



**Republic of the Philippines**  
**Department of Environment and Natural Resources**  
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**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 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)  
The Director Legal, Affairs Service  
Representative (Legal Affairs Service)  
Engr. Ernestina Jose (SCIS)  
For. Conrado Bravante, Jr. (FASPS)

FROM : The Chairperson of the Policy Technical Working Group , and OIC  
Director Policy and Planning Service

SUBJECT : **HIGHLIGHTS OF PTWG MEETING NO. 2021-21 HELD ON  
OCTOBER 29, 2021 9:30 AM**

DATE : ~~10 NOV 2021~~

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

1. Draft DENR Administrative Order (DAO) re Adopting the Conservation and Management Plan for Crocodiles in the Philippines 2021-2028 as the National Framework for the Conservation and Management of the Two Species of Crocodile in the Country
2. Draft Joint DA-DENR-NCCA-NCIP Memorandum Circular (JMC) re Rules and Regulations Governing the Joint Confirmation and Recognition of Nationally Important Agricultural Heritage Systems (NIAHS) and providing Appropriate Mechanisms for their Dynamic Conservation and Sustainable Use
3. Draft DAO re Designation of Bacuit Bay as a Water Quality Management Area (WQMA) and Creation of Its Governing Board

FOR INFORMATION.

  
MELINDA C. CAPISTRANO



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**DENR-POLICY TECHNICAL WORKING GROUP**  
**Highlights of Meeting No. 2021-21**

October 29, 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, PPS
  2. Dir. Norlito Eneran, LAS
  3. For. Nancy Corpuz, BMB
  4. Ms. Mirasol Ocampo, BMB
  5. Ms. Juvy Ladisla, BMB
  6. Ms. Rowena Bolinas, BMB
  7. Ms. Joy Alvarez, BMB
  8. Mr. Gino Sison, BMB
  9. Ms. Siara Jeanne Nulada, BMB
  10. Ms. Jennelyn Asegurado, BMB
  11. Mr. Ariel Erasga, BMB
  12. For. Rachell Abenir, BMB
  13. Ms. Katherine Soriano, BMB
  14. Mr. John Berhel Doria, BMB
  15. Mr. Aldrin Maranan, EMB
  16. Engr. Dianne Kristine Avila, EMB
  17. Mr. Eugene Paranaque, ERDB
  18. Mr. Patrick Noah Rosales, ERDB
  19. Ms. Alexa Rae Advincula, ERDB
  20. For. Kenneth Tabliga, FMB
  21. Ms. Lovella Galindon, LMB
  22. For. Ivy Nicole Angeles, OCOS
  23. Ms. Bernadette Felix, OCOS
  24. Ms. Aminah Blanco, OULAHRLA
  25. Ms. Encarmila Panganiban, OULAHRLA
  26. For. Joselito Eyala, OUFOE
  27. Ms. Maria Cristina Francisco, OUFOE
  28. Engr. Myla Carungi, OUFOE
  29. Mr. Teofilo Alain Alqueza, OUPASC
  30. Ms. Judith Redulla, OUE
  31. Mr. Paolo Gonzales, OUAAMMA
  32. Representative, OUPPIA
  33. Mr. Carl Louie Santiago, CCS
  34. Mr. Ronnel Andrew Noprada, CCS
  35. Engr. Roberto Aguda, OASPPFASP
  36. For. Flordelino Rey, OASPPFASP
  37. For. Adeluisa Siapno, OASL
  38. For. Jeruz Pahilanga, OASFO-V
  39. Ms. Maureen Reyes, OASFO-V
  40. Mr. Elias Susaya, Jr., OASFISMC
  41. Atty. Camillo Garcia, LAS
  42. Mr. Ares Baron, FASPS
  43. Ms. Llarina Mojica, PSD
  44. Ms. Maevelyn Kathryn Tupasi, EMB  
MIMAROPA
  45. Engr. Pablito Estorque, Jr, EMB  
MIMAROPA
  46. Ms. Ashley Ignacio, EMB  
MIMAROPA
  47. Atty. Paz Benavidez, FAO
  48. Ms. Virginia Agcopra, FAO
  49. Mr. Pablo Ross Gonzales
- Secretariat (PPS-PSD)
50. Ms. Anna Michelle Lim
  51. Ms. Cherry Winsom Holgado
  52. For. Amisol Taliana
  53. Ms. Mary Lou Retos
  54. For. Emma Baradi-Medina
  55. Mr. Nehemiah Leo Carlo Salvador
  56. Ms. Maria Theresa Enriquez

## II. Highlights of the Meeting

The meeting commenced at 9:34 AM and was presided over by Director Melinda Capistrano (PPS). The following policies were proposed to be tackled under other matters:

1. Draft Department Memorandum Order on the Delegation of Authority to REDs in Cases of Emergency In Protected Areas; and
2. Draft Joint Department Circular re: Rules and Regulations for the Research, Development, Handling and Use, Transboundary Movement, Release into the Environment, and Management of Genetically Modified Plant and Plant Products Derived from the use of Modern Biotechnology

However, due to time constraints, it was agreed that these will be tackled in the next meeting of the Policy Technical Working Group instead, to be held tentatively on November 4, 2021.

### **1. Draft DENR Administrative Order (DAO) re Adopting the Conservation and Management Plan for Crocodiles in the Philippines 2021-2028 as the National Framework for the Conservation and Management of the Two Species of Crocodile in the Country**

#### *Presentation and Discussions:*

- Ms. Anna Michelle Lim of the PTWG Secretariat informed that the draft policy has already been taken up by the PTWG during a previous meeting. She presented the agreements during the previous PTWG meeting and the revisions to the proposed policy.
- On the conduct of survey of existing and potential habitats for sanctuary identification, Dir. Capistrano asked whether the activity can be taken on by the LGUs. Ms. Lim replied that the conduct of the activity will be done together with other government agencies.
- Ms. Mirasol Ocampo (BMB) then presented the background of the Plan and the consultations held.
- For. Rey asked if the municipal governments in Palawan are aware of their inclusion/participation in the Conservation and Management Plan. Dir. Capistrano opined that the Plan should be consulted with the LGU as regards their participation. She asked if the LGUs were consulted and whether they adhered to the agreements. Ms. Ocampo replied that the PCSD and other stakeholders were involved in development of the Plan and that they adhered to agreements. For. Rey asked if there is a signed agreement with the LGU on the matter. In reply, Ms.

Ocampo informed that there are records of minutes of meetings and consultations that may be used as references.

- For. Eyala cautioned that in the case of Balabac, Palawan, the sentiments of the locals should be taken into consideration. According to him, people in the locality are not inclined towards conservation as there have been incidents of people being killed by crocodiles. He also observed that the DENR is taken out of the picture when it comes to crocodile conservation. Confiscated wildlife are turned over to PCSD, which are then turned over to the Crocodile Farm. He is of the opinion that it would be better for the DENR personnel to be on site to do IEC, as people in the locality are of different perception when it comes to crocodile. Ms. Ocampo replied that the PCSD has come up with its own plan specific to Balabac. According to her, all the activities to be implemented therein regarding crocodile conservation rests with the PCSD. However, confiscated wildlife needs to be turned over to rescue center since the PCSD does not have its own facility.
- On the query of Dir. Capistrano whether all crocodiles need to be conserved, Ms. Ocampo affirmed this since these crocodiles are critically endangered. Dir. Capistrano noted that the number of crocodiles is rising and asked about the strategies and actions to be done, especially in areas with nearby human settlements. Ms. Ocampo responded that a technical bulletin has been issued regarding the protocols for handling and managing human-crocodile conflict. They hoped that this will be issued as a DAO. Dir. Capistrano asked if the draft policy has been taken up. Ms. Lim replied that this was not tackled in the previous meeting.
- Dir. Capistrano instructed Ms. Ocampo to present first the Plan before tackling the draft DAO. In her presentation, Ms. Ocampo informed that the Plan covers two (2) naturally occurring crocodiles in the country- 1) *Crocodylus mindorensis*, and 2) *Crocodylus porosus*. She presented the outline of the Plan, composed of the Introduction; Crocodilian Bioecology; Historical Account of Crocodiles in the Philippines; Current Status of Populations; Crocodile Farming and Trade; Hygiene and sanitation during Handling Crocodiles, Conservation Challenges; Review of Past Plans and Conservation Actions; Conservation Partners; Vision, Goals, Targets and Strategies; and Monitoring and Updating of the Plan.
- On Goal 1 (Conduct of Comprehensive Survey), Dir. Capistrano pointed out that annual funds were allocated under the Wildlife Conservation Program wherein provinces and regions identify indicator species for conservation. She asked about the necessity of conducting surveys on existing and potential habitats for sanctuary identification. We should already be doing a data base of species in CY 2022-2023 Ms. Ocampo replied that there are no comprehensive surveys yet for the sites identified in the Plan. Dir. Capistrano said that all Regions are given budget on sightings and survey of population. Ms. Ocampo stated that not all Regions have prioritized Crocodile conservation. Dir. Capistrano instructed BMB to check on this.
- For. Rey asked whether there are already identified crocodile sanctuaries, aside from the areas covered by the comprehensive survey. According to him, there are various areas not included in the sites identified such as in Brooke's Point where

there have been cases of crocodile-human conflicts. Ms. Ocampo responded that there have been identified sanctuaries such as the Agusan Marsh, Liguasan Marsh and some other areas in Palawan.

- For. Rey inquired if the budget will be cascaded to the region or whether it will be handled by BMB. Ms. Ocampo replied that the concerned agencies will collaborate on the conduct of the activity. For. Rey asked who will handle the budget. In reply, Ms. Ocampo informed that the budget will be lodged at the BMB and the regional office. The PCSDS will also provide support. Dir. Capistrano noted that the BMB is coming up with further studies on the sites. She relayed that the budget for the conduct of the said activities is requested from the Central Office. Most of the time, the region will execute a MOA with the academe who will undertake the study. Thus, the budget may be downloaded to the region, and they collaborate with the academe.
- Dir. Capistrano asked the reason why BMB has not yet conducted the studies. Ms. Ocampo replied that the study was conducted in 2018. Dir. Capistrano opined that the Plan should have been updated first. Ms. Ocampo said that they did update the plan. Dir. Capistrano continued that there should be an inventory of what have been conducted based on the regular program. Relatedly, those that have been completed or undertaken should be removed from the Plan. She reiterated her point that the BMB should already be at the stage of establishment of database on crocodiles.
- For. Rey suggested that a copy of the Plan should be provided to those concerned offices and agencies for comment. He asked about scenarios wherein we want to increase the population of the crocodile. Do we relocate the people living nearby? These points should be considered. Ms. Ocampo replied that the Plan was consulted with stakeholders and was reviewed by the National Crocodile Conservation Committee (NCCC), which was created through a Special Order. She shared that the proposal has been reviewed by the PTWG in CY 2017. It was updated based on the comments of the PTWG members, hence, the 2021-2028 Plan. For. Rey asked whether the current Plan has been reviewed since its updating. Ms. Ocampo informed that it was reviewed in CY 2020. Dir. Capistrano asked if the plan was again discussed with the BMB, FMB, PCSD, and other agencies. Ms. Ocampo affirmed this as these agencies are members of the NCCC.
- Dir. Capistrano instructed the BMB to do baselining regarding which regions already have population studies. For goal 1, she opined that a database is what is needed instead of a Comprehensive Survey. She also suggested including strategies or actions to be done if the population of crocodiles increases as a result of conservation measures. She stressed that she disagrees with the goal of establishing the population of crocodiles because a database should already have been established. She also mentioned that the comprehensive study should only be conducted if no previous study was undertaken.
- Dir. Capistrano asked about the need for DNA Mapping Strategy. Ms. Ocampo replied that this will be conducted to determine genetic relatedness in other areas. This will be done by academic institutions such as, University of Siliman –

Mindanao, UP Diliman, and other possible partners. Dir. Capistrano commented that she agrees with microchip embedding.

- With regard to the Identification of Sites for Protected Area (PA)/Critical Habitat (CH) Establishment, Dir. Capistrano manifested her disagreement on the inclusion of the said activity. In reply, Ms. Ocampo informed that no critical habitat for crocodiles has been identified yet. On the comment of Dir. Capistrano that Palawan and Mindoro are critical habitats, Ms. Ocampo replied that there should be an official declaration of these areas as critical habitats for crocodiles through an Administrative Order. She added that there is a policy to be followed in the establishment of critical habitats.
- For. Rey asked if identified crocodile sanctuaries in Palawan are not considered critical habitats. Ms. Ocampo reiterated that the PCSD has not yet issued an official declaration. For. Rey pointed out that since the Plan has been prepared as early as 2017, there should have already been identified critical habitats. Ms. Ocampo replied that the areas in the previous strategy are being looked at by BMB as potential sanctuaries. While there are conservation activities in Palawan, an official declaration has yet to be issued. For crocodile species in Palawan, it is the PCSD that will officially declare the areas as critical habitat.
- Dir. Capistrano noted that the activity-Establishment and Management of Protected Areas and/or Critical Habitats Primarily for the Protection and Conservation of Crocodiles, should be part of the agency's regular program and included in the Unit of Work Measure (UWM) of BMB. To her, this should be done in parallel. She reiterated that assessment, mapping and delineation should already have been done. She pointed out that BMB should be baselining on what have been done prior to coming up with a Plan for crocodile. Accordingly, the Plan should be updated. Coming up with a Management Plan without determining the baseline will only result in repetition of activities.
- Ms. Nancy Corpuz (BMB) clarified that what is being presented is the Conservation Plan. She expressed agreement with Dir. Capistrano that the activity is provided for in the UWM guidelines to concretize what we want to happen with our crocodiles in the Philippines. One of these is baselining, which is in the UWM guidelines. When regions undertake annual work planning, those that are without management plan or survey will be allotted a corresponding budget. For Critical habitat management, some Regions already have inventory but it is not always funded for crocodile. Only 12 priority species are in the Planning Guidelines so Crocodiles were not prioritized for other areas. The Plan is just a roadmap in terms of how we will conserve PH Crocodiles. Palawan already has many identified sanctuaries so they won't conduct the comprehensive survey anymore.
- Dir. Capistrano suggested that a remarks column be added after the column on CY 2028 (number 1 indicator), stating therein that if the region has already come up with the necessary data, it should proceed with baselining. For the regions that have not yet established their data, they should follow the roadmap provided under the Conservation Plan. Ms. Corpuz concurred and commented that they will revise the strategies/actions in the Plan as suggested. Dir. Capistrano suggested indicating

in the Plan that Palawan and Mindoro should already be in the advanced stage of conservation.

- On the activity- Conduct Workshop to Establish/Develop Protocols for Pre- and Post-Release Stage, For. Siapno asked if specific action refers to the formulation of guidelines or procedures. She suggested changing the indicator into draft procedures instead of the established set of release protocols. The output for the conduct of the workshop should be guidelines and procedures. Ms. Ocampo replied that they will correct/revise the indicator as draft procedures or protocols developed. With regard to the activity- conduct of 2<sup>nd</sup> Training Workshop in Re-introduction, For. Siapno commented that the output of the workshop may be an IEC plan for the release protocol, for effective dissemination. Dir. Capistrano instructed proponent to review the indicators in the Conservation Plan. She echoed the comment of For. Siapno that the indicator for the conduct of workshop should be guidelines on the release of crocodile developed. She also opined that the conduct of public consultation for developed protocols and legal endorsement of release protocols should be merged. The public should be present during the workshop since they are the ones that will be affected. For. Siapno manifested her agreement that the stakeholders should be participants in the workshop, and that the guidelines/procedures should be subjected to consultation. It appears to be a document coming from the public consulted as supporting the output. If multi-sectoral, the workshop will serve as venue for the drafting and consultation at the same time. Dir. Capistrano agreed and remarked that doing so will facilitate consensus among the stakeholders since they are part of the consultation.
- For. Mojica requested that the BMB Biodiversity Policy and Knowledge Management Division should review the Plan first, so that the points raised may be looked into, such as the funding and the indicators. Dir. Capistrano expressed her agreement with the suggestion, and stated that the Plan should be reviewed first before tackling the proposed DAO. Moreover, the regions should be consulted and the Plan should be updated. For. Siapno suggested that the Plan be reviewed internally within the BMB. Dir. Capistrano agreed that the Plan should be subjected to consultation at the BMB Execom and that it should be well disseminated to and consulted with the Regional Offices. She said that there might still be questions on release of Crocodiles to the wild.
- For. Siapno moved for the deferment of the draft DAO. For. Rey suggested that this be subjected to further review. He seconded the motion raised by For. Siapno. It was agreed that the proposed policy be deferred and that the Plan should be reviewed/consulted with the BMB Execom and the regions. She also added that the title could also be reviewed/shortened.
- For. Rey requested that the PTWG members review the draft policy and submit written comment to the PTWG Secretariat.

***Agreements:***

1. Proponent to check the necessity for the inclusion of budget for the conduct of comprehensive survey covering the years CY 2021 to 2023 and consider including establishment of database on Crocodile Population.



2. The plan should be updated and should take into account the accomplishments of Regional and other Offices in their regular activities and programs. There should be an inventory of what have been conducted based on the regular program. Completed actions should be removed from the plan.
3. The Plan should be provided to those concerned offices and agencies for comment and inputs.
4. Consider including a strategy or action for nearby communities for scenarios wherein there is an increase in the population of crocodiles
5. On the first indicator, add a Remarks column after the column on CY 2028, stating therein that if the region has already come up with the necessary data, it should proceed with baselining. For the regions that have not yet established their data, they should follow the roadmap provided under the Conservation Plan.
6. Review the indicators in the Conservation Plan
  - On the activity- Conduct Workshop to Establish/Develop Protocols for Pre- and Post-Release Stage, revise the indicator into “draft procedures/guidelines developed”.
  - On the activity- conduct of 2<sup>nd</sup> Training Workshop in Re-introduction, revise the output of the workshop as IEC plan for the release protocol.
  - The conduct of public consultation for developed protocols and legal endorsement of release protocols should be merged.
7. It was agreed that discussion on the draft policy be deferred.
8. Consider shortening the title of the draft DAO and the Plan.
9. Proponent to further review and update the Plan in consultation with the BMB BPKMD, BMB Execom and the Regions.

**2. Draft Joint DA-DENR-NCCA-NCIP Memorandum Circular (JMC) re Rules and Regulations Governing the Joint Confirmation and Recognition of Nationally Important Agricultural Heritage Systems (NIAHS) and providing Appropriate Mechanisms for their Dynamic Conservation and Sustainable Use**

***Presentation and Discussions:***

- Ms. Ladisla presented the background of the draft policy. She discussed the concept of Important Agricultural Heritage System (IAHS) which is globally accepted and aimed to identify, support and safeguard agricultural heritage systems and their associated landscapes, agricultural biodiversity and knowledge system. Accordingly, recognition of Nationally Important Agricultural Heritage Systems (NIAHS) is one of the targets of the Philippine Biodiversity Strategy and Action Plan 2016-2028. She cited one example of the IAHS which is the Ifugao Rice Terraces, recognized by FAO as a globally important heritage agricultural system. To date, the Philippines still has no national system of recognition for IAHS.
- She also discussed the Agro-biodiversity (ABD) Project of the Food and Agriculture Organization (FAO) which initiated the drafting of the JMC. The said project had two sites – one in Hingyon and Hangduan in Ifugao and another in South Cotabato. The draft JMC has undergone consultations with relevant agencies and stakeholders such as the DA, DENR, NCCA, NCIP, LGUs, selected NGOs and the academe. She explained the relation of the JMC with DENR’s mandate. Managing NIAHS contributes to overall mandate of DENR in the conservation of

natural ecosystems and livelihood that these ecosystems support. Through the process of recognition, guardians of NIAHS, particularly indigenous peoples will be supported through incentives/benefits. The draft JMC provides for recognized NIAHS sites. This policy will also complement with other approved policies such as the DAO re: Guidelines on the Recognition and Development of Biodiversity-Friendly Enterprise and JAO re: Mainstreaming Biodiversity Friendly Agricultural Practices in and around Protected Areas.

- For. Siapno asked whether there is conservation and sustainable use that is not dynamic. She also commented that the phrase “host communities and LGUs” may not be clear to the concerned agencies. Hence, she suggested replacing the term “host” with “partner”. Ms. Ladisla replied that the term “dynamic conservation” refers to the traditional agricultural practices done by the IPs and local communities. There are conservation areas not managed by IPs. The term applies to traditional practices of local communities. For. Siapno suggested that an alternative phrase be used for ease of understanding by the readers of the proposed policy. In the objectives, she suggested that the host communities and LGUs mentioned in item no. 1.3 be revised correspondingly. Ms. Ladisla commented that they will do the rewording after the review of the objectives.
- On the prefatory statement, Dir. Eneran remarked that he has no objection with the formulation, but only on the style and format when referring to the Constitution. He suggested that the phrase “The Constitution” in the second sentence be changed to “It”.
- On the third paragraph (line 34) of the prefatory statement, Engr. Aguda suggested inserting the word “important” in the NIAHS. He asked if the whereas clause for EO 192 in the fourth paragraph was copied *in toto* or if some words were changed. Ms. Ladisla replied that the provision was lifted *in toto* and not revised. For. Siapno commented that if it is lifted *in toto*, the same should be enclosed in quotation marks. Ms. Ladisla proposed that they will add a footnote for reference.
- On the “Whereas clauses”, Dir. Eneran noted that the objective is to present the mandates of the agencies. He suggested that in the sequencing, the National Cultural Heritage Act of 2009 should come last, i.e., concluding statement for all agencies involved.
- On Section 2. Scope and Coverage, Dir. Capistrano asked whether the term “system” actually refers to “Sector”. In reply, Ms. Ladisla confirmed “system” as correct term.
- For. Rey asked if new NIAHS will be identified. There is already a list of these traditional agricultural practices. Ms. Ladisla replied that the process of identification and documentation are tackled in the succeeding sections. She added that those that have been identified will have to be validated/verified. Dir. Capistrano echoed the query of For. Rey. Ms. Ladisla responded that we will still identify new ones in case there are any but we will prioritize practices that are existing and have been identified.

- On Section 3. Definition of Terms, Dir. Capistrano asked if the definitions were culled out from existing references. Ms. Ladisla stated that the references for the definition of terms are in the footnote. Terms without footnotes are original formulations. She also remarked that most of the terms were culled out from official sources. For. Siapno commented that the footnote should be placed after the term.
- On Section 3.9, Atty. Paz Benavidez shared that the definition of GIAHS was taken from FAO. As such, it was suggested that the term be annotated. On Section 3.10, “indigenous agro-forestry practice” For. Siapno recommended using standard definitions in forestry manuals and bulletins but customized with the indigenous. Atty. Benavidez relayed that one of the members of the Technical Working Group (TWG) for the project formulated the definition. For. Siapno suggested adding a footnote which states that the definition was formulated by the TWG. Atty. Benavidez agreed with the proposal of For. Siapno. Dir Capistrano recommended to still refer to existing adopted definitions.
- Atty. Benavidez stated that the definition of terms without footnotes were developed by the TWG or were derived from other agencies. As suggested, they will put in the footnote that original definitions were developed by the TWG. Dir. Capistrano suggested that other official references be checked for the definitions of these terms without footnotes.
- On the definition of “registry” under Section 3.15, Atty. Benavidez informed that this was taken from the NCCA law. As such, it was suggested that the definition be annotated.
- For. Siapno remarked that the term “sustainable use” under Section 3.17 also has a standard definition. Atty. Benavidez replied that the second sentence was proposed by NCIP. For. Siapno advocated for the use of the standard definition. She suggested indicating in the footnote where the definition was taken from, and to add a separate paragraph emphasizing the IP concerns.
- On Section 4, For. Siapno suggested that the sequencing of the members of the NIAHS Executive Committee should be in accordance with protocol. Dir. Capistrano asked if there is a supervising Undersecretary or Assistant Secretary for Bureau of Agricultural Research (BAR) who may take the place of the Director, BAR. Atty. Benavidez replied that the head of BAR is a Director. Also, this is the recommendation of the Project Steering Committee. Dir. Capistrano also noted that the Secretary level is too high. However, in most instances, the Secretary is not able to attend, hence the responsibility will usually be delegated to the Undersecretary.
- Dir. Capistrano asked up to what level of membership of the BMB can send to the NIAHS Executive Committee. In reply, Ms. Ladisla informed that this is provided for in the next paragraph, which states that the permanent representative should not be lower than a Director level.

- Dir. Capistrano asked if the Department of Tourism (DOT) or agency handling heritage sites is involved. Ms. Ladisla answered that NCCA handles heritage sites. Dir. Capistrano said to look into the involvement of DOT on this.
- On Section 5, Dir. Capistrano surmised that the TWG will be the one to implement some of the functions of the NIAHS Executive Committee (e.g. Section 5.5). She asked about Section 5.3 which only creates the Joint Regional TWG (JRTWG) as necessary. Atty. Benavidez explained that recognition is not mandatory. The JRTWG will only be created when an application is filed. The petition should be backed up by a resolution issued by the LGU. Dir. Capistrano suggested adding the resolution or ordinance. Atty. Benavidez said that the project has provided the LGUs with templates for ordinances or resolution for this purpose. She stressed the importance of confirming and validating whether the petition passes the criteria for recognition of NIAHS. The objective is to have these NIAHS recognized as GIAHS.
- On Section 6, For. Rey asked if the NIAHS Secretariat will be composed of members from the different agencies involved. Ms. Ladisla replied that the Secretariat will be composed of personnel from DA. The agencies are represented in the NTWG and RTWG.
- On Section 7, Engr. Aguda noted the lack of regional representation from the NCCA and NCIP. Ms. Ladisla replied that while the NCCA has no regional representation, the JRTWG includes a representative from the NCIP. Engr. Aguda also noted the lack of Vice Chairperson for the JRTWG. Dir. Capistrano expressed agreement that there should be a Vice Chairperson. Engr. Aguda remarked that if the DA has a Regional Technical Director, he/she may serve as Vice Chairperson. For. Rey also asked about the exclusion of NCCA in the JRTWG. Atty. Benavidez replied that the NCCA has no regional office. There are no representatives from the NGOs and other stakeholders but they may be called upon as needed. On the question of the lack of LGU representation in the JRTWG by Dir. Capistrano Atty. Benavidez remarked that there may be conflict of interest since the LGU is the one who is applying for recognition. Nevertheless, she said they could suggest the inclusion of a representative from the provincial government since the Municipal Government is the one who will apply. For. Rey emphasized the importance of the LGU representation as it is the said entity that will defend the petition in the JRTWG. Ms. Ladisla commented that they will suggest the addition of the provincial government among the members.
- Dir. Capistrano commented that the shared objectives under Section 9 should be in a different section or omitted from the policy. In reply, Atty. Benavidez informed that this was a suggestion of the Office of the Solicitor General (OSG). Dir. Capistrano noted that a section on objectives is already provided for in the proposed policy.
- On Section 10.2.4, Dir. Capistrano asked why the function of DA in terms of development of sub-criteria and indicators is limited only to provision of technical assistance. Atty. Benavidez replied that this function is lodged with the NIAHS Execom but when it is developed, it will be provided by the agencies. As a follow-up, Dir. Capistrano asked where these criteria can be seen. Atty. Benavidez

informed that the NIAHS Executive Committee will still develop this with help from the agencies through a resolution.

- On Section 10.3, Dir. Eneran observed that the functions of the DENR are all limited to technical assistance. He asked if the Department has major functions in the JMC such as evaluation of potential NIAHS. He also asked if the DENR is part of the Executive Committee and if there are other functions aside from providing technical assistance. For. Siapno agreed with the comment of Dir. Eneran. However, she noted that it is the role of the BMB that is projected, not as member of the Executive Committee. Moreover, she commented that the provision of technical assistance is not clearly defined and the concrete contribution of the Department is not measurable. Ms. Ladisla replied that for the DENR, it is the BMB which acts as focal. One of the functions in Section 10.3.4, is to incorporate the concept and practices supportive of NIAHS in the DENR Programs through the concerned DENR offices, aside from providing technical assistance. Dir. Eneran asked whether the provision of information on the establishment of NIAHS may be a contribution of the DENR. In response, Ms. Ladisla stated that if within protected areas, the NIAHS will be incorporated in the management plan thereof. Dir. Eneran remarked that with mere provision of assistance and lack of active participation in the establishment of the NIAHS, the inputs of the DENR may not be considered. According to him, he expects that there is more active participation on the part of the DENR.
- For. Siapno suggested using the term “recommend” in Section 10.3.1. The DENR’s main role, after the development of criteria, is to recommend the development of sub-criteria and indicators for each element of the NIAHS. According to her, this shows a more concrete role, underpinned with legality and accountability on the part of the DENR. Dir. Capistrano asked if the role of the BMB is as part of the TWG or of the Execom. Ms. Ladisla mentioned that the BMB is also part of the Execom. Dir. Capistrano opined that it is TWG that should recommend the criteria and not the Execom. Atty. Benavidez replied that the NIAHS Execom functions include the development of sub criteria and indicators and evaluation of applications for recognition. These functions are a commitment of each agency not separate from being part of the NIAHS Execom. For example at the level of LGUs, they may request technical from the DENR in documenting the level of biodiversity. At the same time BMB will provide assistance in developing criteria. BMB could also facilitate but also ask other DENR offices for assistance. She clarified that the functions are the commitment of each agency involved other than being a member of the NIAHS ExeCom.
- Dir. Capistrano opined that the commitment is lacking. She stressed that it is not a function of the Execom to provide the indicators or the criteria; it is the TWG that does this. The role of the Execom is mainly on approval. Atty. Benavidez said that the creation of the National TWG was only optional due to the suggestion of NCCA. She agreed with the points raised by Dir. Capistrano to recommend the creation of the NTWG and said that they will look into it. For. Siapno emphasized that the extent of participation should be clearly defined. She provided examples such as in 10.3.2 wherein we can specify who will do the assessment. On 10.3.3, documentation could entail provision of the technical terms used in the documentation. In the assessment and evaluation, you will guide partner

agencies/LGUs in use of assessment/evaluation questionnaire. It was agreed that the word “Provide” in Section 10.3.1 be changed to “Recommend.”

- For. Rey requested clarification on the assistance to be provided. He asked what if the agro-biodiversity cannot be incorporated in the agricultural process. In terms of agriculture, we will have difficulty incorporating biodiversity. What then will be the role of DENR if the concept of agro-biodiversity is not there? Ms. Ladisla replied that recognition requires that different elements should be included, such as agro-biodiversity, support to local food security, livelihood, and ecological practices. It will not qualify as NIAHS if these elements are not complete. She explained that agro-biodiversity pertains to different varieties of crops such as rice.
- On Section 10.4.3, Dir. Eneran noted that this could be a major function of the DENR on the identification and protection of natural properties. It was agreed to include this as one of the functions of the DENR. For. Siapno suggested omitting the phrase “effectively and efficiently” since this is not measurable.
- On Section 10.5.7, For. Siapno suggested using active verbs and replace “facilitate the integration” with “Integrate.” Atty. Benavidez shared that this was opposed by the NCIP. According to them, they will just facilitate the integration but the actual function of integration will be done by another office. Atty. Benavidez informed that the NCIP will help facilitate integration of the concept in the ADSDPP, but will not be done by the NCIP alone. The drafting of the ADSDPP is covered by separate guidelines. The concept will only be integrated in the ADSDPP. For. Siapno asked if there is an operational definition for “facilitate”. Atty. Benavidez reiterated that the NCIP will only facilitate, but they will not be the one to do the integration.
- For. Rey asked about the impact of not integrating this concept in the ADSDPP on the recognized NIAHS. Atty. Benavidez replied that this recognition is separate from the integration of the concept in the ADSDPP framework. This was proposed for inclusion so that the dynamic conservation and sustainable use of agro-biodiversity is included in the drafting of the ADSDPP Framework. For. Rey asked the reason for the inclusion of Section 10.5.7 in the proposed policy. Atty. Benavidez replied that integrating the concept of Agro-Biodiversity (ABD) is for the mainstreaming of ABD, especially in NIAHS. Our aim here is for the sustainability of the ABD and the NIAHS site. The NCIP has a big role in the development of the ADSDPP. However, it only wants to facilitate integration of the concept of dynamic conservation. For. Rey commented that there needs to be an amendment of the framework to include ABD. Atty. Benavidez said this is why NCIP qualified this with “facilitate” because there is no guarantee that they can integrate ABD in the drafting of the ADSDPP.
- On Section 11.1, For. Siapno requested clarification whether this should be a local action plan or management plan for the area. She said an action plan is part of the management plan. Ms. Ladisla said this is specific to Locally IAHS. For the LGU, it is the local action plan that will be developed. For. Siapno asked where this local action plan is anchored. This cannot stand alone as this is localized. Atty. Benavidez replied that recognition includes responsibility on managing the NIAHS site. According to her, the NIAHS sites will be part of the LGU’s Comprehensive

Development Plan (CDP). It was agreed to append “that will be part of the LGU’s Comprehensive Development Plan (CDP).”

- For. Siapno commented that the heading of Title III should be revised as it is not consistent with the sections. Dir. Capistrano asked about Section 12 (Elements of NIAHS). Atty. Benavidez replied that the elements refer to the criteria. This being the case, Dir. Capistrano suggested replacing “elements” with “criteria.” Dir. Capistrano asked about the source of the criteria enumerated. Atty. Benavidez informed that these are globally accepted criteria. As for the title of Chapter III, “of NIAHS” was added.
- On Section 14, Dir. Capistrano asked if the Joint RTWG is different from the one discussed previously. Atty. Benavidez mentioned that if there is no petition, no Joint RTWG will be created.
- On Section 15.9, For. Siapno inquired whether it is a MOA or a protocol that will be formulated. Atty. Benavidez replied that the document is a MOA. For. Siapno also asked on where this document will be submitted. She asked if it is possible for the application to be submitted to only one body and to be processed by only one body. Atty. Benavidez explained that once received by the DA-RFO, a JRTWG will be created. The application should not be submitted to the NIAHS Execom.
- Dir. Capistrano suggested replacing the word dynamic conservation with what was discussed in the early part of the deliberation. Atty. Benavidez replied that dynamic conservation was defined in the JMC. For. Siapno noted that during the earlier discussion, the proponent informed that dynamic conservation refers to the indigenous practice of the community; it was agreed that the word “indigenous” be used so it is clear to the readers of the policy.
- For. Siapno noted that the title of Chapter IV is not consistent with the heading of Section 16. It was agreed to omit “obligation” from the title of Chapter IV and to correct the DILG’s Seal of Local “Good” Governance. Ms. Ladisla shared that recognition of the NIAHS is a plus point for the LGUs in the Seal of Local Good Governance.
- For. Rey noted that there are statements in Section 16 which should be included in the objectives. Dir. Capistrano instructed the proponent to revisit the statement. Atty. Benavidez explained that once the recognized NIAHS qualifies, this will be added as an indicator in the Seal of Good Governance. For. Rey commented that national significance was not considered in the objectives.
- On Section 20, it was suggested that the word “Protocol” be deleted.
- For. Siapno commented that the heading of Title V should be replaced with “Other Provisions.” Dir. Capistrano suggested that this be consulted with the BMB Legal Division.
- On Section 23, For. Rey asked what kind of disputes may arise in the implementation of the Circular. Atty. Benavidez replied that this was added by the OSG as a precaution. For. Rey noted that this means that it will be the Execom and

other member agencies will bring up/file disputes. In that case, a protest will be filed not a dispute. Atty. Benavidez replied that in the content of the section, the word used was disagreement. According to her, the inclusion of said section is just a precaution in case disagreements or disputes may arise.

- For. Siapno moved for the termination of the discussion on the proposed policy, subject to corrections and comments of the PTWG. This was seconded by For. Rey. Dir. Capistrano terminated the discussion and instructed the proponent to incorporate the comments and suggestions of the body in the draft JMC. The draft policy will be referred to the proponent for inclusion of the comments.

### ***Agreements:***

1. On the prefatory statements,
  - Consider replacing “dynamic conservation” with “traditional agricultural practices done by the IPs and local communities”
  - On the first Whereas clause in the prefatory statement, replace the line “The Constitution” in the second sentence with “It” for consistency
  - On the third paragraph (line 34) insert the word “important” in the NIAHS
  - Add a footnote for the source of the provision regarding EO 192
  - Re-arrange the agencies in the prefatory statement, with the paragraph pertaining to NCCA mandate to be cited last
2. On Section 1
  - For Section 1.2, consider replacing the term “dynamic”
  - For Section 1.3 replace the term “host” with “partner”
3. On Section 3
  - Footnote should be placed after the term.
  - Terms developed by the TWG should still refer to or consider materials, if any
  - Section 3.9, add a footnote for the reference of the definition of GIAHS
  - On Section 3.10, refer to existing references from FMB for the standard definition of agro-forestry and relate this with indigenous practice. Add footnote that the definition was formulated by the TWG.
  - On Section 3.15, add a footnote/source which is the NCCA law
  - On Section 3.17, revise the definition of “sustainable use” in accordance with the standard definition and add a separate paragraph emphasizing IP concerns.
4. On Section 4, revise the line-up/sequencing of officials according to protocol.
5. Consider the role/function of the DOT in the handling of heritage sites
6. On Section 7, include the DA Regional Technical Director as Vice Chairperson and a representative from the Provincial Government as member of the JRTWG
7. Review the inclusion of the shared objectives under Section 9
8. Correct the numbering in Section 10.2. insert 10.2.1 in the numbering
9. On Section 10.3
  - On Section 10.3.1, replace the word “provide” with “recommend.” Consider this for other agencies.
  - Include “identification and protection of natural properties” as one of the functions of DENR
10. On Section 10.4.32, omit “effectively and efficiently”
11. On Section 11.1, append “that will be part of the LGU’s Comprehensive Local Development Plan (CDP).”
12. On Chapter III title, add “of NIAHS”



13. On Section 12, replace the word “Elements” in the heading with “Criteria”
14. On Section 15.2, correct numbering.
15. On Section 15.9, delete the word “Protocol”
16. On Section 15.6 the application/petition should not be submitted to the NIAHS ExeCom
17. On Section 15.9, consider replacing “dynamic conservation” with “traditional agricultural practices done by the IPs and local communities” or using the term “indigenous”
18. Remove the word “Obligation” in Title IV
19. Rephrase Section 16.
20. On Section 20, delete the word “Protocol”
21. On Title V, consult with the BMB Legal Division the proposed replacement of “Miscellaneous Provisions” with “Other Provisions”
22. PTWG Secretariat to provide the proponent a copy of the revised draft policy and agreements/comments of the body.

### **3. Draft DAO re Designation of Bacuit Bay as a Water Quality Management Area (WQMA) and Creation of Its Governing Board**

#### ***Presentation and Discussions:***

- The background on the draft policy was presented by Ms. Kathryn Tupasi (EMB MIMAROPA). The proposed area is the pride of Palawan and hosts many tourist destinations as well as the El Nido-Taytay Managed Resource Protected Area, which was proclaimed under Pres. Proc. 32 s. 1998. She discussed the general profile- land area, beach area, population, households, growth rate, and barangays. She also tackled the biodiversity and land use distribution of El Nido, WQMA metes and bounds, justification of proposal, stakeholders’ support, identified major threats to water quality and sources of pollution, timeline before designation proposal, current uses of Bacuit and El Nido Bays, classification of Bacuit Bay, Bacuit Bay Coastal and Offshore, fecal coliform trend results in coastal waters and discharge outfalls, Bacuit Bay 1<sup>st</sup> semester CY 2021 monitoring results, El Nido Bay (Coastal waters) CY 2020 monitoring results, and update on the sewage treatment plant at Sitio Batbat, Brgy. Villa Libertad.
- Dir. Capistrano asked why it is only now that the declaration of El Nido as WQMA was proposed. Ms. Tupasi replied that activities prior to designation had been started but did not move forward as there are other activities to be done. It was already included under Beach Watch in CY 2011.
- For. Joselito Eyala (OUFOE) asked if the proposal was endorsed by the Protected Area Management Board (PAMB). In reply, Ms. Tupasi affirmed that this was endorsed by PAMB. For. Eyala asked the implication of WQMA declaration to the protected area. A PAMO office is existing in the field but the laboratory is in the PAMO. Ms. Tupasi informed that PAMB supports the proposal and it even provided assistance in the completion of the report. In the issuance of CDOs and NOV, the Task Force, PAMB, and field offices of the DENR worked together. Once the bay is declared as a WQMA, it will have a governing board, with policy and stricter rules. There will be more stringent rules such as the application of the

Clean Water Act. For. Eyala noted that there may be major overlaps in the membership of both the WQMA Governing Board and the PAMB. He is confident though those institutional arrangements will be settled eventually.

- For. Siapno asked if there is a WQMA for each water body. Ms. Tupasi answered that general guidelines are followed in the creation of WQMAs. The only difference among WQMA Governing Boards is the governing rules and the action plan to attain the objectives of the WQMA. For. Siapno remarked that this may be easily reviewed if checked vis-a-vis the general guidelines.
- Ms. Siara Jeanne Nulada (BMB) asked if strict protection zones classified as Class SA were considered in the selection of monitoring stations on the creation of the WQMA for El Nido Bay. Ms. Tupasi replied that the portion officially declared class SB is only the coastal waters. They added tourist island destinations outside classification of class SB. Since it is a PA, based on DAO No. 2016-08, it is automatically classified as class SA. Ms. Nulada asked if monitoring stations in the SPZ may be established. Ms. Tupasi affirmed this.
- For. Siapno suggested rephrasing lines 25-26 in Section 1 for clarity and to use as reference for the proposed policy an approved DAO on WQMA. Dir. Capistrano concurred that since the draft policy is a template, the proponent should use as reference other approved policies on WQMA.
- On Section 2, Ms. Tupasi said they added the area in El Nido. For. Siapno said to ensure that the coordinates should be correctly reflected in the guidelines.
- On Section 4, Dir. Capistrano asked the level of representation. Ms. Tupasi replied that the agencies send Regional Directors but there are duly authorized alternates who may decide on behalf of the permanent representative. For. Siapno shared that the members of the Governing Board issue appointments.
- Ms. Nulada inquired on the possible inclusion of a PAMB representative, such as the Protected Area Superintendent (PASu) in the WQMA Governing Board. For. Siapno commented that the Chairperson of the PAMB is RED while the chair of the WQMA GB is the EMB RD. Dir. Capistrano suggested considering adding the PASu as representative. Dir. Eneran commented that under the law, it is the DENR that chairs the WQMA Governing Board. Ms. Tupasi remarked that she will clarify the matter with the EMB Central Office. For. Siapno added that the Vice Chair is the RD of EMB. Mr. Maranan informed that in 38 WQMAs, it is the RD EMB that chairs the GB and only the WQMA of Boracay has the RED as Chairperson.
- Dir. Capistrano asked on who acts as Secretariat of the GB. In reply, Ms. Tupasi informed that it is the EMB Region that functions as Secretariat. Dir. Capistrano also asked on who composes the TWG. Dir. Eneran said that there are professionals that should be members of the TWG such as a lawyer, hydrologist, etc. He suggested that this be considered in the TWG. Ms. Tupasi commented that this is reflected in the Governing Rules of the WQMA.
- For. Siapno moved for the termination of the discussions on the draft policy, in consideration of the suggestions, corrections and comments of the members of the

PTWG. This was seconded by Ms. Encarmila Panganiban. Dir. Capistrano instructed the proponent to revise based on corrections, PSD to provide the corrections.


***Agreements:***

1. On Section 1
  - rephrase para. 1 line 25-26, "...and El Nido Bays for sustaining its resources for the people of..."
  - rephrase item b, "To formulate a program on water quality management which recognizes these issues are inherently related..."
2. Use and follow other approved policies on WQMA.
3. On Section 4, include PASu or their duly authorized representative
4. PTWG Secretariat to provide the proponent a copy of the revised draft policy and agreements/comments of the body.

There having no other matters to discuss, the meeting was adjourned at 4:10 PM.

Prepared by the Secretariat

Noted by:

  
**MELINDA C. CAPISTRANO**  
Director, Policy and Planning Service  
and Chairperson, PTWG