliveros manifested his preference for the issuance of DENR guidelines on EO  
489 No. 318, s. 2004 instead of creating another EO on watershed management.

- 490  
491 • For. Atienza provided the following rationale of the policy:

- 492 - The Philippines has approximately 2,224 watersheds, including critical watersheds,  
493 watershed reservations, and community watersheds, which need immediate  
494 protection and rehabilitation to improve their health and integrity;  
495 - A healthy watershed is vital to maintaining ecological balance and its integrated  
496 management provides an encompassing initiative for climate change and disaster  
497 risk impacts mitigation;  
498 - Efforts of watershed conservation and management is fragmented and, in many  
499 cases, project-driven;  
500 - Absence or unclear watershed governance structure at various levels (National  
501 Government, Local Government Units);  
502 - Absence of sustainable funding for watershed conservation and management;  
503 - Varying stakeholders' interests in watersheds which require  
504 integrated/collaborative approach;  
505 - Costly damages to private and public properties caused by Disaster Risk (DR) and  
506 Climate Change (CC) vulnerabilities requires more cohesive and sustainable and  
507 integrated watershed management response;  
508 - Need to rationalize land uses in watersheds for various development priorities;

- 509 • The draft EO was reviewed by the FMB Policy Review Committee on 29 July 2021.

- 510  
511 • Director Capistrano asked, where will all government agencies use the watershed  
512 planning. She said that watershed planning should be specified in the Scope and  
513 Coverage. She also highlighted that in the course of their planning session, she would  
514 assume that all government should be doing that.

515  
516 *Whereas Clauses*

- 517 • For. Atienza highlighted that the Presidential Decree (PD) No. 705 coverage is within  
518 forestland only as a justification to the crafting of this EO.

519  
520

521 *Section 2. Coverage*

522 • For. Latiza asked that during the workshop or consultation in crafting the proposed  
523 EO, did they emphasize the significant role of Local Government Unit (LGU) in the  
524 EO considering the implementation of Mandanas ruling in next year.

525  
526 For. Atienza said that this is covered in Section 4 of the draft policy.  
527

528 • Ms. Bolinas said that instead of environmental protection and preservation, she  
529 proposed to state “biodiversity protection and conservation” to include ecosystems  
530 services.

531  
532 • For. Rey asked if the activities within watershed shall be the focus of EO or  
533 watershed management approach will still be applied in projects.  
534

535 • For. Rey asked if we will be dealing with activities within the watershed only or if we  
536 will implement watershed management approach for projects. In SFM, all projects  
537 and activities are anchored on Watershed Management.  
538

539 • For. Cabrera explained that, to visualize, all land areas in the Philippines are covered  
540 by watershed. By Land Class, we have four (4) classes. What the EO would like to do  
541 is to harmonize all activities and interventions whether production or protection  
542 purpose to maintain balance. That is Integrated Ecosystem Management where we  
543 balance production and protection aspect. He said that it is not just on the ambit of the  
544 DENR since A&D are practically mandated under Department of Agriculture and  
545 other agencies. What they are trying to do is the all collaboration of all National  
546 Government Agencies, private sectors, etc.

547 • Ms. Baling said while we always mentioned integrated watershed and the ridge to  
548 reef approach, she emphasized that it is written in sectoral manner. Especially in the  
549 lens of coastal and marine the connectivity of ecosystems is from ridge to reef  
550 because whatever happens in marine ecosystem is a mirror of what happens in the  
551 watersheds. The coverage of the draft EO appears still to be sectoral and terrestrial.  
552

553 Director Capistrano added that if we say ecosystem, this encompasses watershed.  
554 Ecosystem itself captures everything from terrestrial to non-terrestrial. Looking at  
555 EO, it is focusing on the watershed only. She asked what is its difference from the  
556 ecosystems based that we are using? She went back to the suggestion of For. Oliveros  
557 that since there are many guidelines already on Watershed, an IRR for EO No. 318, s.  
558 2004 shall be crafted wherein all government agencies doing watershed plan.  
559

560 For. Oliveros agreed. He said that if we look at the rationale, like those of which  
561 pointed out by the presentor on the coordination of NGAs is a matter of  
562 implementation and is within an existing DAO. This is more on how to implement  
563 existing guidelines. Since way back, he said that we issue DAO adopting watershed  
564 ecosystem management approach in the management of forestlands and many are  
565 following the DAOs on interagency collaboration and involvement of LGUs, the  
566 problem is matter of implementation. He said if we issue IRR for EO No. 318, this  
567 may be encompassing. The EO might not solve our problem on implementation  
568 aspect.  
569

570 Director Capistrano said that not to be pressured on the pronouncement, but look at  
571 the different policies we have and reiterate to principals that problem is the  
572 implementation scheme rather than pushing through with EO.

573 For Oliveros said that based on the experiences of existing projects, that will be basis  
574 in aid of legislation for further improvement of existing DAO. Since this is an EO,  
575 this may not make it in time and immediate concern.

576  
577 For. Atienza said that an IRR could answer but must take note that IRR must be based  
578 on existing policy. Without the existing policy we cannot issue an IRR. We can  
579 improve existing DAO but unless we have EO and we do not have no mandate to call  
580 DA, NEDA to discuss the matter. The DAO will only coverage DENR Offices only.  
581 The premise is collaborative watershed management.

582  
583 Director Capistrano said that the Mandanas Ruling will be implemented 2022. In the  
584 event that the EO will not be signed soon, what is our option.

585  
586 For. Atienza said at the end of the project, there is a propose enhanced  
587 implementation framework but will only cover DENR and there are many lessons  
588 were learned through the projects.

589  
590 Director Capistrano said its okay to push through although there are some policies on  
591 watershed management.

592  
593 For. Cabrera said that in FMB, they already planned to do some kind of stocktaking  
594 of all lessons/experiences on watershed management and hopefully conduct  
595 workshop to consolidate all this and fed to policy decisions of the Department.

596  
597 For. Rey asked if we cannot expound institutional support to SFM on EO No. 318, s.  
598 2004.

599  
600 For. Atienza said that only forestlands are covered by EO No. 318, s. 2004.

601  
602 For Oliveros said it spans forestlands and others if you look at EO No. 318, s. 2004.  
603 He reiterated that if we could have issued IRR in EO No. 318, s.2004 this may the  
604 basis for expanding the coverage.

605  
606 For. Garcia said that it could be in form of an institutional mechanism, planning tools.

607  
608 • Ms. Baling suggested tackling the EO in NCI-SRD as primary agencies are there,  
609 especially since Director Capistrano is the Chair of the Policy Advocacy Group.

610  
611 For. Garcia said this is possible but it may need a policy paper.

612  
613 For Rey said for the meantime that this EO is pushed in Malacanang, we should  
614 explore another Administrative Order to expound EO No. 318, s. 2004.

615  
616 Director Capistrano said at least the pronouncement of Secretary and Asec Amaro is a  
617 justification for crafting the EO. There is nothing wrong with endorsing this policy  
618 but FMB should be doing the IRR of EO No. 318, s. 2004.

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620 • For. Oliveros said to push through with the discussion of the draft EO.

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*Section 3. Guiding Principles*

- For. Latiza asked for any internationally accepted principles on ridge to reef that may be adopted. He also proposed to move the creation of watershed management council in another section together with the composition. However, there is already an existing DMC on WMC which is also subject for PTWG deliberation.

*Section 4. Institutional Support*

- Director Capistrano asked if DBM will not be included as the primary agency that will provide funding for its implementation. She also asked for NEDA which has primary role in spearheading the consultation.

In replied, For. Atienza said that it is covered by “other agencies”.

For. Latiza highlighted the convergence initiatives to help the LGUs with regard to watershed management. On item 4.3, there are lots of programs and plans in LGU, maybe it can be incorporated in other plans. Likewise, he supported the suggestion of Director Capistrano.

Director Capistrano said that we should place only convergence on different agencies. Also, when the Devolution Transition Plan was implemented, there should be a plan and they should initiate things which are relevant to their areas.

- Mr. John Jaramillo recommended to include all other agencies in 4.6
- For. Oliveros asked how to integrate plan as there are approved CLUP, FLUPs.

Director Capistrano said that they can do it in the IRR.

- For. Latiza suggested to explore if DOF has a role in the implementation of the EO.

*Section 5. Integrated Watershed Management Plans*

- For. Latiza proposed to include CDMP, Local Tourism Development Plan, Provincial Commodity Plan, and other such type of plans.
- For. Rey said that a watershed management plan shall be updated but how about the FLUP, they will also update? He asked the difference between the existing Watershed Management Plan.

Director Capistrano said that it is the same. The EO is just promoting the Integrated Watershed Management Plan.

*Section 7. Capacity Development*

- For. Rey said that the DAO on WMC and on the deliberation is what is the role of WQMA Board. For. Celis said that if the watershed is in PA, there will be no WMC to be established and the PAMB will manage the area.
- For. Latiza asked the possibility of creating oversight committee (line 80-83) in one statement. He also asked if the DMC will follow the same function.

For. Atienza said that it is as what Director Capistrano explained.

*Section 8. Fund-generation Mechanisms*

- Dir. Eneran asked for the basis of funding. There is no basis yet for payment on ecosystem services.

- 676 • For. Bravante proposed to omit Overseas Development Assistance (ODA) but to  
677 include PES as an example.

678

679 *Section 9. Funding*

- 680 • It is suggested to replace the word “taken” with “sourced”.

681

682 *Agreements:*

- 683 • On Section 2. Coverage, instead of environmental protection and preservation, she  
684 proposed to state “biodiversity protection and conservation” to include ecosystems  
685 services.
- 686 • On Section 3. Guiding Principle, cite internationally accepted principles on ridge to reef.
- 687 • On Section 4. Institutional Support, consider the inclusion of DBM and NEDA. Include  
688 catch-all phrase provisions for “all other agencies” on collaboration. Also, consider  
689 incorporating convergence in the title of this section. The role of LGUs will also be  
690 emphasized as well as the exploration on the role of DOF.
- 691 • On Section 5. IWMP, include CDMP, Local Tourism Development Plan, Provincial  
692 Commodity Plan, and other such type of plans.
- 693 • On Section 7. Capacity Development, consider harmonization of roles of other watershed-  
694 related bodies.
- 695 • On Section 8. Fund-generation Mechanisms, omit ODA but provide examples such as but  
696 not limited to PES. Specify funding for activities of WMC.
- 697 • On Section 9. Funding, “taken” shall replace with “sourced”
- 698 • Consider coming up with IRR instead of EO and specify the utilization of funds.
- 699 • The bureaus should consult with the regional offices during the drafting of the policy.

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701 **4. Other Matters**

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703 There having no other matters to discuss, the meeting was adjourned at 4:45 PM.

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Noted by:

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**MELINDA C. CAPISTRANO**  
OIC Director, Policy and Planning Service

Prepared by the Secretariat