



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



BAGONG PILIPINAS

**MEMORANDUM**

**TO :** THE BUREAU DIRECTOR  
Biodiversity Management Bureau (BMB)  
Land Management Bureau (LMB)  
Forest Management Bureau (FMB)  
Environmental Management Bureau (EMB)  
Mines And Geosciences Bureau (MGB)

THE REGIONAL EXECUTIVE DIRECTOR  
DENR - Luzon and Visayas Regions ✓  
Pasig River Coordinating And Management Office (PRCMO)  
Administrative Service – DENR Central Office

**FROM :** THE ASSISTANT SECRETARY  
Field Operations - Luzon & Visayas

**SUBJECT :** CONSOLIDATED CURRENT AND EMERGING ISSUES FOR THE  
2<sup>ND</sup> QUARTER 2024 WITH RESPONSE AND COMMENTS OF THE  
BUREAUS

**DATE :** OCT 02 2024

This is to provide you a copy of the consolidated current and emerging issues for the 2<sup>nd</sup> Quarter of the responses of the Bureaus to the concerns of Luzon and Visayas Regional Executive Directors. To wit:

REGIONS	ISSUES AND CONCERNS	BACKGROUND / ACTION TAKEN	RECOMMENDATION / ASSISTANCE NEEDED	RESPONSE / COMMENTS
<b>BIODIVERSITY MANAGEMENT BUREAU (BMB)</b>				
CAR	Lack of facilities to shelter the rescued/ turned-over wildlife species	The office collaborated with the BLGU Bulu, LGU Kabugao and PGO Apayao for the construction of temporary shelter for the PE. Coordinated with the Philippine Eagle Foundation (PEF) for the proper handling of the Phil Eagle and round the clock observation, monitoring and documentation on the progress of the injured PE. Brought the Philippine Eagle to a wildlife facility in Region I for further treatment and rehabilitation until recovery before it was	For allocation of budget for the construction of wildlife rescue center with facilities and related trainings on handling of wildlife	- Trainings on wildlife handling may be accommodated National Wildlife Rescue and Research Center (NWRRC), upon request of the Region. The conduct of the said training/s may be facilitated within the NWRRC premises where the demonstrations can be done. However, suppose the Resource Person/s and staff are requested to attend at a venue identified by the Region. In that

MEMO NO. 2024 - 884

		released to its natural habitat on April 12, 2024.		<p>case, all costs (i.e., food, accommodation, transportation) incurred from the aforesaid will be charged to the requesting Region.</p> <p>- Per record of the Bureau, there are currently two (2) DENR established Regional Wildlife Rescue Centers (RWRC) in CAR located in Loakan Road and Gibraltar Road, Baguio City. Rather, we recommend the establishment of wildlife holding facilities in PENRO/CENRO to accommodate rescued wildlife in certain localities which are otherwise not practicable to be existing or be transported to the RWRC. The construction of the aforesaid should be included in the Work and Financial Plan (WFP) of the Region</p>
	No equipment for CENRO personnel for wildlife population and habitat monitoring activities especially the Philippine Eagle and other critically endangered fauna species (flying fox)	Equipment to include spotting scope and DSLR camera used during wildlife population and habitat monitoring activities are borrowed from Regional Office when available.	For provision of budget for the procurement of new monitoring equipment such as long-range camera, spotting scope in the amount of PhP 270,000.00.	The BMB will procure necessary field equipment pursuant to the approved Work and Financial Plan FY 2024 of the augmentation fund for the conservation of priority wildlife species. These equipment which include binoculars, spotlights, handheld GPS, spotting scope, and bridge camera, among others, will be distributed to the respective DENR Offices to be used in undertaking activities

				for the conservation the Philippine eagle, Philippine cockatoo, Tamaraw, Marine turtles, and Dugong. For CAR, we will be providing equipment intended for areas with known population/sightings of Philippine eagle.
R2	No established PAMO in Northern Sierra Madre Natural Park	NSMNP was declared as a Protected Area by virtue of RA 9125 and classifying it as a natural park under the NIPAS. It is nestled within the municipalities of San Mariano, Tumauni, Cabagan, Ilagan, San Pablo and coastal towns of Palanan, Maconacon, Divilacan and Dinapigue. Yet, no established PA Management Office considering its vast area.	Expansion of District Office in Maconacon, Isabela to serve as PAMO within coastal towns.	An office building is a necessity. Hence, the PAMO of NSMNP should request funding for the construction of its office building either from the PA-RIA (75% Retained Income Account), if available, or from the IPAF-Special Account in the General Fund (25% deposited to the National Treasury). Per coordination with the PAMBCS- CDD of the Regional Office, they are awaiting the submission of the proposal and budget request from NSMP.
	Presence of untenured migrants in Protected Areas	Provided list of PA occupants who do not qualify as tenured migrants of concerned LGUs	DENR to discuss with DILG the policies on relocation	The PAMBs should formulate a long term resettlement plan which should be incorporated in the PAMP. Resettlement requires collaboration with the LGUs concerned and other agencies such as the DSHUD, National Housing Authority (NHA), the DSWD, the PNP, and if applicable, the NCIP and other concerned government agencies. The PAMB should also form a Committee composed of representatives from the concerned government agencies that will be involved in

				drafting the resettlement plan.
	Procurement of VTOL (Vertical Take-off Landing) Drones Procurement for the Establishment of Automated Weather Stations (AWS) within Protected Areas	These procurement activities are included in the CY 2024 budget and target, and were programmed within the 2nd quarter. The procurement process may take a while and might affect the financial performance of the region	Issuance of guidelines particularly on the specifications, design and other management arrangements	On 05 July 2024, BMB presented to SENR the drones identified by the ROs and FOs, including the number of units and the NIPAS activities where it will be utilized. BMB was given the green light to proceed with the procurement within July 2024 and to convene the TWG.
R4A	Issue within Masungi Georeserve Foundation (MGFI)  Major points on 3 Congressional Inquiries Updates on the Draft Report of Sub-committee on Joint Venture Agreement (JVA)	<ul style="list-style-type: none"> <li>- Established that MGFI contract area straddles 3 PAs 2017 Memorandum of Agreement (MOA) overlaps with SAF, NBP, Garden Cottages Proclamations and other prior issuances</li> <li>- Disadvantageous and Unconstitutional based on DOJ opinion in 2017 MOA</li> <li>- No Free and Prior Informed Consent (FPIC)</li> <li>- MGFI high-end ecotourism is utilization, smaller ecotourism entities pay SAPA Fees</li> <li>- No original copy of 2017 MOA in DENR</li> <li>- Provision of technical assistance to Central Office on the congressional hearing materials</li> <li>- Waiting for the result of the hearings and inquiries and further instructions</li> </ul>	Continuous provision of support and assistance from Central Office	<ul style="list-style-type: none"> <li>- Show Cause Order issued to Masungi Georeserve Foundation, Inc. (MGFI) dated May 25, 2022, based on the PAMB-UMRBPL Resolution questioning the fencing activities in So. San Roque, Brgy. Pinugay, Baras, Rizal, without clearances/permits from concerned agencies/institutions;</li> <li>- DENR Secretary Maria Antonia Yulo-Loyzaga attended the Congressional Inquiry pertaining to the issues on Masungi;</li> </ul>

<p>Supplemental MOA between DENR and Bluestar Development Corporation</p>	<p>- The Region provided technical assistance to Central Office on the review of MOA on the fulfillment of duties and responsibilities. - Waiting for the results of the review and further instructions</p>			<p>Issued 176 Show Cause Orders to resorts and other illegal structures along the MaRiLaQue Highway; Institutionalization of Project TRANSFORM in the Province of Rizal. On June 10, 2024, the Regional Executive Director of the DENR Region IV-A held a meeting regarding the Plan for the Action/Strategy on Masungi wherein, concerned Technical Divisions of the DENR Region IV-A, and the respective Protected Area Management Offices (PAMO) of UMRBPL, PP 1636, and KRFR were tasked to prepare a plan of action on how to manage the area once the MOA is canceled.</p> <p>DENR actions on the DENR-MGFI MOA will be based on the results of the Congressional inquiry on the matter. Meanwhile, DENR CALABARZON created the PASA Team for the conduct of suitability assessment of the Masungi Karst Landscape.</p>
<p>Need for additional manpower by approving/ creation of the plantilla in the following: 1. Upper Marikina River Basin Protected</p>	<p>- 42 personnel in Protected Area Management Office (PAMO) composed of 5 permanent and 37 Job Orders (JOs)</p>	<p>Request the assistance of Central Office to fast track the approval of plantilla positions and allocation of budget thereof for PAMO</p>		<p>The creation of plantilla positions for the Upper Marikina River Basin Protected Landscape is included in the proposal to the Department of Budget and Management (DBM).</p>

<p>Landscape (UMRBPL) 2. Mechanic/ Drivers for Red Plate vehicles</p>			
<p>Proliferation of illegal aquaculture structures (Sapra and Baklad) and "magtatahong" within Cavite City and Bacoor City waters.</p>	<p>Last February 19, 2024, the illegal aquaculture owners were given 30 days to self-demolish. Per monitoring and surveillance last May 15, 2024, it was observed that out of 6 Saprads, 1 self - dismantled, 5 declared abandoned, and 2 newly established were noted. The current status is being coordinated with the concern LGU, City Agriculture Officer (CAO), and Phil. Coast Guard (PCG). Relatively, the abandoned five (5) SAPRA were scheduled for clearing by the LGU thru CAO. Meanwhile, the 2 new identified SAPRA will undergo the due process.</p>	<p>Further guidance and assistance regarding this matter.</p>	<p>The Bureau is currently reviewing the draft policy on mariculture. For the post-demolition of the activities, the 3rd Quarter CY 2024 Monitoring and Surveillance Activity for Illegal Aquaculture Structures is tentatively scheduled on August 15, 2024.</p>
<p>PP 1636 Protected Area Sustainability Assessment (PASA) and next steps Expanded National Integrated Protected Areas System (E-NIPAS) procedure, towards proclaiming or legislating new PA in place of the original PP1636</p>	<ul style="list-style-type: none"> <li>- PASA for PP1636 was submitted to BMB dated December 12, 2022*</li> <li>- Protected Area Management Board (PAMB) - approved Protected Area Management Plan (PAMP) was submitted to BMB on October 27, 2023</li> <li>- Survey and Registration of Protected area Occupants (SRPAO) conducted in 2023 and is for completion</li> <li>- Other PAs (e.g. KRFR) have draft bill for legislation and is currently being deliberated at the HoR Committee hearings</li> </ul>	<ul style="list-style-type: none"> <li>- National NIPAS Review Committee approval of PP1636 PASA</li> <li>- Fast-tracking of Draft Bill for PP1636 (REINA PL)</li> <li>- Review of Policy gaps on PA laws (e.g. SAPA, Private lands in PAs)</li> </ul>	<p>PASA of PP 1636 is currently being reviewed by the BMB</p>

R7	<p>Development Fees in Protected Areas</p> <p><u>Existing Policy:</u> DAO 2019-05 (IRR of RA 7586 or the NIPAS Act of 1992as amended by RA No. 11038 or the ENIPAS Act of 2018)</p>	<p>The Zonal Valuation of BIR which can be accessed through the internet is based on values of real property in the locality and generally used as basis for computing internal revenue tax and fair market value of the property. Hence, charging a government share based on zonal value of nearest commercial zone (per square meter) may generate a very high amount. The permittee is investing to develop areas allowed under the Protected Area Management Plan and this may serve as disincentive to private sector to invest and pursue their entrepreneurial activities.</p> <p><u>Sample Case:</u> Tsuneishi Heavy Industries Cebu (Port and Shipbuilding Facility):</p> <p>Value of Land = 647,229 x 4,000/sq.m. x 5% = PhP129,445,800.00 Value of Improvement = PhP3,482,912.28 (1% of value of improvement)</p> <p>ADF = PhP129,445,800.00 + PhP3,482,912.28 = PhP132,928,712.28</p>	<p>- Review Rule 25.5 of DAO No. 2019-05 on Annual Development Fee and similar with the FMB computation, if possible should be based on the result of Protected Areas Resource Accounting Valuation and also in consultation with stakeholders.</p> <p>- Consider the computation of user's fee based on Section 7 of DAO 99-34 dated August 10, 1999 – Rules and Regulations Governing the Administration Management and Development of Foreshore Areas, Marshy Lands and other lands Bordering Bodies of Water which is three per centum (3%) of the value of land and one per centum (1%) of value of improvements and DAO 98-20 dated May 20, 1998 and DAO 2010-26 dated October 13, 2010.</p>	<p>Same issue was raised during the I-RISE field validation wherein BMB responded that there is a chance for the revision of the development fee since the SAPA guidelines is being revised. The Technical Review Committee of BMB is already done with the review of the draft, hence, the proposal of R7 may be discussed during the deliberations of the Policy Technical Working Group (PTWG).</p>
<b>LAND MANAGEMENT BUREAU (LMB)</b>				
CAR	Non-inclusion of Provision of technical	- Following the recent dissemination of the 2019 master list of	Possible inclusion in the UWM as a	We will consider this and come up with

	assistance for political boundary settlement in the Unit of Work Measurement (UWM) for Lands	land areas, the region has received numerous requests for technical assistance from various LGUs. These requests include invitations for technical personnel from our office to provide guidance/assistance in delineating disputed boundaries. A request for COBF has been submitted to the Central Office. As of May 13, 2024, the Work and Financial Plan has been forwarded to the LMB for further review and approval. On May 21, 2024 it was endorsed to the Director for Policy and Planning Services and Director for Financial Services for consideration. - To date the subject request was forwarded to the office of the undersecretary for Legal and Administration information and possible recommendation.	priority activity for 2025 and further allocation of budget. This will most likely lead to the settlement of the disputes and come-up with a clean and definite area per province/municipality.	the standard unit cost. Meanwhile, all requests should be accompanied by WFP.
NCR	Disturbed, destroyed and missing control monuments.	Submission of budget proposal for 2025 for recovery, re-establishment and re-observation of control points.	Allocation of budget. Coordination with LGU and agencies for the protection and preservation of monuments	LMB does not support the allocation of budget for the recovery, re-establishment and re-observation of control points as this has already been executed last 2007-2015. LMB is currently retrieving NCR's Accomplishment report for this project.
	Political boundary disputes	Submission of inventory of boundary dispute to LMB	Creation of TWG or committee to assist in the resolution of boundary disputes	NCR can initiate technical assistance to LGUs within its jurisdiction. LMB's involvement would only be necessary if the dispute spans



				across different regions
<b>R2</b>	With the on-going political issue between San Nicolas Pangasinan and Sta. Fe, Nueva Vizcaya, the region has difficulty in enforcing environmental laws	<p>Creation of a Technical Working Group for the delineation of political boundary of both provinces</p> <p>Series of meetings</p> <p>Actual ground survey on the area</p>	<p>Meantime that the issue is not yet resolved, DENR should provide guidance on how environmental laws are being enforced. Funding request from LMB for the conduct of boundary survey</p>	<p>A meeting was conducted last July 24, 2024 attended LMB Officials, DENR Region 1 and 2 Regional Executive Director (REDs) and staff to discuss the inventory and geohazard assessment for the structures along Pangasinan and Nueva Vizcaya National Road and sign the joint report by the composite survey team. As part of the agreements during the said meeting, the Composite Survey Team that was formed per DENR Special Order No. 2023-60 dated September 5, 2023 will return to the site to locate the EO 56</p>
<b>R4A</b>	<p>Lifting of the suspension of the processing of the Deed of Conveyance and related actions of Friar Lands</p> <p>Lungsod Silangan Suspension</p>	<p>Complied to the needed requirements for lifting of suspension with standing request for the lifting of suspension order on Friar Lands covering seven (7) estates in CALABARZON sent to the Central Office on April 21, 2022.</p> <p>The office has complied to the needed requirements for the lifting of suspension with standing request for the lifting of suspension/moratorium on the issuance of survey authority and patents sent to the Central Office on April 6, 2022 and was reiterated thru another</p>	<p>Fast track the request for the lifting of suspension and further assistance regarding this matter.</p>	<p>LMB requested the lifting of the suspension order issued by the former Secretary Ramon J.P. Paje dated May 12, 2022, in a memo submitted to the DENR Central Once. A waiting for the approval and instruction from the DENR Central Office.</p>

**FOREST MANAGEMENT BUREAU (FMB)**

<p><b>CAR</b></p>	<p>No clear guidelines in the implementation of the PAMANA Program specifically on the "Hiring of Bantay Gubat" and Insufficient fund for Forest Protection Menu of Activities</p>	<p>The intensified forest protection efforts face a challenge due to underfunded forest protection activities. The allotted funds for the forest protection activities have proven insufficient since the operations of the Enforcement Division, thereby impeding effective forest protection measures.</p> <p>Furthermore, since its inception in 2013, the hiring of Bantay Gubat (Forest Guards) under OPAPP/PAMANA Program has been consuming 70% of the operational budget for forest protection.</p>	<p>Revisit JMC 2013-02 whether to continue prioritizing the funding for the hiring of Bantay Gubat. The region recommends adhering to the UNITS OF WORK MEASUREMENT - FORESTRY guidelines for the provision of forest protection funds. Aligning the allocation of funds with the unit costs specified in the UWM could optimize resource utilization and enhance the effectiveness of forest protection activities. For possible allocation of regular funds for fire prevention, mitigation, and management, both for equipment and PPEs and for continuous capacity building. The ERDB to provide relevant technologies</p>	<p>On the implementation of JMC 2013-02, particular on the Hiring of Forest Guards, the Bureau recommends the strict adherence to the set of standards/qualifications of beneficiaries to be covered under the program (Item V, Sub-Item B), likewise the procedures for hiring/contracting (Item VII). The Regional Offices are also advised to prioritize targeting forest protection menu of activities based on The Forestry Units of Work Measurements, and moving forward in consistency with the Regional Five-Year Forest Protection Plan (2025-2029).</p>
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			on fire prevention, mitigation, and management, as well as conduct studies and research to aid in informed planning and decision-making	
	<p>Overlapping functions of Watershed &amp; Ecosystem Management Section (WEMS)- FMB and RBCO</p> <p>Some of the activities being implemented by RBCO and FMB are overlapping. (e.g., Council/RBO formation, RBIIMS and WEMIS, plan preparation)</p>	<p>Overlapping functions can sometimes lead to duplication of efforts, with both WEMS and RBCO working on similar activities without proper coordination. This can waste resources and result in inefficiencies. Differences in mandates, objectives, or priorities between WEMS and RBCO can lead to conflicts in decision-making and implementation. This can hinder progress on watershed and ecosystem management initiatives.</p>	<p>Harmonization of RBCO and FMB activities on watersheds/river basins</p> <p>RBCO to be subsumed under FMB</p>	<p>Please be informed of the agreements made during the River Basin ConOral Office (RBCO) and the Forest Management Bureau (FMB) consultative meeting on March 1, 2022, to wit</p> <ol style="list-style-type: none"> <li>1. Existing RBMC and WMC - If there is an existing River Basin Management Council (RB 4C), there is no need to form a Watershed Management Council (WMC). However, the RBMC will be expanded as deemed necessary.</li> <li>2. Preparation of IWMP and RBMP - The River Basin Master Plan (RBMP) that is climate-proofed would suffice. If there is a climate-proofed RBMP, there is no need to prepare an Integrated Watershed Management Plan (IWMP).</li> <li>3. WEMIS and RBIIMS <ul style="list-style-type: none"> <li>• Watershed Ecosystem Management Information System (WEMIS) will be used for watersheds that are not covered by River Basin Integrated</li> </ul> </li> </ol>

				<p>Information Management System (RBIIMS). Moreover, there is an ongoing discussion between the RBCO and KMB for linking (he two systems. Additionally. a memorandum addressed to all DEhJR Regional Executive Directors on the maflar, c]aritying some concerns on watershad7river basin councils and managemenL'master plans, was provided on March 11, 2022. Kindly refer to the MOVs for the said meeting and memorandum:</p>
R2	Limited allocated budget to conduct third-party assessment of NGP sites for the payment of 10% retention fee.	The region has been provided a budget of 319,000 for CY 2024, with a unit cost of 1,000 per hectare. The region is awaiting instructions on whether the activity will be conducted by a Third party as required under GAM. However, the amount can only cover for the in-house validation.	Issuance of guidelines that will authorize the conduct of in-house or cross validation.	The Forest Management Bureau is currently in the process of finalizing the guidelines on the conduct of in-house validation to the release of retention fee for CY 2024.
	Non-functional status of seeder machine	Several memoranda were sent to FMB requesting for the assistance on the repair of the seeder machine.	FMB to suggest for possible trouble shooting options and remedy for the facility to function effectively.	Adlib International Sales, Inc., the third-party contractor for the machineries of the MMFN nationwide, is currently prioritizing its service provision on the installation of seeder machines and irrigation boom for Region 4A, 5, 6 and 12. Due to the foregoing, the Bureau recommends the Regions with similar concerns to explore collaboration with local extending assistance for the repair of said MMFN machine.

				Further, the MMFN Regional Focal for the concerned region was advised to provide request for additional funding necessary for the repair to which shall be endorse through proper channels subject to review and availability of funds.
	Request for clearance from FMB on the disposition/donation of seedling trays in MMFN	Requested guidance from FMB on the disposition of these items through our Memorandum dated January 11, 2024.	To have a MOA with DA or LGUs for the donation of trays in MMFN to be utilized in their vegetable gardens.	The Bureau shall issue memorandum relative to the request for guidance on disposition/donation of seed trays to LGUs and Department of Agriculture. Meanwhile, the draft of memorandum of agreement for this matter is still under the review of the Regional Legal Office as per coordination made with the NGP Regional Focal of Region 2.
	Policy gap on the issuance of Tenorial Instruments (TIs) covering areas falling within PA and Forestland	The region has already identified 3 areas that cover Tenorial Instruments for issuance to both protected area and forestlands.	Clear guidelines and policies regarding the issuance of TIs for areas falling under different land classifications.	<u>On the provisions of the Constitution and NIPAS/ENIPAS act</u>  It can be noted that the Biodiversity Management Bureau (BMB) appeared to have interpreted that the initial components of the System (NIPAS) are already classified as national parks, and that interpretation is without basis in law as it unduly expands the scope of protected areas. To elucidate, Section 4 (v) of the NIPAS Act, as amended, a national park is defined as the lands of the public domain classified as such in the Constitution which include all areas under NIPAS pursuant to this

act, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity". As the Constitution is referred in the definition of "national park" under NIPAS, it is necessary to examine the said provision under Section 4, Article XII of the Constitution which provides that "The Congress shall, as soon as possible, determine by law the specific limits of forest lands and national parks, making clearly their foundries on the ground. Thereafter, such forest lands and national parks shall be conserved and may not be increased nor diminished, except law. That Congress shall provide for such period as it may determine, measures to prohibit logging in endangered forests and watershed areas".

Stated differently, above-quoted provision states that national parks are:

1. Areas with boundaries clearly marked;
2. Determined by law, and
3. Shall not be increased nor diminished except by law.

Moreover, Section 5(a.2) of NIPAS provides;

(a.2) The remaining Initial Components-

			<p>Within three (3) from the effectivity of this Act, the DENR shall undertake the following activities in preparation for the establishment of remaining initial components as protected areas through an Act of Congress:</p> <ol style="list-style-type: none"> <li>1. Provide maps and technical descriptions of the areas;</li> <li>2. Conduct sustainability assessment of the areas; and</li> <li>3. Conduct public consultations</li> </ol> <p>Any initial component that does not satisfy the abovementioned requirements shall be disestablished pursuant to Section 7 of this Act.</p> <p>On the development of certain policy</p> <p>A clear policy on the issuance of permit/execution of contract (deemed as tenurial instruments over forest lands and national parks, respectively) should be developed in consideration of the preceding provisions of the Constitution, the eNIPAS Act and PD No. 705, as amended so as not to confuse the concerned DENR offices and the stakeholders having stake on permit acquisition/contract execution for the development/management of forest</p>
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			<p>land/national park (protected area)</p> <p>Currently, the FMB is assisting the BMB and USAID Sibol Project in the drafting of DENR administrative order (DAO) entitled "Guidelines on the conversion of expiring Community-Based Forest Management Agreements in Protected Areas into Protected Area Community-Based resource Management Agreements".</p> <p>The FMB's comments on the said drafts DAO include the following:</p> <ul style="list-style-type: none"> <li>i, It should be clarified that the conversion of CBFMA to PACBRMA is applicable under community-based program (CBP) in legislated protected areas and classified as national park;</li> <li>ii. CBFM performance evaluation is still needed to be conducted and only those CBFMA found to be in good standing and eligible for renewal shall be converted to the PACBRMA in those CBFMA within legislated protected areas and classified as national parks;and</li> <li>iii. For those CBFM areas partially inside legislated PAS shall be renewed as CBFMA provided that the uses inside the BFMA areas in accordance with the</li> </ul>
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				<p>Protected Area Management Plan (PAMP).</p> <p>Further concerns raised on the matter are in relation to the duration/ validity of the second version of the Agreement (e.g form CBFMA to PACBRMA) and on the management to be employed over areas (CBFMA areas) deemed not within the ambit of the legislated PA and this has an implication on the transitory provision on the proposed DAO.</p>
	<p>Absence of technical experts in the conduct of appraisal/valuation of improvements for possible damages in cancelled, expired and expiring TIs</p>	<p>Region 2 requested for a resource speaker on asset management through Memorandum dated February 26, 2024.</p>	<p>Issuance of clear guidelines and policies regarding the standard valuation of improvements in cancelled, expired and expiring TIs</p> <p>Training/capacity building for AMTs</p>	<p>There Should be a proper training to assess the value of assets in cancelled, expired, terminated tenure instruments which have been committed by the Policy Studies Division during the consultation of the said policy prior its signing in 2020.</p>
R6	<p>Suspension the implementation of certain provisions of DAO No. 2022-10, re: Approval of Tenurial Instruments which the signing authority is delegated to the Regional Executive Director</p>	<p>DAO NO.2022-10, page 16 covers applications for FLA/MLA(Renewal), Provisional/Revocable Original and renewal) and Temporary permits for A and D and Foreshore lands are pending as to the determination of the signing authority.</p>	<p>Evaluation and processing of applications for Provisional/ Revocable permit shall continue at the PENRO and CENRO pending the review of the Manual of Authorities on Technical Matters. In the event that PPA/MARINA need clearance, DENR will issue Certification that the applications are in process.</p>	<p>In a Memorandum dated 0d March 2024 issued by the Undersecretary for Field Operations - Mindanao, addressed to the REDs of Regions 9,10, 11, 12 and 13, which incorporated comments from the Undersecretary for Legal and Administration, it was provided thereon that the provisions of the Memorandum h/o. 2023-933 explicitly states that the authority is wit in the DENR Secretary,</p>

				<p>through the respective offices of the Undersecretaries for Field Operations, in approving all applications for tenurial instruments for national and local projects upon endorsement by the RED who shall continue to accept and process said applications, including FLAg and GSUP. The salient provisions of the UFOM Memorandum dated 04 March 2024 was referred by FMB to the OUPPIA for guidance and further clarification. Subsequently, on 17 April 2024, the UPPIA manifested that he is respectfully deferring on the clarifications of the UFOM. Considering the clarifications / guidance obtained from the DENR Central Office, the FMB Issued Memorandum dated 27 May 2024 addressed to all Regional Executive Directors which provides that all applications for forest tenure instruments (including SLUP, GSUP, and PA among others) shall be accepted, evaluated, and processed by the concerned Regional Offices, and subsequently endorsed to the Central Office if found meritorious.</p>
<b>R7</b>	Annual Government Share in	Individual and groups who are holder of Special Land Use Permit (SLUP)	- Review/revisit draft DAO prepared by	The existing basis for the computation of the AGS or annual rental

<p>Timberland Areas (FLAG/FLAGT)  <u>Existing Policy:</u>  - DENR Administrative Order No. 2004-59 Rules and Regulations Governing the Special Uses of Forestlands DENR Administrative Order No. 2004-28 Rules and Regulations Governing the Special Uses of Forestlands for tourism Purposes  - Section 18. Payment of Government Share and Surcharges for Late Payment is at least five percent (5%) of the most recent zonal value of the nearest commercial zone of the barangay/municipality/city or province whichever is higher.</p>	<p>and FLAG/FLAGT expressed their concerns on government share/Users Fee which in some cases they considered the fees as frugally absurd on their part. The Zonal Valuation of BIR which can be accessed through internet is based on values of real property in the locality and generally used as basis for computing internal revenue tax and fair market value of the property. Hence charging a government share based on zonal values of the nearest commercial zone (per square meter) may generate very high amount for a forestland which is beyond the commerce of man and needs investment to develop. This may serve as disincentive to private sector to invest and pursue entrepreneurial activities in forestland.  - To cite a particular case in Consolacion, Cebu: Uni-Orient Pearl Ventures. with application for FLAG - Dry-dock/Ship Repair, located in Sitio Tawagan, Tayud, Consolacion, Cebu</p> <p>Annual Government Share  = Area x Most Recent Zonal Value of Nearest Commercial Zone x 5%  = 67,584 sq.m. x 4,000/sq.m. x 0.05  = PhP13,516,800.00</p>	<p>FMB in 2017 Re: Annual Government Share for FLAG and FLAGT based on result of Forest Resource Accounting Valuation Study.  - Based on a letter dated October 24, 2018 (copy attached) of then FMB Director Nonito M. Tamayo, CESO IV addressed to Mr. Richard Brojan of Fortune Shipworks, Inc., Brgy. Tayud, Consolacion, Cebu and applicant for GFLAG, the draft DAO prepared in 2017 was already enhanced taking into consideration the inputs of affected stakeholders. The draft DAO being a document in progress is subject to final review/deliberation by the - - Policy Review Committee (PRC) of FMB for eventual consideration of the Policy Technical Working Group (TWG) of DENR Central Office.</p>	<p>(AR) as prescribed under DAO No. 2004-28 (for tourism purposes) and DAO Mo. 2004-59 for non-energy and energy-related projects bears or results into high amount of ARs, hence, to address such issue/concern, under the proposed DAO on the "Sustainable Forest Management Agreement". the basis for the computation of the AGS or AR lot projects deemed as non-energy project to be covered by SLUP and/or FLAG will be P85,000.00 per hectare, while the AR for the energy-related projects to be covered by SLUP/FLAG w/IT be computed at P7,000.00 and s fraction thereof. and to ba increased (compounded) by 10% every year. For the AR of areas covered with FLAG for Tourism (FLAGT), the basis in computing the AR for the purpose is the same as P85,000/hectare.</p>
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			<p>- The Policy Consultation Workshop on Multiple Use Forest Management Program was conducted by FMB last September 24-26, 2019 in Bacolod City attended by representative from DENR and other stakeholders (drydock/shipyard owners, resort owners, holders of FLGMA, FLAg, FLAgT and other Special Land Users) particularly on the rates of annual government share.</p>	
	<p>Inventory Fee for those with Less Than a Hectare Tree Plantation <u>Existing Policy:</u> DENR Administrative Order No. 2004-16 Prescribing the Revised Schedule of Forestry Administrative Fee - - Item D.2 Timber inventory, requires all applications a 100% intensity with corresponding fee of Php1,200.00/ hectare.</p>	<p>There are tree cutting permit applications received by our field offices that does not exceed one (1) hectare but still we are requiring the applicant to pay Php1,200.00/hectare inventory fee. We recommended a formula on how to compute the Inventory Fee based on spacing and number of trees to be cut and raised the concern to the Forest Management Bureau (FMB). The FMB however, informed us through a memorandum dated 29 December 2022 that they already drafted and endorsed a policy pertaining to the "Amendment of Certain Provisions of DAO 2004-16 Prescribing the Revised Schedule of</p>	<p>To push for the urgent approval of the proposed amendment and seek support from other regions to endorse the policy proposal.</p>	<p>The draft DAO for the amendment of certain provisions prescribing the revised schedule of forestry administrative fees (DAO no. 2024-16), which includes the inventory fee relative to applications for tree cutting permit, said draft DAO was presented to the national consultation workshop on July 24-25, 2024</p>

		Forestry Administrative Fees". As of to date, the proposed policy amendment is still pending.		
	<p>Dwindling Supply of Rattan Raw Materials due to Exportation of Rattan Raw Materials as Finished and Semi-finished Products</p> <p><u>Existing Policy:</u> DENR Administrative Order No. 1989-04 re: Revised Regulations Governing Rattan Resources</p>	<p>The Cebu Furniture Industries Foundation, Inc. (CFIFI) aired their concern on the dwindling supply of raw rattan poles, allegedly some suppliers of rattan in the country preferred to sell rattan directly to exporters in the guise of being finished rattan products but in reality they were just employing minor modifications to the poles by bending, cutting into shorter pieces, etc.</p> <p>Acting on this concern, the DENR-7 facilitated a consultative meeting with CFIF together with other DENR Regional Offices and other stakeholders, and forwarded their concerns to the DENR Central Office and requested the DENR-CO that a uniform interpretation of definition of raw rattan be implemented in all Regions and that includes rattan poles not undergoing any processing, not cut into desired pieces and have not undergone application of preservatives. The Forest Management Bureau (FMB) in turn informed us through a memorandum dated 02 June2023 that a draft guidelines was already deliberated by the FMB Policy Review Committee and that the comments and suggestions of the committee are being</p>	To push for the approval of the proposed policy guidelines.	Based on DAO no. 89-04, "Raw/unworked rattan" means a piece of rattan pole that has not undergone any processing or manufacturing except cutting to sizes or application of preservatives. To address the concern raised by the CFIFI that raw rattan products are being exported by disguising these as rattan finished products by bending and/or cutting it into smaller pieces and in line with the request to have uniform definition of the term " Raw Rattan", the FMB has drafted a DAO for the purpose re: Revised regulations governing the management of rattan resources".

		incorporated in the draft guidelines.		
<b>ENVIRONMENTAL MANAGEMENT BUREAU (EMB)</b>				
<b>R7</b>	Streamlining of guidelines in the implementation of environmental laws within Protected Areas (including identification of criteria for small businesses) MSMEs like sari-sari stores in Protected Areas are required to secure an ECC pursuant to Rule 13 of DAO 2008-26, or the Implementing Rules and Regulations (IRR) of RA 7586 or the National Integrated Protected Area System (NIPAS) Act	Pursuant to Rule 13 of DAO 2008-26, or the Implementing Rules and Regulations (IRR) of RA 7586 or the National Integrated Protected Area System (NIPAS) Act, no Certificate of Non-Coverage shall be issued to projects located within a declared protected area. Notices of Violation were issued to MSMEs that were included in the inventory of establishments in the Chocolate Hills Natural Monument (CHNM) and some PAs.	PAMB should indicate in the PAMB clearance/ resolution whether these small establishments are required to secure an ECC. To request Central Office to create a specific policy or categorization of establishments in PAs to help address concerns in municipalities whose entire town are within the protected area.	
<b>MINES AND GEOSCIENCES BUREAU (MGB)</b>				
<b>R3</b>	Longstanding issues and concerns on the Dredging Projects/Activities within Maloma River are continuously being filed thru the 8888 Citizen's Hotline and addressed by the LGU Zambales and government agencies concerned.  All dredging operations in Zambales are now suspended by Honorable Governor Ebdane acting as	1. Attendance to Inter-Agency Committee meetings. 2. Continuous conduct of investigations/inspections relative to the dredging complaints. 3. Provides technical assistance and evaluates requirements of each company requesting for disposal and/or utilization of the dredged materials. 4. Coastal hazards studies were conducted by this Office in San Felipe, Zambales last CY 2016 and 2023. The latter study shows accretion within the coastal of Brgy. Sindol.	Based on the recent investigation dated 22-23 January 2024 conducted by MGB R3, it was recommended to the Provincial Government of Zambales through its Environment and Natural Resources Office (ENRO), Technical Working Group (TWG) of LGU Zambales under the IAC, and LGU of San Felipe to conduct regular monitoring and	The Public Consultations in Zambales was conducted on 07-09 May 2024 in the host Municipalities of Botolan, San Felipe and San Narciso, Zambales to address all issues regarding the previous complaints on the Bucao, Maloma, and Sto. Tomas River. The public consultations took a positive feedback and impact to continue the dredging operations from host barangays of Bucao, Maloma and Sto. Tomas.  On 20 May 2024, the Governor of Zambales

	<p>the Chairperson of the Inter-Agency Committee on River Restoration effective 13 March 2024.</p>		<p>public consultation on dredging operation of HCI. Moreover, a yearly update on the status of the Maloma River delta via bathymetric survey is recommended for more precise and scientific-based decisions on the River Restoration Project. Monitoring activities were conducted regarding the dredging in Bucao River, Botolan; Maloma River and Sto. Tomas River, San Felipe, Zambales. During the March 25-27, 2024 and April 3-5, 2024 monitoring conducted by the technical personnel of MGB R3, no ongoing dredging operation/activities were observed in the subject area and its vicinities. On 20 May 2024, the Governor of Zambales lifted the suspension of dredging activities in Bucao and Sto. Tomas River</p>	<p>lifted the suspension of the dredging operations of Sevenwest Inc. and Shuaful Resources Inc. located in Bucao, Maloma, and Sto. Tomas River respectively, upon the compliance of the Notice of Violations issued by EMB. The Maloma River is still suspended even though the public consultation gave a positive outlook and feedback from the host barangay, pending the compliance of the findings in the investigation report.</p> <p>The dredging operations in Zambales are being monitored by the MMT created by the Inter-agency Committee, with the members consisting of MGB, EMB, DENR, LGU of Zambales, Philippine Coast Guard and DPWH. Continuous monitoring of the dredging operations of Sevenwest Inc and Shuanful Resources Inc were being conducted, while the monitoring report for the Ore Transport Permit issued by this Office was submitted to the DENR Regional Executive Director, DENR Undersecretary for Field Operations Luzon, Visayas and Supervising EMB &amp; MGB Luzon and Visayas.</p>
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			under Sevenwest Inc. and Shuaful Resources Incorporated respectively.	
<b>DENR-CENTRAL OFFICE / PASIG RIVER COORDINATING AND MANAGEMENT OFFICE (PRCMO)</b>				
<b>NCR</b>	Closing of PRRC books, transfer, and opening of books.	The PRCMO together with the representatives from DENR-CO Financial and Management Service and the DENR-NCR Management Service and Finance Division had a meeting with the Government Accountancy Sector of the Commission on Audit, during the meeting the COA recommended that an implementing guideline relative to EO 93 be formulated to serve as basis for the closing and transfer/opening of bookings given the transfer of powers and responsibilities mentioned in the EO.	For the top management to issue a special order constituting a TWG/Committee for the said purpose composed of relevant personnel from both CO and NCR (e.g. Legal, Accounting, Policy, Property, etc.) To conduct a workshop/write shop spearheaded by the constituted TWG/Committee together with representatives from other national government agencies concerned and/or mentioned in the EO.  For the TWG/Committee to tap a third-party accounting firm to conduct the reconciliation of books and preparation of supporting documents for request of write-off to COA	



	Financial utilization of PRCMO funds given that PRCMO's ED was transferred as the Director EMB-CO but the funding is still under DENR-NCR	Dir. Caancan endorsed OIC ARD-MS Daquigan to be designated as the OIC Deputy Executive Director of the PRCMO.	For the top management to designate a Deputy Executive Director for PRCMO from the DENR-NCR, issue a SO transferring PRCMO to DENR-NCR under the Office of the Regional Director as such the RED will become the ED of PRCMO in concurrent capacity.	
R6	Establishing the National Framework for Water Resource Management and Creating the Department of Water Resources and the Water Regulatory Commission	The Consolidated Substitute Bill or Act for the creation of the Department of Water Resources does not include the composition of the Regional Offices.		
<b>ADMINISTRATIVE</b>				
R2	Presence of three Sub-offices in the region which created confusion as to authorities in approving documents	To implement the organizational structure mandated by EO 366, this office conducted reviews and workshops that led to the crafting of RMC titled "Redefining the Coverage of the CENROs of Cagayan, Isabela and Nueva Vizcaya and the establishment of Satellite Offices in Batanes, Cagayan, Isabela and Nueva Vizcaya" which was submitted to the USEC for Field Operations – Luzon, Visayas and Environment.	To present our proposal to the Policy Technical Working Group for review and consideration.	
R4A	Lack of legal basis defining the functions of PENRO	The Memorandum dated August 29, 2023 was received by DENR Central Office on	Request the assistance on the approval and issuance of	

	Laguna as implementing PENRO and CENRO Sta. Cruz	September 01, 2023 requesting for the issuance of DENR Administrative Order (DAO) redefining the administrative jurisdiction of PENRO Laguna and CENRO Sta. Cruz.	DAO which defines the jurisdiction of PENRO Laguna as implementing PENRO for Congressional District 1 and 2 and administrative jurisdiction of CENRO Sta. Cruz which is Congressional District 3 and 4.	
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For information.

  
**GILBERT C. GONZALES, CESO III**