



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. 929-6626 to 29; 929-6633 to 35
929-7041 to 43; 929-6252; 929-1669
Website: <http://www.denr.gov.ph> E-mail: web@denr.gov.ph

MEMORANDUM

TO : **The Directors**
Forest Management Bureau
Biodiversity Management Bureau
Land Management Bureau
Environmental Management Bureau
Mines and Geosciences Bureau

FROM : **The Undersecretary**
Field Operations – Luzon, Visayas and Environment
Field Operations – Mindanao

SUBJECT : **CONSOLIDATED REGIONAL ISSUES AND CONCERNS
DURING THE 1ST FIELD OPERATIONS MANAGEMENT
CONFERENCE LAST APRIL 16-18, 2023, MARRIOT HOTEL,
CLARK, PAMPANGA**

DATE : **APR 24 2023**

Referred herewith, are the consolidated issues and concerns from the Regional Offices as identified during the 1st National Field Operations Management Conference held last April 17-18, 2023 at Clark, Pampanga in Region III.

Anent the above, you are advised to take appropriate action and inform the undersigned of any developments pertaining to the aforementioned issues concerning your respective offices.

For information and compliance.

 **ATTY. JUAN MIGUEL T. CUNA, CESO I**  **JOSELIN MARCUS E. FRAGADA, CESO III**

Copy Furnished:

- Office of the Secretary
- The Assistant Secretary for Field Operations – Eastern Mindanao
- The OIC, Assistant Secretary for Field Operations – Western Mindanao
- The OIC, Assistant Secretary for Field Operations – Luzon and Visayas
- The OIC, Director, Policy and Planning Service
- All Regional Executive Directors (Regions 1-13, NCR and CAR)
- All EMB Regional Directors (Regions 1-13, NCR and CAR)
- All MGB Regional Directors (Regions 1-13, NCR and CAR)

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
Region 1	Follow-up Memorandum re: Request for Clearance to enter into a Memorandum of Agreement with the Northern Cement Corporation regarding the Adopt-an-Ambient Air Quality Monitoring Station	Proliferation of illegal settlers and occupants within the Unclassified Public Land along the coastal areas (baywalk) of Binmaley-Lingayen, Pangasinan	Proliferation of illegal occupants/claims and selling of lots within forest land as a consequence of newly opened/improved roads traversing forest lands (Daang Kalikasan, Mangatarem; Daang Katutubo, Aguilar; and in Malico, San Nicolas, all in the Province of Pangasinan)		Computation of SAPA Fee based on the coverage area of the project: Bountiful Future Farms Inc. – SAPA fee amounts to Php1,309,505.60 at 56,400 sq.m.; A.I.P. Aquafarming SAPA fee amounts to Php907,773.60 at 39,900 sq.m.
	Implementation of Adopt an Estero Program	Request of Provincial Government of Pangasinan for additional/expansion of area of 116 hectares covered by Proclamation 1258 (184 hectares or for a total of 300 hectares).	Harmonization of DENR and NCIP (Regional and Provincial Level) Guidelines, Policies and Standards in relation to the issuance of Forest-related permits/tenurial instruments (e.g. CBFMA).		
Region 2			Conduct of effective Aerial Surveillance Monitoring and Inspection of Environment and Natural Resources within our AOR particularly on the Sierra Madre mountain ranges	Issuance of Policy on the definition for limited and non commercial quarrying PLGU Batanes is requesting for reconsideration on the limited extraction of quarry resources both in public and private lands	
			Lack of Budgetary requirements for the Insurance of the purchased Water Craft		
	Low registration of Obligated Enterprises (OE) in the implementation of the Extended Producers Responsibility (EPR) Law	AFAB is claiming to assume the responsibility of DENR by virtue of RA 11453, an Act Further Strengthening the Powers and Functions of the Authority of the Freeport Area of Bataan (AFAB)		Quarrying activities along Pasig Potrero River	

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS					
	EMB	LMB	FMB	MGB	BMB
Region 3	Issuance of Provincial Environmental Compliance Certificate (PECC) and/or Certificate of Non-Coverage (CNC) from the Provincial Government before construction and actual operations of industries within the Province of Bulacan (Provincial Resolution No. 186- Series of 2011)				
	AFAB is claiming to assume the responsibility of DENR by virtue of RA 11453, an Act Further Strengthening the Powers and Functions of the Authority of the Freeport Area of Bataan (AFAB)				
Region 4A	Limited number and type of equipment for air sampling activities		Numerous replacement seedlings from cutting permits that cannot be accommodated in the DENR 4A existing nurseries despite using it in rehabilitation efforts of the Region.		
	Insufficient fund for the implementation of EMB MC 2021-14 regarding Continuous Emission Monitoring System (CEMS) connections				
	Reluctance of the LGU to establish their own sanitary landfill because it is not required under RA 9003 even for the first class LGUs. They resorted to clustering that resulted to shortened life span of the landfills				
Region 4B	Auto approval of Certificate of Non-Coverage (CNC) for projects that may have major environmental impacts (e.g., Causeway Projects) or within highly sensitive areas (e.g., protected areas, critical habitats) pursuant to the EMB Central Office's Online System	Requirements for the issuance of Provisional Permit re FLA/MLA do not take into consideration environmental aspects of the project/structure to be constructed in the applied area	Requirement for the bidding process for FLAgT applications (Missing Section 12.11 of DAO 2004-28)		
	No fund allocation for emergency response e.g., Oil Spill Incident in Oriental Mindoro				

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
Region 5			Guidelines on the Conduct of 3rd Party Inventory and Assessment of Graduated NGP Sites		Inclusion of land based areas within the coverage of Ticao-Burias Pass Protected Seascape (TBPPS)
			Guidelines on the Construction of Storage Facility		
				Partially collapsed mine tailings pond of Maricalum Mining Corporation (MMC) in Sipalay City, Negros Occidental. MMC stopped its operations in 2001 and its MPSA was cancelled in 2019 but the Cancellation Order is under appeal.	
				Mining operations in Semirara Island by Semirara Mining and Power Corporation (SMPC)	

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
Region 6	<p>Dredging and Desilting of river/water channels are the popular interventions now being requested by the Local Government units (LGUs) to mitigate flooding.</p> <p>Requested assistance from the DENR are focused on Mineral Assessment, Programmatic ECC and Survey and Recovery of Public Easements.</p>			<p>Dredging and Desilting of river/water channels are the popular interventions now being requested by the Local Government units (LGUs) to mitigate flooding.</p> <p>Requested assistance from the DENR are focused on Mineral Assessment, Programmatic ECC and Survey and Recovery of Public Easements.</p>	
				<p>Budget for Phase II of the Construction of the MGB RO-VI Office Building located in Brgy. San Pedro, Molo, Iloilo City</p>	
Region 7	<p>Difficulty In establishing violation to the Effluent Standards of establishments like hotels and restaurants in urban areas due to the intricacy of the drainage system which are already covered with concrete and the hotels are usually too close to each other.</p>		<p>NGP sites that are affected by FLAg/FLAgT applications of Government Projects/Energy Projects of National Significance⁶</p>	<p>All quarry permit applicants of LGUs are required to submit consent from holders of mining applications (APSA, EXPA, etc) should the subject area falls within such.</p> <p>This hinder development of small-scale quarry operation as applicants are allegedly ask to pay huge amount of money in exchange of the consent.</p> <p>The LGUs are against this policy.</p>	<p>Request for the reduction of Annual User's Fee of SAPA pursuant to Sec. 24 of RA 11038 (Rule 25.5, DAO 2019-55) (e.g. Tsuneishi Heavy Industries Cebu Inc. (THCI): from PhP3,236,145.00 (MOA) to PhP129,445,800.00 (FLAg)</p>

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
	Treatment of "easement" taking into account the effects of climate change and sea level rise in coastal areas.		Request for the possible reduction of Government Rental for SLUP/FLAg (DAO 2004-59) and FLAgT (DAO 2004-28) which is 5% of the zonal value of the nearest commercial zone (e.g., Cebu-Cordova Link Expressway Corporation (CCLEC) that incurred an increase of rental from Php3,358,920.00 to Php35,527,500.00.		Requirement for a new endorsement from LGUs in the conversion of MOA to SAPA (prone to political intervention).
Region 8			Issuance of guidelines regarding the additional Php1,000 for the M&E activities	Illegal extraction of pyrite in the abandoned Bagacay Mine, Brgy. Bagacay, Hinabangan, Samar	
Region 9	Difficulty in attaining the 75% data capture requirement for AQME due to old equipment		Absence of appropriate Guidelines on the following relevant activities: Turn-over of graduated NGP sites (below 100 hectares); Additional 1,000 pesos per hectare for the establishment of pole markers and signages (M&P activity);		

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
	<p>PLGU Zamboanga Sibugay wanted to return the Plastic Recycling Facility with Chair Molder</p> <p>Non-compliance of the provisions of DAO 2022-03 IRR of RA 7076 by the Local Government Unit</p>				
Region 10	No Continuous Ambient Air Sampling Equipment since 2010 that can measure gaseous pollutants		<p>Absence of CAVCS Operations Manual to date.</p> <p>NGOs and business sectors have been inquiring about the process of engaging in CAVCS with DENR.</p>		<p>Absence of policy for the registration of <i>Aquilaria malaccensis</i> (Lapnisan) using local source</p>
	Rapid Urbanization/ Metropolitanization of Cagayan de Oro City and consequential increase of air pollution				
	Increasing difficulty in managing time sensitive water samples in remote and far-flung location/site to the EMB-X Regional Environmental Laboratory (REL)				
	Non-compliance of LGUs to the requirements of Section 8 of RA 9275 or the Clean Water Act with respect to the establishment of adequate wastewater treatment facility to treat domestic/commercial wastewaters				
	Stringent Siting Criteria for Proposed Sanitary Landfill (SLF) area				

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
Region 11		<p>Patrimonial Properties/ NAFCO Agricultural Lands</p> <p>NAFCO Lands (NAFCO) previously administered by the then Board of Liquidators (BOL), now by the Privatization Management Office (PMO)</p>		<p>Requirement of FPIC by NCIP in certain areas (i.e Caraga, Davao Oriental) when implementing programs (e.g Geologic Mapping and Geohazard Assessment) within CADT Area</p>	
		<p>Port Facilities existing within the foreshore area covered by an expired lease of 50 years</p>		<p>Permitting in Diwalwal Mineral Reservation Area (DMRA) and Illegal Small-Scale Mining in Davao de Oro</p>	
Region 12	<p>Continuous Ambient Air Quality Monitoring Stations (CAAQMS) for Particulate Matter Station (PMS) in Koronadal City is non-operational since 2021.</p>	<p>Non-processing of patents in areas under the administration of then Board Liquidators, now Privatization and Management Office (PMO). Funding for Publication of summons in Reversion Cases</p>	<p>Absence of guidelines in the harvesting of NGP plantations</p>	<p>Unserviceable GPR equipment for the conduct of Karst Subsidence Hazard Assessment and Mapping.</p>	<p>Creation of Plantilla positions for the PAMO managing the Protected Areas.</p>
			<p>Guidelines in the disposition of Forest products from mining companies</p>	<p>Unserviceable large format printer for production of geohazard maps and information materials for distribution to LGUs/end users</p>	<p>Provisional/Conditional Special Use Agreement in Protected Areas (SAPA)</p>
			<p>The National Housing Authority in partnership the LGU constructed a Housing Project for the IP's in Crossing Ludo, Sitio Tamangan, Brgy. Kuden, SNA, Sultan Kudarat which is covered by CADT. But the CADT is within the Timberland/ Forestland and covered by a subsisting IFMA.</p>	<p>Limited hydrogeological interpretation and analysis in terms of nature and quantity of groundwater source due to the absence of centralized database for all wells/water sources within the region</p>	

Region 12

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
Region 12			Illegal construction in the area covered by FLGMA of LEYSON despite the issuance of NOV FLUP within CADT Areas NCIP is of the view that for Forestland covered by CADT there is no need for FLUP but ADSDPP. However the DENR has no participation in the formulation of ADSDPP.	Capacitation training for Hydrogeological and Environmental Geology Section personnel on Pumping Test Analysis, Hydraulics, Groundwater Modeling and Hydrogeochemical Data Analytics	
				No requirement of Mill Tailings Storage Facility (MTSF) Plan/ Design during Mineral Processor's License (MPL) Application	
				Delay in the implementation of the 3-Year Development and Utilization Work Program (3YDUWP) of a Priority Mining Project	
				Personal request of the Diocese of Marbel (Bishop Casicas) for the DENR Secretary to re-impose the Ban on Open Pit Mining	
	Implementation of Relative Accuracy Test Audit (RATA) of Continuous Emissions Monitoring System (CEMS) requiring the industries to include Particulate Matter (PM) and Continuous Emission Rate Monitoring System (CERMS) Audits		Reluctance of IPs to issue FPIC for expiring Tenurial Instruments inside CADT areas	Regular position for CENRO and/or PENRO Embedded Personnel and MGB 13 Satellite Office Personnel	
	WQMA-Governing Board (WQMA-GB) in relation to the Protected Area Management Board (PAMB) hence, E-NIPAS Act provides that the PAMB approved policies, plans and programs, proposals, agreements, and other documents related to the management of protected areas.		Need to issue guidelines for the collection of government share from NGP funded tree plantations harvested by the communities		

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
Region 13			Delayed implementation of Section 8, re: Conduct of Tree Plantation Certification and issuance of guidelines necessary for the recognition of third-party certifiers, responsibility and accountability, including penalties and liabilities in case of violators of certifiers, certification fees, among others.		
			Production of Mancono furniture and novelty items due to high market demand		
NCR	The current Air Quality Monitoring Equipment/ Stations (AQMS) in NCR could no longer provide complete and up-to-date data on required parameters (PM 10, 2.5, SOx, NOx, other gases) due to inadequate, defective and obsolete air quality monitoring equipment.	Section 5.4 of DAO 2021-007, or the Guidelines on the establishment of legal easements along the seas, rivers, lakes, esteros, and creeks, provides that all reclamation projects in urban or rural areas shall adopt a 40-meter easement zone measured from the bank or edge of the reclaimed portion.	No existing Philippine legal definition of urban "greenspace."		Reclamation Projects adjacent/ within the vicinities of Las Piñas Parañaque Wetland Park
	Other cities (Quezon City and Valenzuela) have no existing AQMS.				
	Sewage Management Commercial establishments/ firms discharging domestic wastewater which are not connected to the existing sewer lines/sewerage system water concessionaires;				

CONSOLIDATED ISSUES AND CONCERNS FROM ALL REGIONS

	EMB	LMB	FMB	MGB	BMB
CAR	Obsolete Automatic Air Quality Equipment (purchased in 2007 and 2010)	Lack of survey equipment for the conduct of Public Land Survey (PLS) for residential and agricultural lots	No existing guidelines on the disposition of lumber from Tree Cutting Permits (TCP)	Delay in the approval of mining rights applications attributable to the FPIC process wherein the process requires FPIC within the entire domain and not the host community alone. Moreover, the FPIC process prohibits the conduct of 2 or more simultaneous FPIC in a single domain. Thus, restricting the processing of applications	
	No fund in the GAA for salary of chemist for acid deposition monitoring as one of the commitments of the Philippines to Acid Deposition Monitoring Network in East Asia (EANET)		No specific guidelines for the issuance of Tenurial Instruments to cover the graduated NGP Sites that will not qualify for CBFMA, PACBARMA and CADT		DMC 2007-02 which prescribes "Guidelines on the establishment & management of Critical Habitat (CH)" does not include the Free and Prior Informed Consent (FPIC) process on the establishment of CH. However, the FPIC from the concerned IPs was required for the establishment of the proposed Critical Habitats in CAR within Ancestral Domain prior to its declaration.
	The flow meter is beyond repair.				
	Capability of the Local Government Units to construct and operationalize Sanitary Landfill Projects and Treatment Storage Disposal Facility in their area of jurisdiction.				
	Absence of Municipal Environment and Natural Resources Office (MENRO) with plantilla position for environmental concerns in the LGUs				