



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

TO : THE DIRECTORS
Forest Management Bureau (FMB)
Biodiversity Management Bureau (BMB)
Land Management Bureau (LMB)
Environmental Management Bureau (EMB)
Mines and Geosciences Bureau (MGB)
Environmental Law and Enforcement Services (ELEPS)

FROM : THE OIC-ASSISTANT SECRETARY
Field Operations-Luzon

SUBJECT : REQUEST FOR THE RESPONSES OF THE INDIVIDUAL
BUREAUS FOR THE ISSUES RAISED DURING THE 4TH
QUARTER LUZON CLUSTER MEETING

DATE : 03 FEB 2022

Relative to the 4th Quarter Luzon Cluster Meeting held last December 1-2, 2021, wherein various issues and concerns were presented and discussed, the undersigned would like to request the responses of the individual bureaus for the issues discussed during the said meeting.

Kindly see attached agreements during the 4th Quarter Luzon Cluster Meeting and submit through our office email address asecfo-sl.denr@yahoo.com your comments/recommendations on the various issues addressed.

Anticipating your prompt action on the matter.


GILBERT C. GONZALES, CESO III

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

ISSUES	AGREEMENTS	RESPONSIBLE PERSON
ENVIRONMENT (RED JACQUELINE A. CAANCAN)		
(MIMAROPA & CAR) 1. Policy of No Issuance of Environmental Compliance Certificate (ECC) without the tenurial instruments for Infrastructure Projects (ex. Build Build Build Program)	<ul style="list-style-type: none"> • Referred to EMB to issue clarificatory guidelines. • Tenurial instruments or provisional agreements issued by the DENR may be considered. • Tax Declaration may also be considered. 	
(CAR) 1. The requirement of geological assessment study for CSAG projects in compliance to MGB Memorandum Circular No. 20-010 dated November 17, 2020 2. ECC online-based applications for small-scale projects within declared minahang bayan 3. Environmental enhancement projects i.e. slope protection/flood control structures to be undertaken within protected areas	<ul style="list-style-type: none"> • Recommend that EMB shall integrate geological assessment as a regular program in relation to the granting of SAG permits/ECCs. • Refer to EMB for consideration. • All projects located within a PA, whether applying for ECC/CNC are required to secure PAMB Clearance/ PAMB Resolution. 	
(CALABARZON) 1. Issuance of Certificate of No Open Dumpsite 2. Inclusion of additional requirement in the issuance of Discharge Permit to gasoline refilling stations	<ul style="list-style-type: none"> • The EMB Regional Office shall determine the appropriate certification to be issued. • The leak test is already a condition of the ECC. 	
(NCR)	<ul style="list-style-type: none"> • Refer to EMB Central Office for consideration. 	

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

<p>1. Inclusion of gas parameters in the existing real-time Air Quality Monitoring Stations to complete the Criteria Pollutant in RA 8749</p> <p>2. Establishment of new Air Quality Monitoring Stations specifically in Valenzuela and Quezon City to represent the 17 LGUs in NCR with PM (10 & 2.5) NO2 and CO parameters.</p>	<ul style="list-style-type: none"> • Refer to EMB Central Office for consideration/budget proposal. 	
FORESTRY (RED FRANCISCO E. MILLA, JR.)		
<p>A. NGP: RECURRING AOM's due to outdated memoranda/DENR CIRCULAR</p> <p>1. Unutilized and non-operational equipment of the Mechanized and Modernized Forest Nursery (MMFN) located in Guinobatan, Albay and Lupi, Camarines Sur.</p> <p>2. Non-observance of Sec. 3.2 of DMC no. 2013-06 which provides that the MOA/Development Contract shall be for a period of 3 years. All MOA/NGP contracts are executed for a period of not more than 1 year which is based on the annual release of GAA. The COA views the execution of 1-year NGP contracts as tantamount to splitting.</p> <p>3. Non applicability of Sec. 10, DENR MC 2011-01 re maintenance of</p>	<ul style="list-style-type: none"> • Already discussed by FMB • Most issues on NGP/AOMs were addressed yesterday by FMB with ASEC Caguioa and Director Fontanilla. 	FMB

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

<p>registry reforestation project/agroforestry consistent with the Manual on NGAS.</p> <ul style="list-style-type: none"> The NGAS was already replaced by the GAM issued on 2015 which no longer include the Registry of Reforestation Projects. 		
<p><i>(Region 1)</i> The provisions of the FMB Technical Bulletin No. 30 and its revisions in the implementation of NGP under the family approach are general in its context, as a result, the following issues emerged:</p> <ol style="list-style-type: none"> 1. Difficulty in the determination of the number of families and its household members as participants for every hectare of plantation site; 2. Difficulty in the determination of the reasonableness of cost of labor component presented in the approved Work and Financial Plan of the NGP. 3. Difficulty in the determination of the efficiency and effectiveness of the implementation of ENGP through community participation could not be determined; and 4. Difficulty in the determination of required documents that would prove that a family/beneficiary is qualified in the selection process. 	<ul style="list-style-type: none"> Policy shall be reviewed by FMB. In the meantime, the options in the technical bulletin (family participation/People's Organization/by Admin) is still in effect. 	<p>FMB</p>
<p>Mainstreaming of FLUP into LGUs CLUP is challenged by area reconciliation. There are no common references in map preparation</p>		

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

<p>Issuance of Certificate of Land Ownership Award (CLOAS within Timberlands</p>		
<p>The instructions to create a Review Committee for the Watershed Characterization and Vulnerability Assessment Reports and subsequent presentation to the RDC came in only at a later part of this year (Nov. 23, 2021), hence the Region cannot possibly proceed with this activity on the current year.</p>		
<p>(REGION 2)</p> <ol style="list-style-type: none"> 1. NGP special audit in Region 2 by COA resulted in the issuance of numerous AOMs that observed alleged policy gaps in turn-over, accounting procedure, derecognition due to impairment loss and several other recommendations. 		
<p>(REGION 3)</p> <ol style="list-style-type: none"> 1. DMC No. 2013-06 2. No guidelines on NGP sites below 100 hectares; 3. Memorandum dated May 30, 2016 signed by USEC Adobo on the Adoption of Accounting Procedures for Reforestation Projects; and 4. COA Memorandum No. 92-751 on the Checklist of Documents for Request of Relief from Accountability and Section 		

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

73 of PD 1445 on the Credit for Loss occurring in transit or due to casualty or force majeure		
<p>(REGION MIMAROPA)</p> <ol style="list-style-type: none"> 1. Onerous government share due to increase in zonal value (300% above) 		
<p>(NCR)</p> <ol style="list-style-type: none"> 1. Deteriorating condition of apprehended and seized forest product, tools, equipment and conveyance. 2. Limited Depository/Storage Facility for Confiscated Forest Products. 3. Coordination of the Anti-Illegal Logging Task Force (AILTF). 	<ul style="list-style-type: none"> • Field Office/Regional Office shall provide data on enforcement and coordinate with ELEPs when necessary. 	
PROTECTED AREAS (RED ATTY. CRIZALDY M. BARCELO)		
<p>(CAR)</p> <ol style="list-style-type: none"> 1. No legislated Protected Area yet in CAR 	<ul style="list-style-type: none"> • CAR shall coordinate with BMB on the proposed PAs. 	
<p>(REGION 1)</p> <ol style="list-style-type: none"> 1. Non-issuance of NIPAS Certificate within Marcos Highway Watershed Forest Reserve (MHWFR) in the absence of a Protected Area Management Board (PAMB). 	<ul style="list-style-type: none"> • CAR and Region I shall meet on December 7, 2021 to discuss the organization of a joint PAMB. 	
<p>(REGION 2)</p> <ol style="list-style-type: none"> 1. Operation of a quarry area in Batanes 	<ul style="list-style-type: none"> • BMB responds is that quarrying in Batanes is not an option. 	

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

<p>2. Increase in Untenured Migrants within PA base on the result of SRPAO</p>	<ul style="list-style-type: none"> • Increase monitoring to prevent untenured migrants/illegal occupants. • ROs shall come up with strategies on enforcement. 	
<p>(REGION 3)</p> <ol style="list-style-type: none"> 1. Illegal occupants and structures within some Protected Areas 2. Permanent plantilla positions for legislated PAs to sustain implementation of activities in protected areas 3. DPWH projects within PAs without PAMB clearance 4. PA establishment of the remaining Initial Components under NIPAS 5. Section 25 ENIPAS and Rule 25.1 of DAO 2019-05 A Special Use Agreement in PAs (SAPA) 	<ul style="list-style-type: none"> • BMB has submitted the proposed plantilla positions to DBM. DBM comment is that additional staff maybe hired under Contract of Service. 	<p align="center">BMB</p>
<p>(MIMAROPA)</p> <ol style="list-style-type: none"> 1. Onerous government share due to increase in zonal value (300% above) 		
<p>BIODIVERSITY (RED MA. LOURDES G. FERRER)</p>		
<p>(CAR)</p> <ol style="list-style-type: none"> 1. It has been observed that plants were shipped out to and from various destinations without appropriate permits from DENR 	<ul style="list-style-type: none"> • BMB shall issue a policy on permits. 	<p align="center">BMB</p>

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

<p>(REGION 1)</p> <p>1. Integrated Coastal Management (ICM) planning is undertaken in coordination with coastal LGUs. However, the mainstreaming / incorporation of ICM plan in the LGU CLUP is challenged by the cycle/process of CLUP preparation in terms of timing and execution</p>	<ul style="list-style-type: none"> • Shall be referred to BMB. 	<p style="text-align: center;">BMB</p>
<p>(REGION 3)</p> <p>1. Per Section 7 & 8 of DAO 2004-55, applicants of wildlife transport permits are required to submit Phytosanitary Certificate or Veterinary Quarantine Certificate from concerned DA offices (BAI/BPI)</p> <p>2. DAO 97-32 provides for the rules on adjudication procedures of illegal forest products, machinery, equipment, tools and conveyances used in connection therewith</p>	<ul style="list-style-type: none"> • Issuance of Transport Permit is within the domain of DENR. • Shall refer to BMB for policy review. • Refer to FMB. • To include illegal wildlife in the rules on adjudication. 	<p style="text-align: center;">DENR</p> <p style="text-align: center;">BMB</p> <p style="text-align: center;">FMB</p>
<p>LANDS (RED ENGR. RALPH C. PABLO)</p>		
<p>(All regions in Luzon)</p> <p>1. None processing of applications for Agricultural Free Patents in view of the absence of IRR for the implementation of RA No. 11573. Remaining targets for the year are at stake)</p>	<ul style="list-style-type: none"> • LMB update is that the IRR is now with USEC Leones and shall be endorsed to OSEC within this week (tentative). 	
<p>(CAR, Region 2 and MIMAROPA)</p>		

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

<p>1. Constraint in the implementation of the Memorandum of the Secretary dated June 15, 2021 "Authorizing the use of the Replotted Land Classification Maps as basis in the verification and certification of Land Classification Status and plotting of all programs and projects</p>	<ul style="list-style-type: none"> • Request for provision of the final/official/digital unified land classification maps by NAMRIA. 	
<p>(REGION 3) Article 51 of the Water Code</p> <p>Legal easement or salvage zone is outside the coverage of lease agreement issued by the DENR. However, Miscellaneous Lease applicants for industrial purposes such as port/pier and jetty are using the salvage zone or land falling within the easement in the development of the leased premises.</p> <p>1. Due to rise in sea level as a consequence of global warming, private properties are submerged and became part of foreshore or within the legal easement. Since they are covered by registered title, the owner are still claiming the same as their private property invoking property rights and payment of taxes. Resort owners refused to pay occupation fee citing that the foreshore is part of their titled property</p> <p>2. Sections 54 and 55 of DAO 2007-29 provide that lands bordering the seas, gulfs, bays or ports shall be subject to easements or salvage zone of 20 meters. It is silent on the</p>	<ul style="list-style-type: none"> • LMB will come up with policy to clarify and define legal easement/ salvage zone etc. • LMB comment is that owners of private properties have the right to recover within two (2) years. • Only temporary structures that can be easily dismantled are allowed on the easement. 	

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

classification of the area where they are situated.		
MINING (RED ENGR. PAQUITO T. MORENO, JR.)		
(REGION 1) Reluctance of some LGUs to address illegal quarrying activities within their respective jurisdiction Area covered by mining contracts and those which had been cleared by the DENR to be reconsidered	<ul style="list-style-type: none"> • MGB may exercise its enforcement functions and may assume jurisdiction if no permits were issued by the LGU. • Central Office shall issue a joint directive to intensify activities by the LGU. • Strengthen the one-stop shop (referral to DENR/EMB to check on possible conflicts) • There should be one control map on various permits / instruments issued by DENR/EMB/MGB. 	
(REGION 3) Alleged destruction of Pinagrealan Cave due to blasting operations of Spar Development Co. Inc. (updates)	<ul style="list-style-type: none"> • Region 3 shall study the situation carefully. • The proponent should prove that their mining operations will not affect the cave. 	
(REGION 5) Impending lack of budget for enforcement in CY 2022	<ul style="list-style-type: none"> • Reduce enforcement personnel or request for additional budget. 	
ENFORCEMENT (RED NILO B. TAMORIA)		
REGION 4-A (CALABARZON) 1. Insufficient number of vehicle for hauling of apprehended forest products	<ul style="list-style-type: none"> • RO to submit proposal for additional vehicles 	
(CAR)	<ul style="list-style-type: none"> • Pull-out some guards for a certain period of time 	

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

1. Limited number of Forest Guards/Rangers in CENRO Lagangilang, Abra specifically in Municipality of Tineg	<ul style="list-style-type: none"> Assign additional Forest Rangers (utilize existing) 	
(REGION 1) 1. Implementation of Chainsaw Act of 2002, Standardizing nationwide the procedure and requirements in the registration of chainsaws, (i.e. requiring individuals to secure authority to purchase prior to registration)	<ul style="list-style-type: none"> Refer to FMB. 	
REGION 4-B (MIMAROPA) 1. Limited allocation of funds for CY 2022 (under regular) for the hiring of Forest Protection Officers which resulted the Implementing PENROs and all CENROs usually requesting a budget for the hiring of additional FPOs	<ul style="list-style-type: none"> Discuss with FMB. 	FMB
OTHER MATTERS (RED GWENDOLYN C. BAMBALAN)		
COVID-19 (REGION 1) Some employees are not willing to be inoculated	<ul style="list-style-type: none"> RED shall issue Memorandum Order enjoining employees to be vaccinated. 	Regional Offices
COVID-19 (REGION 3) Rising number of cases in the office due to non- disclosure of health status or exposure	<ul style="list-style-type: none"> Regional Office shall resolve the issues. Comply with IATF and DOH guidelines. 	
OTHER MATTERS (NCR) Implementation of MC 2021-1 on the Guidelines on the Grant of Performance-Based Bonus 2021 under EO No. 201, series	<ul style="list-style-type: none"> Follow-up status with the USEC for Policy and Planning 	

**4TH QUARTER LUZON CLUSTER MEETING
DECEMBER 1-2, 2021**

<p>of 2016</p> <ul style="list-style-type: none"> - Determine when the process ends, whether upon approval of the request (permit, certifications etc.) or the same is handed over/received by the client which is beyond the region's control. - Determine the basis on the ranking of Financial Results regarding downloaded funds given beyond June 30, 2021 		
<i>(REGION 2)</i>		
<p>Existence of three sub-offices in Region 2 (former CENROs which were abolished due to EO 366)</p>	<ul style="list-style-type: none"> • Submit proposal on the return to structure per E.O 366 • Option to scrap and build 	



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. 1
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La Union



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134

MEMORANDUM

FOR : **OIC, ASSISTANT SECRETARY FOR FIELD OPERATIONS - LUZON**
Department of Environment and Natural Resources

FROM : **THE REGIONAL DIRECTOR**
Environmental Management Bureau – Region I

SUBJECT : **DAY 2 AGREEMENTS DURING THE 4TH QUARTER LUZON CLUSTER MEETING**

DATE : **DECEMBER 02, 2021**

Respectfully submitting the draft consolidated Agreements during Day 2 of the 4th Quarter Luzon Cluster Meeting.

For your consideration.


ENGR. MARIA DORICA NAZ-HIPE, CESE

Encl: a/s

Protect the environment... Protect Life...

Tel. Nos. (072)-687-8370; e-mail: r1@emb.gov.ph

4th QUARTER LUZON CLUSTER MEETING

DECEMBER 1-2, 2021

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
NGP IMPLEMENTATION- Derecognition/ Impairment loss of NGP projects	The FMB will issue a clarificatory memorandum on the NGP sites that will be subjected to derecognition and impairment.	FMB
Annual Contracting of NGP Projects	FMB to set a meeting with DBM regarding Multi-Year Obligational Authority (MYOA)	FMB
Studies on Urban Greening	Regional Offices to submit to FMB comments and concerns on NGP and Urban Greening	FMB, Regional Offices
Pruning/ Cutting of trees	The FMB has already drafted a policy on this. RA 11361 to be considered in the draft policy (no need for permit if establishment of transmission lines will affect trees)	FMB

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
Policy on the culture/ harvesting of Lapnisan/ Lanite	BMB to spearhead on the drafting of the policy per previous agreements. FMB to provide inputs therein.	BMB, FMB
Intensified Forest Protection and Anti-Illegal Logging- Delay in the disposition of confiscated items due to the issuance of COF	<ul style="list-style-type: none"> -Amend DAO 32-1997 and DAO 16-07; delegate to REDs the issuance of COFs -FMB to consider more options to remove the burden of conveyances to the DENR -FMB to prescribe shortened time frames for all the Regions to follow until the disposition of the confiscated items. 	FMB
Conflicting vague policies	-Harmonization of policies between FMB and BMB	FMB, BMB, PPS
Recurring AOM on NGP- Unutilized and non-operational MMFN (Albay and CamSur)		

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
<p>Policy on SAPA</p> <ul style="list-style-type: none"> ● Clarification on specific roles of DENR as oversight function (Hundred Islands National Park) ● High Cost of development Fee ● Water withdrawal within PA (Paoay Lake) 	<p>BMB to provide clarifications on this matter by defining the oversight functions of DENR</p> <p>Review the development fee: advise proponents specific areas for development</p> <p>If projects of national significance, proponents are subjected to one time payment (refer to DAO 2019-05). If projects of private entities, proponents should apply for appropriate permits</p>	<p>BMB</p> <p>BMB</p>
<p>Presence of the following within PA CLOAs and land titles Quarrying DPWH/NIA projects without PAMB clearance IP claims Exotic species</p>	<p>BMB will provide policy clarification</p>	<p>BMB</p>

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
Conduct of carrying capacity in eco-destinations	BMB to include studies on carrying capacity on the budget	BMB
Extension and renewal of MOA for the Agoon Damortis Protected Landscape and Seascape	BMB will review arrangements and conduct assessment of the actual area to be developed to reduce the fees to be paid	
Quarry resources utilization in Batanes	Study on possible issuance of policy that may support use of quarry resources	Region 2 and concerned congressmen
Marikina Basin Protected Landscape	DENR to draft a Policy/ circular, that states that once contract/ PAMB clearance was issued and title was issued before the proclamation, that excludes the areas with title to private entities. Further discussions with the bureaus	MGB and DENR IV FMB and BMB

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
Occupants within PA with no tenurial instruments	PAMB to address the specific concerns. Look into possible resettlement programs for the occupants and initiate discussion with migrants/occupants within PA	
Addressing illegal occupants and structures and establishments in PAs	BMB will issue a technical bulletin/instructions to address the concerns and to guide the PAMO/PAMB. Reiterate the existing policies on occupying areas within PAs	BMB
No financial incentives/ honorarium for the WEO	Comply with IRR of RA 9147	
No vet to attend to confiscated wildlife	Communicate with provincial veterinary office. Offer trainings for veterinarians specializing in handling wildlife.	BMB, Regional Offices, LGU

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
Weak enforcement of bioprospecting law	Review guidelines and collate study outputs for reference	BMB and ERDB
Online illegal trading of wildlife and other derivatives	Identify concentrations of illegal market for wildlife and develop a national strategy to work on wildlife illegal trade	BMB, Regional Offices, NBI
Lack of tourism and wetland assessment	Check potential ecotourism sites and ask for a budget for protection and development of the site.	BMB

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
<p>No standard sharing scheme for mining communities (host and neighboring) of SDMP</p>	<p>MGB should initiate trainings for the mining company who will vacate the mining area.</p> <p>MGB to initiate coming up with the issuance of declaration</p>	<p>MGB</p>
<p>No guidelines for permitting of old TSF outside approved mining tenements in PA</p>	<p>Discuss with FMB for policy formulation to address issues.</p>	<p>FMB and MGB</p>

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
<p>Concerns on Ra 10023: RFPA</p> <ul style="list-style-type: none"> ● Building structure as a requirement in the issuance of RFA; ● No validity or expiration ● Requirements are too limited to efficiently assess the qualification of the applicants 	<p>Possible amendment of Section 2.2 Policy review of RA 10023</p>	<p>LMB</p>
<p>LRA certifications as a requirement of Survey authority per citizen's charter- low accomplishment of public land surveys and patent issuances</p>	<p>REDs exclusion of LRA certifications in the citizen's charter Coordinate with LMB</p>	<p>LMB</p>
<p>Challenges in attaining the timeline in the citizens charter</p>	<p>LMB to revisit the timeline for further review. Regions have different time frames.</p>	<p>LMB</p>

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
<p>Policy issue re DAO 2020-16 guideline on the disposition of lands form by accretion</p>	<p>Issuance of policy to limit area to be surveyed, issuance of survey authority, etc. Consider Civil Code provisions that allow ownership of lands formed through accretion</p>	
<p>Budgetary requirements for antigen testing,vaccination,vitamins and minerals Limited isolation and quarantine employees</p>	<p>Come up with concrete programs to promote health and wellness Provide additional funds</p>	
<p>Budgetary requirements for antigen testing,vaccination,vitamins Limited isolation and quarantine employees</p>	<p>Provision of funds for establishment and operationalization of said facilities</p>	

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
Closure of dumpsites	<p>RED to approve and issue notice of closure of dumpsites per DAO 2018-18</p> <p>As a corrective measure in case of non-compliance to this provision of DAO 18-18, the Region may issue the proper notice of closure if the subject dumpsite reopened.</p>	Regional Offices
Tourism sites	<p>Intensify monitoring activities on these areas.</p> <p>Regional Offices to devise a monitoring system to address this issue</p> <p>Conduct studies on carrying capacity on tourism areas</p>	ERDB
Full implementation of DAO 2018-18	Capacity building on legal teams of the Offices about environmental laws	EMB

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
Limited manpower to conduct water monitoring (sampling and laboratory analysis) within PA and other areas	Increase human resource for EMB(hiring of monitoring officers, chemists/analysts)	
Management and disposal of used PPE (facemask/face shields)	Harmonize policies of DENR and DOH	
Experimental forest within regions	ERDB to prepare memo addressed to all REDs of Luzon	ERDB
Implementation of Environmental Laws	ELEPS to provide assistance in implementing environmental laws	ELEPS

ISSUES/ CONCERNS	AGREEMENTS/ RECOMMENDATIONS	RESPONSIBLE OFFICE
Unutilized and non-operational equipment of MMFN		