

**Joint Memorandum Circular  
No. 98-01**

**SUBJECT : Manual of Procedures For DENR-DILG-LGU Partnership on Devolved and Other Forest Management Functions.**

Pursuant to Republic Act 7160, otherwise known as the Local Government Code of 1991, Presidential Decree 705 as amended, otherwise known as the Forestry Reform Code of the Philippines ; Executive Order No. 192 defining the mandates, organization, and functions of the Department of Environment and Natural Resources (DENR), DENR Administrative Order No. 30, Series of 1992 prescribing the guidelines for the transfer and implementation of DENR functions, the following Manual of Procedures is hereby promulgated to effectively implement devolution of forest management functions and enhance partnership between the LGU's and DENR;

**Sec. 1. Basic Policies**

Subject to the general policies on devolution as contained in RA 7160 and DENR Administrative Order No. 30, Series of 1992, the following basic policies shall govern the implementation of DENR-DILG-LGU partnership on devolved and other forest management functions;

- 1.1 The Department of Environment and Natural Resources (DENR) shall be the primary government agency responsible for the conservation, management, protection, proper use and sustainable development of the country's environment and natural resources.
- 1.2 The LGUs shall share with DENR the responsibility in the sustainable management and development of the forest

resources within their territorial jurisdiction. Toward this end, the DENR and LGUs shall endeavor to strengthen their collaboration and partnership in forest management.

- 1.3 Comprehensive land use and forest land use plans are important tools in the holistic and efficient management of forest resources, toward this end the DENR and the LGUs together with other government agencies shall undertake forest land use planning as an integral activity of comprehensive land use planning to determine the optimum and balanced use of natural resources to support local, regional and national growth and development.
- 1.4 To fully prepare the LGUs to undertake their shared responsibilities in the sustainable management of forest land resources the DENR in coordination with DILG, shall enhance the capacities of the LGUs in the various aspects of forest management. Initially, the DENR shall coordinate, guide and train the LGUs in the management of the devolved functions. As the LGUs capacity in the forest management is enhanced of the primary tasks in the management of devolved functions shall be performed by the LGUs and the role of the DENR becomes assistive and coordinative.
- 1.5 To further the ends of local autonomy, the DENR in consultation with the LGUs shall devolve additional functions and responsibilities to the local government units, or enter into agreements with them for enlarged forest management and other ENR-related functions.
- 1.6 To seek advocacy, popular support and ultimately help achieve community empowerment, DENR and DILG shall forge the partnership and cooperation of the LGUs and other concerned sectors in seeking and strengthening the participation of local

communities for forest management including enforcement of forestry laws, rules and regulations.

## **Sec. 2 Objectives**

This Manual of Procedures has the following objectives;

- 2.1 Operationalize and make effective the devolution of forest management functions from the DENR to the LGUs as contained in Republic Act 7160 and DENR Administrative Order No. 30, Series of 1992
- 2.2 Strengthen and institutionalize DENR-DILG-LGU partnership and cooperation on devolved other forest management functions.
- 2.3 Serve as reference for the DENR, DILG and the LGUs in the implementation monitoring and evaluation of devolved and other forest management functions.

## **Sec. 3. Provisions of RA 7160 on Devolved Forest Management Functions from DENR to LGUs**

The pertinent provisions of RA 7160 (Local Government Code of 1991) providing for the devolution of forest management functions from the DENR to the LGUs are cited below.

“Sec. 17. Basic Services and Facilities - (a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them, they shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental

to efficient and effective provision of the basic services and facilities enumerated therein.”

“(b) Such basic services and facilities include, but are not limited to the following;

3.1 For a province

“Pursuant to national policies and subject to supervision, control and review of the DENR, enforcement of forestry laws limited to community-based forestry projects, xxx” Sec. 17, (b) (3) (iii)

3.2 For a Municipality

“Extension and on-site research services and facilities related to X X X, and enforcement of fishery laws in municipal waters including the conservation of mangrove” Sec. 17 (b) (2) (i)

“Pursuant to national policies and subject to supervision, control and review of the DENR, implementation of community-based forestry projects, which include integrated social forestry programs and similar projects, management and control of communal forest with an area not exceeding fifty (50) square kilometers, establishment of tree parks greenbelts, and similar forest projects.” Sec. 17 (b) (2) (iii)

3.3 For a City

“All the Services and facilities of the municipality and provinces, XXX .” Sec 17 (b) (4)

The other provisions of the Code that pertain to forest management functions to be performed by the local government units and/or their chief executives are;

3.4 To the Municipal Mayor

“For efficient, effective and economical governance the purpose of which is the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code, the municipal mayor shall: XXX Adopt adequate measures to safeguard and conserve x x x (Sec. 444 (b) (3) (vii)) forest and other resources of the municipality; x x x.” Sec. 444 (b) (3) (vii)

3.5 To the Sangguniang Bayan

“Approve ordinances and pass resolutions necessary for an efficient and effective municipal government, and in this connection shall: x x x Project the environment and impose appropriate penalties for acts which endanger the environment, such as x x x illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming x x x .” Sec. 447 (a) (1) (vi)

“Approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of this Code, and in addition to said services and facilities, shall Provide for the establishment, maintenance, protection, and conservation of communal forests and watersheds, tree parks, greenbelts, mangroves, and other similar forest development projects.” Sec. 447 (a) (5) (I)

3.6 To the City Mayor

“Ensure the delivery of basic services and the provision of adequate facilities as provided for under Section 17 of this Code x x x.” Sec. 455 (b) (4)

3.7 To the Sangguniang Panglungsod

“Approve ordinances and pass resolutions necessary for an efficient and effective city government, and in this connection, shall: x x x Protect the environment and impose appropriate penalties for acts which endanger the environment, such as x x x illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming. x x x.” Sec. 458 (a) (1) (vi)

“Approve ordinances which shall ensure the efficient and effective delivery of basic services and facilities as provided for under Section 17 of this Code, and in addition to said services and facilities, shall: Provide for the establishment, maintenance, protection and conservation of communal forest and watersheds, tree parks, greenbelt, mangroves, and other similar forest development projects” Sec. 459 (a) (5) (i)

3.8 To the Provincial Governor

“For efficient, effective and economical governance the purpose of which is the general welfare of the province and its inhabitants pursuant to Section 16 of this Code, the provincial governor shall;

“Adopt adequate measures to safeguard and conserve x x x, forest and other resources of the province, in coordination with the mayors of component cities and municipalities;” Sec. 465 (b) (3) (v)

“Ensure the delivery of basic services and the provision of adequate facilities as provided for under Section 17 of this Code, x x x ” Sec. 456 (b) (4)

3.9 To the Sangguniang Panlalawigan

“Approve ordinances and pass resolutions necessary for an efficient and effective provincial government and, in this connection, shall; Protect the environment and impose appropriate penalties for acts which endanger the environment, such as x x x illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, x x x” Sec. 468 (a) (1) (vi)

The Local Government Code did not devolve any specific forest management functions to the barangays.

**Sec. 4. Definitions**

4.1 **Communal Forest** refers to a tract of forest land set aside by the Secretary of the DENR upon the recommendation of the concerned LGU for the use of the residents of a municipality/city. Said residents may cut, collect and remove forest products for their personal use in accordance with existing laws and regulations and subject to the provision that utilization of resources therein shall be in accordance with sustainable development, For this purpose, the concerned LGU with the assistance of the DENR shall prepare sustainable operations plan prior to any utilization.

- 4.2 **Community Environment and Natural Resources Office (CENRO)** refers to the DENR Office, headed by a Community Environment and Natural Resources Officer appointed by the Secretary of DENR, which is responsible for the implementation of DENR policies, programs, projects and activities and the enforcement of ENR laws and regulations in the community level.
- 4.3 **Community Based Forest Management Program** refers to the program involving local communities which integrates and unites the Integrated Social Forestry Program (ISFP), Forestry Sector Program, Forestry Sector Project, Forest Land Management Agreement Program (FLMP), Community Forestry Program (CEP), Ancestral Domains Management Program (ADMP) and other people oriented forestry projects.
- 4.4 **Community Watershed Areas** refers to forestlands set aside by the Secretary of the DENR upon the recommendation of the concerned LGU as sources of water supply for specific local communities subject to the provision that utilization thereof shall be in accordance with sustainable development.
- 4.5 **DENR** refers to the Department of Environment and Natural Resources.
- 4.6 **DENRO** refers to Deputized Environment and Natural Resources Officer with power and



authority as provided for by law and spelled out in the deputation.

- 4.7 **DILG** refers to the Department of the Interior and Local Government.
- 4.8 **Devolution** refers to the act by which the national government confers power and authority, upon the various LGUs to perform specific functions and responsibilities.
- 4.9 **Environment and Natural Resources Officer (ENRO)** refers to the LGU Official who may be appointed by the concerned Local Chief Executive and who shall be directly responsible for the planning and implementation of the devolved DENR functions.
- 4.10 **Foreign Assisted Projects** refers to DENR projects that are wholly or partially funded from foreign sources.
- 4.11 **LGU** refers to Local Government Unit either at the barangay, municipal, city or provincial level.
- 4.12 **Provincial Environment and Natural Resources Office (PENRO)** refers to the DENR office, headed by the Provincial Environment and Natural Resources Officer appointed by the Secretary of the DENR, which is responsible for the implementation of DENR policies, programs and projects in the province.

- 4.13 **Protected Areas** refers to identified portions of land and water set aside by reason of their unique physical and biological significance and are managed to enhance biological diversity and protected against destructive human exploitation as provided for in RA 7586, otherwise known as the National Integrated Protected Areas Systems (NIPAS) Act of 1992.
- 4.14 **Regional Environment and Natural Resources Office (RENRO)** refers to the DENR Office headed by a Regional Executive Director (RED) appointed by the President that is responsible for the coordination and implementation of all policies, programs and conservation of the DENR in the region.
- 4.15 **Regular Reforestation Projects** refers to reforestation activities funded through regular appropriations and implemented by DENR field offices by administration or by contracts of both as distinguished from foreign source funds.

**Sec. 5. Forestry Management Programs, Projects and Functions of the DENR which have been Devolved to the Local Government Units**

5.1 To the Provinces

- 5.1.1 The enforcement of forest laws, rules and regulations in community based forestry project areas community watershed and communal forests.

## 5.2 To the Municipalities

5.2.1 The implementation, management, development of and the responsibility for the sustainability of the community based forestry projects and activities are now devolved to the municipalities where they are located.

5.2.2 The following projects and activities, therefore, are now part of the functions and responsibilities of municipalities to which they have been devolved;

- (a) Integrated Social Forestry Projects, except at least one project per province, which has previously identified as Centers for People Empowerment in the Uplands and/or Community Training Centers, However, notwithstanding such retention by the DENR, the management, implementation and monitoring of the same shall be with the participation of the LGUs with the arm of strengthening the capacity of the LGUs to manage the devolved ISF Projects. When the situation so warrants, the municipalities through MOAs with the LGUs;
- (b) Establishment of new regular reforestation projects, except in areas located in protected areas and critical watersheds;
- (c) Completed family and community based contract reforestation projects, whether regularly funded or foreign funded subject to the policies and procedures of the DENR, except in areas located in protected areas and critical watersheds;
- (d) Management and supervision of areas for forest lands covered by FLMA's;

(e) Community Forestry Projects, and

(f) The management, protection, rehabilitation and maintenance of communal forests and community watershed areas that are sources of local water supply.

5.2.2 The conservation of mangroves has been devolved to the municipalities. Pursuant to RA 7161 however the cutting of mangrove species is not allowed. The municipalities therefore should conserve the mangrove areas under the category of protected areas status.

### 5.3 To the Cities

5.3.1 The functions and responsibility of implementing the forestry projects within the territorial jurisdiction of cities are now devolved to the respective cities. These projects are those listed above as having been devolved to the municipalities.

5.3.2 The functions and responsibility of enforcing forestry laws, rules and regulations within community based project areas community watershed areas and communal forests that are located within the territorial jurisdiction of the cities are now devolved to the respective cities.

### 5.4 To the Barangays

5.4.1 There are no forest management functions and responsibilities that have been devolved to the barangays.

5.4.2 In spite of the absence of devolved forest management functions to the barangays, barangays play important roles in

protecting the forests as well as in rehabilitating degraded forestlands within or near their territorial coverage.

5.4.3 Barangay officials may be designated or deputized by the DENR as DENROs, subject to specific rules and regulations to perform environmental functions, including forest protection upon prior consultation with the local Chief Executives.

## **Sec. 6. Institutional Mechanisms for the Supervision and Monitoring of the DENR-DILG-LGU Partnership on Devolved and other Forest Management Functions**

### **6.1 National Steering Committee**

There is hereby created a National Steering Committee that shall formulate policies and programs forward strengthening and institutionalizing the DENR-DILG-LGU partnership on devolved and other forest management functions. The National Steering Committee shall be composed of the Secretaries and Assistant Secretaries for Planning of the DENR and DILG, the respective Presidents of the Leagues of Provinces, Cities and Municipalities. The Chair and the Co-Chair of the National Steering Committee shall be the Secretaries of the DENR and DILG, respectively.

The National Steering Committee, which shall meet at least once a year shall be supported by a National Technical Working Group to be composed of the Directors of Forest Management Bureau of Local Government, Development and Supervision of the DILG and Representatives of the Leagues of Provinces, Cities and Municipalities.

The Forest Management Bureau shall act as the Secretariat of the National Technical Working Group. The FMB Director shall chair the NTWG.

The Secretary of DENR shall initiate the first meeting of the National Steering Committee together with the National Technical Working Group within thirty (30) days from the approval of this Manual.

## 6.2 Regional Steering Committee

There are likewise created in the regional level Regional Steering Committee to oversee and monitor the DENR-DILG-LGU partnership on devolved and other forest management functions. The Regional Steering Committee shall be composed of the Regional Executive Director of the DENR, the Regional Director of the DILG, the RTD for Forestry of the DENR and representatives from the Regional Leagues of Provinces, Cities and Municipalities.

The Regional Executive Director of the DENR shall initiate the first meeting of said Regional Steering Committee. The Chair and Co-Chair of the Committee shall be the Regional Executive Director of DENR and the Regional Director of DILG, respectively.

The Office of the RTD for forestry shall serve as the Secretariat of the Regional Steering Committee.

## 6.3 Provincial, City and Municipal Working Groups

Provincial, City and Municipal Working Groups may also be created to monitor the implementation of the DENR-DILG-LGU Partnership on devolved and other forest management functions in accordance with Section 7 of this Manual.

Where there are already committees in the provincial, city and municipal levels where the DENR and the LGUs are members such as the Multisectoral Forest Protection Committees (MFPCs), ENR Council Provincial Development Councils, Municipal Development Councils or other similar committees, the functions of the Steering Committees and Working Groups provided above may be lodged in said committees; Provided; a) said committees are fully apprised on this Manual and their responsibilities in carrying out their mandates; b) said committees pass a written resolution resolving to carry out the mandates of this Manual; c) the monitoring of the devolved and partnership functions of the DENR and LGU in forest management be a regular item in every meeting of the committees; and d) said committees come up with a strategy on how to carry out the objectives of this Manual.

The REDs of the DENR shall report to the National Steering Committee progress along this line and recommend such other measures to effectively monitor and evaluate the devolved forest management functions and other devolved functions.

## **Sec. 7. General Procedures in the DENR-DILG-LGU Partnership on Devolved and Other Forest Management Activities.**

### **7.1 Strategic Planning**

Within sixty (60) days from the effectivity of this Manual, the Regional Steering Committee shall convene provincial workshops among Governors, Mayors and their technical assistants, PENROs and CENROs, among others;

- a) Develop a program for information, education and communication campaigns on this Manual.
- b) Prepare a strategic plan on how to strengthen and institutionalize the DENR-DILG-LGU partnership on devolved and other forest management functions.

The strategic plan shall include, among others, joint land use planning, resources sharing, and training for LGU capacitation on forest management.

- c) Creation of Working Groups composed of representatives from DENR, DILG and LGU in the provincial, city and municipal levels to oversee the implementation of devolved and other forest management functions and the strengthening and institutionalizing DENR-DILG-LGU partnership.

At the end of the workshops, the participants shall pass a resolution embodying the various agreements arrived at. Said resolution, strategic plan and other documents shall be submitted to the Regional Steering Committee and the National Steering Committee through the National Technical Working Group for consideration.

## **7.2 Appointment or Designation of ENRO Officers**

To effectively implement the devolved and partnership activities, and to fully capacitate the LGUs in forest management activities, the concerned LGU may appoint or designate an Environment and Natural Resources Officer. The creation of ENR Office in the LGUs shall also be encouraged.

In areas where the LGUs cannot yet afford to hire an ENR Officer , or is not yet ready to appoint or designates an ENR Officer, the LGU concerned may enter into administrative arrangements with the local DENR Office such that the latter may second to the LGU either on full time or part time basis one of its environmental officers who shall act as ENRO for the LGU.

## **7.3 Provision of Technical Assistance**



To ensure LGU capacitation in forest management and other ENR activities, the DENR shall conduct continuous training activities for LGU officials and their respective technical staff.

The Regional Steering Committees and the Provincial, City and Municipal Working Groups shall prepare the necessary training designs and sources of funds for the conduct of training. Upon request of the concerned.

#### **7.4 Documentation of Forest Management Projects and Functions Devolved to the LGUs**

Forest management projects and functions devolved from the DENR to the LGUs shall be fully documented. Documentation shall include among others a Memorandum of Agreement on projects and functions devolved personnel, equipment and other resources so transferred from the DENR to the LGU and acceptance of the same by the LGU

The DENR Officer authorized to enter into MOA with the LGU on devolved forest management functions and projects shall be as follows;

for forest areas up to 1,000 has	CENRO
more than 1,000 has up to 5,000 has	PENRO
more than 5,000 has up to 15,000 has	RED
more than 15,000 has up to 30,000 has	Undersecretary for Field Operations
more than 30,000 has	Secretary

## **7.5 Monitoring and Evaluation**

The DENR and the concerned DILG office and/or LGU shall conduct periodic monitoring of activities for the DENR-DILG-LGU partnership in devolved and other forest management functions.

## **Sec. 8 Specific Guidelines and Procedures for the Effective Implementation of Devolved Forest Management Projects and Functions.**

### **8.1 Community Based Forest Management**

The Community Based Forest Management Program (CBFMP) integrates all people-oriented forestry programs including the Integrated Social Forestry Program (ISFP), which have been devolved to the LGUs; Community Forestry Program (CFP); Forest Land Management Program (FLMP); Regional Resources Management Program (RRMP); Low Income Upland Community Program (LIUCP); Coastal Environment Program (CEP) and Ancestral Domains/Lands Claims Management Program (ADMP). The CBFM Program shall be strengthened through the partnership of the DENR Program shall be strengthened through the partnership of the DENR and the LGU.

#### **8.1.1 Existing CBFM Projects**

Existing CBFM projects shall be reviewed and assessed jointly by the PENRO, Provincial ENRO, representatives of the concerned municipal government, and CENRO having jurisdiction of the said CBFM projects. The assessment/review shall include, but not limited to the following:

- a) Inventory of all CBFM projects within the province, city or municipality;
- b) Provision by DENR to concerned LGUs of copies of pertinent records, documents, maps and other information of all CBFM projects within the LGUs jurisdiction. In the manner, the concerned LGUs shall update DENR on status of projects already devolved to them;
- c) Field assessment of each project to determine present status, major problems and constraints;
- d) Joint formulation of action plan for each project site in coordination with the concerned participants, POs or communities to improve project implementation;
- e) Joint formulation of action plan for turn-over by DENR of projects to concerned LGUs, including the phasing in of their respective responsibilities and resources sharing in the management of the same;
- f) Definition of specific roles and responsibilities of DENR, LGU (provincial, municipal/cities, barangay), communities (or beneficiaries), and other sectors in plan implementation;
- g) Design and implementation of joint monitoring and evaluation system for each CBFM project.

### **8.1.2 New CBFM Projects**

Implementation of new CBFM projects shall be undertaken jointly by DENR and concerned communities/beneficiaries as provided for under DENR DAO 96-29.

- a) DENR through its regional, provincial and community field offices shall consult and coordinate with concerned provincial, municipal or city governments for their

participation in the implementation of CBFM projects in their respective territorial jurisdiction.

b) Formulation of action plans for CBFM that will include among others:

- 1) Definition of specific roles/responsibilities of DENR and concerned LGUs consistent with DENR DAO 96-29 and other pertinent rules and regulations;
- 2) Creation of teams composed of representative from both offices to undertake the various phases of CBFM;
- 3) Commitments of financial and other resources needed in CBFM implementation;
- 4) Monitoring and evaluation system;
- 5) Schedule of activities.

c) DENR-LGU Phase-Out plan for project management.

## **8.2 Forest Protection**

### **8.2.1 Forest Protection and Forest Law Enforcement**

The DENR and the LGUs shall coordinate closely in forest protection and enforcement of forest laws and regulations.

There shall be created joint DENR-LGU forest protection teams in the regional, provincial, municipal and barangay levels. DENR shall train and deputize LGU officers as DENR officers.

The DENR shall not release any forest product, tool, equipment and other conveyance seized during forest law enforcement operations without the recommendation of the

concerned LGU. The disposition of forest products shall likewise be jointly done by the DENR and the LGU.

### **8.2.2 Strengthening of the Multisectoral Forest Protection Committees**

The various Multisectoral Forest Protection Committees (MFPCs) duly organized shall be strengthened. Their participation in the enforcement of forest laws shall be enjoined.

The DENR shall continuously train the members of the forest protection teams and MFPCs on the various aspects of forest law enforcement to maximize and make effective their participation in forest protection and forest law enforcement.

## **8.3 Reforestation**

Reforestation projects such as new reforestation projects and completed family and community-based contract reforestation projects and regular reforestation projects may be devolved to the LGUs. Such devolution shall be effected by a MOA between the DENR and the concerned LGU.

## **8.4 Communal Forest**

### **8.4.1 Existing Communal Forest**

The devolution to and management of the communal forest by the city and municipal governments shall be governed by the following general procedures:

- a) DENR, through its CENRO, and the concerned LGU shall undertake the actual identification and assessment of existing communal forests. The assessment shall determine the suitability of the existing communal forests.

If these are no longer suitable, then these communal forests may be disestablished. The approval for disestablishment shall be by the RED upon recommendation of the DENR-LGU Assessment Team through the PENRO and the RTD for Forestry;

- b) Existing communal forest which are found and recommended by the DENR-LGU Assessment Team as still suitable to achieve their purposes shall be maintained as such. Thereafter, the Sangguniang Panglungsod or Sangguniang Bayan where the communal forest is located shall pass a resolution requesting the DENR Secretary for the turn over of said communal forest to the city or municipality. Upon receipt of said resolution, the DENR Secretary shall issue an Administrative Order officially transferring said communal forest to the concerned LGU. The DENR RED shall effect the official transfer to the concerned LGU within fifteen (15) days from the issuance of the administrative order;
- c) Within twelve months from the issuance of the Administrative Order and turn over of said communal forest to the city or municipality, the LGU to which the communal forest was transferred shall formulate and submit to the Provincial ENR Council for approval a management plan governing the sustainable development of the communal forest.

For the purpose of formulating the communal forest management plan, DENR shall, in coordination with the concerned LGU, undertake a forest resource inventory and determine the sustainable level of forest resource utilization and provide the LGU technical assistance in all facets of forest management planning to ensure sustainable development. The management plan should

include provision for replanting by the communities and the LGUs of the communal forests to ensure sustainability.

#### **8.4.2 Establishment of New Communal Forests**

The establishment of new communal forests shall be governed by the following guidelines:

- a) DENR, through its CENRO, together with the concerned city/municipal LGU shall jointly identify potential communal forest areas within the geographic jurisdiction of the concerned city/municipality;
- b) Communal forests to be established shall be identified through a forest land use planning to be undertaken jointly between the DENR and the concerned LGU. The ensuing forest land use plan shall indicate, among others, the site and location of the communal forests within the production forest categorized as such in the forest land use plan;
- c) Once the forest land use plan has been affirmed, the local chief executive shall initiate the passage by the LGU's sanggunian of a resolution requesting the DENR Secretary to issue an Administrative Order declaring the identified area as a communal forest. The required administrative order shall be issued within sixty (60) days after receipt of the resolution;
- d) Upon acceptance of the responsibility for the communal forest, the city/municipal LGU shall formulate the management plan and submit the same to its ENR Council. The management plan shall include provision for replanting by the communities and the LGUs of the communal forests to ensure sustainability.

The communal forests of each municipality shall in no case exceed a total of 5,000 hectares.

## **8.5 Establishment and Management of Community Watershed Areas**

### **8.5.1 Identification and Establishment of Community Watersheds**

Pursuant to Sec. 447 (a) (5) (i) of RA 7160 mandating the Sangguniang Bayan to provide for the establishment, maintenance, protection and conservation of watersheds in their respective areas as sources of water supply for specific communities, the following guidelines shall be followed:

- a) DENR, through its CENRO, together with the city/municipal LGU shall identify potential watershed areas in the city or municipal territorial jurisdiction that can be sources of water supply for specific communities;
- b) Community Watershed Areas to be established shall be identified through a forestland use planning to be undertaken jointly by the DENR and the concerned LGU. The forestland use plan shall indicate, among others, the site and location of the community watershed;
- c) Once the forestland use plan has been completed, the Local Chief Executive shall initiate the passage by the LGU's sanggunian of a resolution requesting the DENR Secretary to issue an Administrative Order declaring the identified area as Community Watershed as source of water supply for specific communities. The required



administrative order shall be issued within sixty (60) days after receipt of the resolution;

Where there are already existing springs in forest areas in the municipalities being used as water sources by the communities, the community and the LGU shall initiate the passage of the Sangguniang Bayan resolution requesting the DENR Secretary to issue the necessary administrative order;

- d) Upon acceptance of the responsibility for the community watershed, the local chief executive, in consultation with the ENR Council will prepare the Management Plan. Such plan shall be submitted to the Sangguniang Bayan for approval;

For purposes of formulating the community watershed management plan, the DENR shall, in coordination with the concerned LGU, undertake a forest resource inventory and determine the sustainable level of forest and water utilization and provide the LGU technical and other assistance in all aspects of forest management planning to ensure sustainable development.

## **8.6 Establishment and Management of Forest or Tree parks, Greenbelts and other Tourist Attractions**

Pursuant to the mandate of RA 7160 requiring cities and municipalities to provide for the establishment, maintenance, protection, and conservation of tree parks, greenbelts, mangroves and similar forest development projects, the procedures laid down under Sections 8.4 and 8.5 shall be followed where the forest park, tree park, greenbelt and other tourist attraction fall within forestlands.

## **Sec. 9 Expanded DENR-LGU Partnership on Forest Management Activities**

### **9.1 Forest Land Use Planning**

DENR and the concerned LGU shall jointly undertake forestland use planning, the output of which shall become an integral part of the concerned LGU's comprehensive land use plan.

For purposes of this Manual, the following general procedures shall be followed:

- a) DENR Central Office shall issue an order directing the REDs to organize within sixty (60) days from issuance thereof, Forest Land Use Planning (FLUP) teams at the provincial, city and municipal levels in coordination with the concerned local chief executives. Corollarily, the concerned local chief executives shall issue the appropriate orders for their LGUs participation in the FLUP;
- b) The FLUP Teams shall organize their work and undertake FLUP within twelve (12) months from their organization;
- c) The FLUPs thus formulated shall be submitted to the LGU's Sanggunian for endorsement/approval and incorporation of the same to the LGU's comprehensive land use plan;

The Land Evaluation Parties of the DENR Regional Offices shall provide technical assistance to the FLUP teams.

### **9.2 Joint DENR-LGU Annual Planning and Budgeting for Forest Management**

The DENR shall involve the participation of the LGUs in the formulation of annual plans and budgets pertaining to forest management. The LGU shall likewise involve the participation of

the DENR in the preparation of its annual plan particularly in the area of forest management.

### **9.3 Issuance of Licenses and Permits**

To further strengthen DENR-LGU partnership pursuant to the pertinent provisions of RA 7160, henceforth the issuance by the DENR of tenurial instruments in forest lands and for forest products utilization shall be in coordination with the LGUs as follows:

#### **9.3.1 Approval of Operations Plan of Timber License Agreements**

The concerned LGU (province, city or municipality) shall sit in the committee created by DENR to deliberate said operations plan. The comments of the LGU in the committee's deliberations shall be recommendatory to the DENR.

#### **9.3.2 Other Tenurial Instruments**

After the applicant has submitted his application papers to the DENR, the DENR shall notify the LGU (province, city or municipality) of said pending application to solicit the comments of said LGU. The comments made by the LGU shall be advisory to the DENR for the latter's final action on the application.

## **Sec. 10 Funding**

### **10.1 Inclusion in DENR Annual Budget and Work Plan**

The DENR shall incorporate in its annual appropriations the budgetary requirements for undertaking the tasks under this Circular.

## **10.2 Inclusion in LGUs' Budget**

The LGUs shall endeavor to provide resources to effectively carry out the mandates of this circular.

## **10.3 Other Assistance to the LGUs**

DENR and DILG, in coordination with other concerned government agencies, shall provide assistance to the local government units in seeking technical and financial assistance from other sources in implementing the tasks under this Circular whenever such assistance is sought by the local government units.

### **Sec. 11 Repealing Clause**

Any provision of DENR and DILG Administrative Orders, Memorandum Circulars or other issuances not consistent herewith are hereby repealed or modified accordingly.

### **Sec. 12 Effectivity**

This Joint Memorandum Circular shall take effect immediately.

**(Sgd.) VICTOR O. RAMOS (Sgd.) EPIMACO A. VELASCO**  
Secretary, DENR Secretary, DILG