



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN



MEMORANDUM

TO : The Assistant Directors
Biodiversity Management Bureau
Ecosystems Research and Development Bureau
Environmental Management Bureau
Forest Management Bureau
Land Management Bureau
Mines and Geosciences Bureau
The Chief, Policy and Program Division,
National Water Resources Board
Representative, River Basin Control Office
Representative, Legal Affairs Service
Representative, Office of the Undersecretary for Field
Operations – Luzon, Visayas and Environment
Representative, Office of the Undersecretary for Field
Operations – Mindanao
Representative, Legislative Liaison Office
Representative, Water Resource Management Office

FROM : The OIC Director
Policy and Planning Service

SUBJECT: **HIGHLIGHTS OF THE 3RD DENR-TECHNICAL WORKING GROUP (TWG) MEETING ON THE CODIFICATION OF ENVIRONMENT AND NATURAL RESOURCES (ENR) LAWS (PHASE 1) HELD ON 11 DECEMBER 2023, 9:00 AM AT THE FASPS CONFERENCE ROOM**

DATE : 08 JAN 2024

This refers to the conduct of the 3rd DENR-TWG Meeting on the Codification of ENR Laws (Phase 1) on 11 December 2023, 9:00 AM at the FASPS Conference Room, to discuss the progress of the implementation of the project and the project deliverables. The meeting was presided over by the undersigned and participated in by representatives from the BMB, EMB, FMB, LMB, MGB, RBCO and consultants/staff of the Center for Environmental Law and Policy Advocacy Inc. (CELPA), the consulting firm procured for the project.

Discussions:

- The Secretariat apprised the group on related activities undertaken such as the conduct of Sub-TWG consultations and focus group discussions by CELPA, Inc., as well as on the remaining activities.

MEMO NO. 2024 - 20

- Atty. Roberto V. Oliva reported that CELPA, Inc. has conducted its own workshop and has already come up with a first draft of the outputs involving the biodiversity, forestry and mines and geosciences sectors. On the other hand, the consulting firm is in the process of assessing and crafting the outputs for the lands, water and environment sectors. He discussed the initial assessment of the forestry sector laws.
- On biodiversity, Dr. Florentino Tesoro of CELPA, Inc. provided a brief background on the history of the Convention on Biological Diversity (CBD) and presented the proposed code on biodiversity. He raised some concerns such as the timeline for terminating the declaration of protected areas, areas needed for production forests such as ancestral domains, etc. Also discussed were the prohibited acts. On the issue raised that RA 7586 or the NIPAS Act does not differentiate the type of wastes being dumped in water bodies, Ms. Fatima Millan of EMB clarified that for such violation, RA 9275 or the Clean Water Act will apply. The PPS consultant, Mr. Manuel D. Gerochi informed that a meeting/workshop will be conducted to harmonize all the applicable provisions. Said workshop will involve stakeholders.
- Atty. Oliva suggested that the outputs of CELPA, Inc. should be consulted with the sectors first for verification of their outputs. The undersigned manifested the intent of the PPS to engage external stakeholders and get their inputs, as one of their concerns are the outdated policies of the Department. In addition, it was mentioned that the regional offices will also be engaged. Asst. Dir. Verzosa suggested providing the stakeholders in advance with a copy of the proposed outputs. Atty. Oliva mentioned that they can submit the outputs by December 28, 2023, for circulation to concerned offices.
- On how to approach overlaps among sectors such as on the environment, water, etc. Atty. Oliva remarked that the harmonization will be covered in the second phase of the project. For purposes of the workshop, he suggested that this be conducted face-to-face in three (3) days, with two (2) sectors to be tackled per day, with all the sectors present. Additionally, he proposed that the consultations should not be on consecutive days to avoid information overload. The undersigned agreed with the proposed vetting process with the sectors before subjecting the outputs to a stakeholders' consultation. Internal consultations will be scheduled wherein CELPA, Inc. will present to the sectors their summary of findings/assessment and recommendation. The findings/recommendations may be categorized in terms of institutional capacity, technology, research, facilitating and hindering factors. CELPA, Inc. may also present low-hanging fruits and administrative measures that the Department can implement.
- In view of the additional activities, the undersigned asked the Secretariat to check with relevant offices whether the project end date may be extended at no cost to the proponent.

- Atty. Oliva raised some concerns regarding the difficulty in obtaining data from the water sector. Dr. Tesoro suggested covering all DENR water-related offices such as the RBCO in the assessment. The undersigned remarked that such concerns and challenges may form part of CELPA's recommendations, i.e. how to engage all relevant offices since the WRMO is only a recent creation.
- On similar provisions in the sectoral codes, Mr. Gerochi remarked that repeating the same policies is unavoidable. The similar provisions could be parallel, but should not be conflicting. Atty. Oliva mentioned that based on his understanding, each sectoral code can be stand-alone. On the proposed SFM bill, this may be simplified, thus may have a bigger possibility of approval by Congress. Dr. Tesoro added that for the biodiversity sector, the BMB has already come up with a bill amending the Wildlife Act.
- The undersigned suggested that the phase 2 of the Codification project be included in the recommendations of CELPA, Inc. This will be programmed for CY 2025. On the stakeholders' consultation, Mr. Gerochi suggested inviting only the major stakeholders for each sector. The undersigned asked the Bureaus to identify the three (3) main stakeholders to be invited and submit the information to PPS. In addition, the Secretariat was requested to draft the concept note for the stakeholders' consultation.
- Mr. Gerochi pointed out that for the administrative recommendations, it is the sector that will draft the code. Atty. Oliva suggested that the sectors consider the integration of their way forward/master plan in the codes.

Way Forward:

1. CELPA, Inc. shall submit to PPS the reports and draft sectoral codes on/or before December 28, 2023, in accordance with the stipulations in the Terms of Reference/Contract;
2. PPS-PSD shall immediately circulate to the Bureaus/Offices the copies of the outputs submitted by CELPA, Inc., for comment/recommendation;
3. PPS-PSD shall conduct sectoral consultations to discuss/vet the outputs of the consultant. The consultations will be done in three (3) batches/days, with two (2) sectors to be tackled per batch. CELPA shall present their outputs to the sectors and prepare a presentation for each sector, containing the summary of assessment and findings and recommendations on administrative and legislative/long-term actions. The findings/recommendations may be categorized in terms of institutional capacity, technology, research, facilitating and hindering factors. The PPS-PSD shall invite participants from selected regional offices;

4. PPS-PSD shall design/formulate the concept note for the stakeholders' consultation to be conducted in January 2024.
5. The Bureaus/sectors shall identify and submit to PPS-PSD their top three (3) major partners/organizations to be invited to the consultation.
6. PPS-PSD shall check with the BAC and FMS whether the project end date may be extended at no cost to the proponent.

For information.


CHERYL LOISE T. LEAL

PHOTO DOCUMENTATION





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NOTICE OF MEETING

**3rd TECHNICAL WORKING GROUP (TWG) MEETING
ON THE CODIFICATION OF
ENVIRONMENT AND NATURAL RESOURCES (ENR) LAWS (PHASE 1)**

TO : The Assistant Directors
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Representative, Office of the Undersecretary for Field
Operations – Mindanao
Representative, Legislative Liaison Office
Representative, Water Resource Management Office
Representatives, Policy and Planning Service

FROM : The OIC Director
Policy and Planning Service

DATE | TIME: 11 December 2023 | 9:00 AM

VENUE : OASIA Conference Room, 5th Floor, DENR-CO Building
Visayas Avenue, Diliman, Quezon City

AGENDA : 1. Status and Progress of the Codification Project
2. Project Deliverables


CHERYL LOISE T. LEAL