

DENR Memorandum Order
No. 15
July 13, 1994

SUBJECT : Continuance of the Acceptance, Evaluation and Issuance of Industrial Forest Management Agreement (IFMA) and Providing Additional Guidelines Thereof.

In line with the objectives of managing and developing industrial forest plantations as defined under DAO 60, Series of 1993, and pursuant to the government thrust for sustainable production of timber and other forest products, the following instructions are hereby given for the information and compliance of all concerned:

Sec. 1 Lifting of the suspension on the processing and issuance of IFMA.

The processing and issuance of IFMA which was temporarily suspended per radio message dated 22 June 1994 of the Secretary, DENR in view of some reports on conflict of IFMA areas with government projects and forest leases, licenses and permits as well as erroneous reports of field survey and timber inventories on IFMA applications, is hereby restored; subject to proper compliance with the guidelines and instructions prescribed herein.

Sec. 2 Conflict of IFMA areas with other DENR Projects.

In view of DENR thrusts on community based forest management, the recognition of ancestral land claim, and protecting the integrity of IPAS sites; projects such as ISF, CFP, IPAS, and ICC claims in accordance with DAO 2, 1993 and similar projects be given priority over IFMA areas in cases of conflict.

Sec. 3 Procedural guidelines for the processing and issuance of IFMA.

To forestall further occurrence of such incidence of conflicts and submission of erroneous field reports, the following guidelines shall be strictly followed in the processing and issuance of IFMA:

3.1 Identification of IFMA areas.

As much as possible, the identification of potential IFMA areas by the applicants themselves shall be discouraged/discontinued. Each region shall therefore have specific annual goals for areas to be identified, validated and made available for IFMA applications and a roster thereof shall be properly prepared and maintained. Priority areas for evaluation are the cancelled or expired TLA, ITP/IFMA and grazing land areas which are left without adequate forest protection and management. Existing ITPLAs and IFMAs which do not comply with the terms and conditions of the lease shall also be checked and verified for redistribution consistent with existing rules and regulations on the matter.

The Land Evaluation Processing Teams in coordination with the timber management officers of the regional field offices shall be mobilized to undertake the land evaluation of areas applied for and/or available for IFMA development.

3.1.1 Geographic Information System.

The Regional Executive Director shall likewise activate/task the Geographic Information System (GIS) Units in their respective offices which will maintain a register containing the location and description of areas which have been determined to be suitable and available for IFMA. It shall likewise maintain a comprehensive data base which can be used as basis in evaluating the suitability and availability of the areas which have not been previously delineated for IFMAs.

3.1.2 Area Suitability and Availability

Initial evaluation on the suitability and availability of the area shall be undertaken based on available maps and data/information generated by the Land Evaluation Parties and Land Capability teams and other relevant references to check on the following:

- * Physical features (mainly from 1:50,000 topographic maps) i.e., slope, elevation, drainage patterns, climatic type.
- * Existing infrastructure like roads, power, communications and others.
- * Current and proposed Forest Land Use such as National Parks, Military and Civil Reservations etc.
- * Existing DENR projects and forest leases, licenses, and permits.
- * Forest dependent communities (from local census or Inventory of Forest Occupants)

3.1.3 Site validation/Evaluation

To further check the suitability and availability of the area for IFMA, field inspection thereof shall be conducted to validate the various information and activities in the area as gleaned from the in-house data gathered from the activities outlined in the immediately preceding section.

For areas containing residual forest, resource inventory thereof shall be conducted in accordance with DMO No. 8, Series of 1991, the results of which shall be used as basis in residual production forests or degraded/ inadequately stocked logged over areas. Areas of (10) ten hectares or larger with basal area of less than five (5) square meter per hectare shall be considered as degraded and those with basal areas of five (5) square meter per hectare or higher shall be considered as residual production forest.

3.1.4 Community consultations

Upon verification of the availability and suitability of the area for IFMA, the concerned CENRO in coordination with its ancestral land desk officer shall prepare public notices to concerned communities that the area is being considered for IFMA following the format shown in Annex "A". CENRO, shall in coordination with the concerned LGUs, conduct a consultation meeting with the community residents/representatives. Depending on the outcome of the consultation, the CENRO shall either exclude the controverted portions of the proposed IFMA area or prescribe special conditions to be included in the IFMA. Where there are ancestral domain or land claims, procedure to check and verify their claims in accordance with DAO No. 2 Series of 1993 and other pertinent regulations on the matter shall be initiated.

3.1.5 Preparation and submission of Site Inspection/Validation Report

The inspection/validation report shall be prepared in the format shown in Annex "B" and shall be duly subscribed and sworn to by the concerned forest officer/s.

3.2 Brief Statement of the Forest Management Regime

In the absence of a Resource Management Plan, the concerned RED shall prepare a summarized Statement of the Forest Management Regime for the area, to embody the following:

3.2.1 Objectives (biological, socio-economic and environmental)

3.2.2 Vegetative cover

3.2.3 Forest Stand Structure and Composition

- a) Inventory Method
- b) Adequately-stocked Residual Forest
- c) Inadequately-stocked Residual Forest

3.2.4 General prescriptions for the management and development of the area into different uses:

- * Timber Production Forest (natural and plantation)
- * Non-timber production forest
- * Protection forest
- * Others

3.2.5 Appendices

a) Map

- * Vegetative Cover (with respective area of Adequately-stocked and Inadequately-stocked Residual Forests)
- * Ultimate Land Use Plan

b) Stand and Stock Tables

Sec. 4 Evaluation and processing of application for conversion of TLA into IFMA.

Applications for the conversion of existing TLA into IFMA shall be evaluated and processed in accordance with the guidelines therefor.

Sec. 5 Submission of Accomplishment Reports

In addition to the requirement called for in DAO 60 that the IFMA holder shall submit an annual accomplishment report on the development of the IFMA area, said holder shall at the initial stage of development "first three (3) years of the IFMA also prepare and submit quarterly accomplishment reports to the Director, Forest Management Bureau, furnishing a copy thereof to the Planning Service, DENR. Accomplishment report shall in all cases be prepared and submitted in the form as shown in Annex "C" of this Order, accompanied by a sketch/map showing the programs of plantation development by year.

Sec. 6 Penal Provisions

DENR officials found and verified to have violated the provisions of this Order shall be subject to immediate suspension, without prejudice to the filing of appropriate charges imposable under existing laws, rules, and regulations. On the other hand, IFMA holders who fail to comply with the requirements stipulated in the Agreement and the provisions of existing rules and regulations on the matter shall be liable for the suspension and/or cancellation of the Agreement.

Sec. 7 The REDs and other concerned field officials are hereby directed to apply the prioritization scheme in Sec. 2 and applicable procedural guidelines in Sec. 3 to resolve within 30 days identified IFMA areas in conflict with other DENR projects. Recommendation shall be forwarded to the Office of the Secretary for the Secretary's final decision.

Sec. 8 Repealing clause

This Order revokes the instructions contained in the telegram of this Office dated 22 June 1994.

Sec. 9 Effectivity

This Order shall take effect immediately.

ANGEL C. ALCALA
Secretary