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FORESTRY SECTOR

DENR Administrative Order

No. 03

January 12, 1994

SUBJECT : Creation of a Committee to Evaluate Claims of Informer's Reward on Confiscated Forest Products.

In the interest of the service, a committee is hereby created composed of the following:

Asst. Sec. Romulo D. San Juan - Chairman
Director Erlinda P. Meram - Member
HEA Annabelle Plantilla - Member
Representative from the Office
of the Usec for Field Operations - Member

who shall be responsible in the evaluation and the awarding of rewards to informers on violations of forestry law, rules and regulations in consonance with Section 68-B of Executive Order No. 277, Series of 1987 and defined in DENR Administrative Order No. 35, Series of 1988.

This Order shall take effect immediately and supercedes previous orders/memoranda inconsistent hereof.

ANGEL C. ALCALA
Secretary

**DENR Administrative Order
No. 05
January 21, 1994**

SUBJECT : Modification of DENR Administrative Order No. 38, series of 1990.

Pursuant to Executive Order No. 192 and in order to effect a more efficient delivery of services to the general public, DENR Administrative Order No. 38, series of 1990 otherwise known as "Revised Regulations on the delineation of Functions and Delegation of Authorities", is hereby modified.

All powers/authority over regulatory matters heretofore delegated to the Provincial Environment and Natural Resources Officer (PENRO) which are applicable to DENR National Capital Region shall henceforth be delegated to/ exercised by the Regional Technical Directors concerned of the said region.

This Order takes effect immediately and supersedes all other Orders, circulars, rules and regulations inconsistent herewith.

**ANGEL C. ALCALA
Secretary**

DENR Administrative Order

No. 06

January 28, 1994

**SUBJECT : Disestablishment of Communal Forest Parcel-I of
Jala-Jala, Rizal, located at Barangay Malaya, Pililla,
Rizal.**

1. Pursuant to the provision of Sections 1, 9 and 19 of Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines, as amended, the establishment of Communal Forest Parcel-I of Jala-Jala, Rizal, located in Barangay Malaya, Pililla, Rizal is hereby revoked.
2. The disestablishment parcel shall hereafter revert to the category of forest land for development to any land use for uses as will be determined by appropriate land use planning and allocation scheme to be enforced.
3. This Order takes effect immediately.

ANGEL C. ALCALA
Secretary

**DENR Administrative Order
No. 07
February 17, 1994**

**SUBJECT : Revised Guidelines Governing the Issuance of
Certificate of Origin for Logs, Timber, Lumber and
Non-timber Forest Products.**

Pursuant to P.D. No. 705, as amended, and in line with the sustainable resource development thrust of the Government whereby the effective monitoring of the movement of timber and other forest products is one of the major components thereof, the following guidelines are hereby issued for the information and guidance of all concerned.

Sec. 1 Policy and Objectives. It is the policy of the Government to ensure the sustainable development of the timber and other forest resources to support the needs of industries dependent thereon, as well as the maintenance of a desirable ecosystems balance. Towards this end and in line with the unrelenting drive of the agency to curb the unauthorized gathering and transport of forest products the urgent need to reinforce existing strategies is imperative.

Sec. 2 Adoption of New Certificate of Origin Forms. There is hereby adopted a new set of Certificate of Origin Forms (COFs) corresponding to logs/timber, lumber and no-timber forest products which shall replace the forms which have hitherto been utilized for the purpose.

All new COFs issued pursuant to this Order shall be accountable forms of the DENR. For this purpose, any official or employee receiving such COFs shall account for their use or non-use as herein provided.

Sec. 3 COF Features and Distribution. The printed and color-coded COFs are assigned computer-based serial numbers, provided with properly assigned perforated sections at the bottom portion to be detached by the DENR official concerned, and bordered sections at the left hand side for describing the route and perforating the validity date of the shipment to be covered by it. Said forms shall be distributed as follows:

- Original Copy (Red) - For use by the purchaser/ consignee and to accompany the specific shipment.
- Duplicate Copy (Yellow) - For file of the PENRO.
- Triplicate Copy (Green) - For file of the licence/ supplier.
- Quadruplicate Copy (Pink) - For file of the CENRO.
- Quintuplicate Copy (Orange) - For file of the RED.
- Sextuplicate Copy (White) - For file of the USEC, Field Operations.

Sec. 4 Types of COFs to Accompany Transport/Shipment of Forest Products. The transport/shipment of forest products shall be accompanied or covered by the following forms:

- 4.1 For logs/timber - The original (color-code: RED) Certificate of Timber Origin (CTO), together with the tally sheet corresponding thereto;
- 4.2 For lumber - The original (Color-code: RED) Certificate of Lumber Origin (CLO), together with the sales invoice, in case of lumber sales, and the tally sheet; and
- 4.3 For non-timber forest products - The original (color-code: RED) Certificate of Non-timber Forest Products Origin (CNFPO), together with the delivery receipt.

Any of the aforementioned forest products being transported or shipped from the effectivity of this Order without the said corresponding COF fully and properly accomplished as herein required shall be presumed as coming from illegal sources and as such, shall be subject to confiscation and disposition in accordance with Executive Order No. 277 and other applicable laws and implementing regulations.

Sec. 5 Invalidation and Surrender of Previously Issued but unused COFs. Immediately upon the effectivity of this Order, all old printed COFs previously issued to the Regional Offices and which remain unused are hereby deemed cancelled/invalidated and within 15 días thereafter shall be surrendered by the RED concerned to the Undersecretary for Field Operations, through the Director of the Forest Management Bureau, for further disposition conformably with extant rules and regulations governing the matter. The surrendered forms shall be accompanied by a consolidated Inventory Report, indicating the category and serial numbers, duly signed by the RED concerned.

However, any old Certificate of Origin accompanying a shipment of forest product issued prior to the effectivity of this Order shall be considered valid up to its expiry date specified therein, or upon delivery of the forest product to its final destination/consignee, whichever comes first.

Sec. 6 Issuing Officer: Condition of Issue. In the case of the transport or shipment of logs or timber, only Timber Management Officer (TMO) who has jurisdiction over the area of such source and in case of the transport or shipment of lumber and minor forest products, only the Scaler or the Community Development Officer in charge of ISP projects who has jurisdiction over the area of such source shall issue and sign the corresponding Certificate of Origin, duly attested to by the CENRO or his duly authorized representative.

For purpose hereof, elected Local Government Officials of the locality where the oath is being administered are authorized to subscribe the Certificate of Origin Form, aside from those who are already authorized by law to perform such functions.

No Certificate of Origin shall be issued by the Office concerned unless the forest product specifically covered thereby has been verified as coming from legitimate sources, the forest product has been properly measured or scaled and marked in accordance with DMC No. 13, S. 1990, the Certificate Fee, and the forest charges due thereon have been duly paid pursuant to R.A. No. 7161, and the written request for the transport/shipment of such forest product has been filed with the CENRO concerned at least one (1) week before the scheduled shipment in case by watercraft or at least twenty-four (24) hours in case by trucks or land conveyances.

Sec. 7 Issuance and Validity. The Certificate of Origin shall be issued on a per shipment/transport basis and shall be valid for a period not exceeding fifteen (15) days (including Saturdays, Sundays or Holidays) from the date of issuance, or after unloading or delivery of the shipment at the point of destination, whichever comes first. In case of its expiration extension thereof shall be secured from the nearest CENR field office where the shipment may have been held and the officer concerned shall enter and sign such extension in the accompanying Certificate of Origin.

Monitoring Officers are directed to record in their log books all presentation of Certificates of Origin by their unique random numbers including the time of presentation, identification of conveyances, etc. and shall examine shipments in transit for compliance with the conditions and specifications in the Certificate of Origin. If a shipment and accompanying documents are in order, the Monitoring Officer (s) concerned shall stamp the accompanying Certificate of Origin with the corresponding DENR seal before allowing the conveyance of the shipment to proceed in its transit. In no case shall a Monitoring Officer(s) hold for more than an hour a shipment that is in order.

To indicate that the Certificate of Origin accompanying the shipment has been used already, and therefore, no longer valid, the CENRO at the point of destination of the shipment shall fill up and then detach the portion appertaining to him of the accompanying original Certificate of Origin. All such portions or stubs shall be submitted by the CENRO concerned every end of the month to the USEC for Field Operations, through the PENRO and the RED concerned and the Director of FMB for records and validation purposes.

Sec. 8 Information Contained in Certificate of Origin. The applicant for a Certificate of Origin shall furnish the CENRO concerned with the following information which shall be placed in the Certificate of Origin:

- 8.1 Number of pieces/volume and species of forest products under shipment
- 8.2 Date of loading/transport
- 8.3 Point of loading

- 8.4 Type and plate/registration number of conveyance
- 8.5 Name and address of consignee
- 8.6 Point of destination; and
- 8.7 Expected duration of shipment

Sec. 9 Application/Certificate Fee. For every application for the issuance of a Certificate of Origin, a fee shall be collected based on the following schedule:

- 9.1 Certificate of Timber/Lumber Origin - P 50.00
- 9.2 Certificate of Non-timber Forest products origin - 30.00
- 9.3 Certificate of Verification/transshipment - 20.00
- 9.4 Oath fee - 50.00
(to be paid for the services of the person administering the oath other than DENR Officials)

The official receipt covering such payments shall be attached to the application.

Sec. 10 Exemptions. No Certificate of Origin shall be required in the following instances:

- 10.1 Logs/timber being transported from the licensee's/permittee's cutting area to its wood processing plant or main log storage area, provided that such facilities are located within the Province of source; provided further, that in cases where the wood processing plant is located outside the province, the transport/shipment thereof may be allowed, subject to prior approval by the RED(s) concerned. Such approval shall be in the form of a special

authority issued by the RED for a period not exceeding one (1) year, subject to the following conditions:

- 10.1.1 The conveyance(s) is/are company-owned;
 - 10.1.2 The delivery route is the normal route in the delivery of logs to the log pond or log yard of the firm's wood processing plant; and
 - 10.1.3 Listing of the type and serial/plate number of the vehicle(s) authorized for the purpose.
- 10.2 Transport/shipment of finished, semi-finished, or knocked-down forest products, provided that these are accompanied by a delivery receipt or sales invoice, together with the tally sheets;
 - 10.3 Lumber and lumber products transported from source to buyer/end-user within the confines of the Province or within the Greater Manila area, provided, that the same are covered by the corresponding sales invoice and/or delivery receipt;
 - 10.4 Forest products transhipped from the point of initial unloading to its final point of destination, provided accompanied by a Certificate of Transshipment (COT) issued by the CENRO concerned indicating therein the kind, number, volume, and consignee of the shipment as well as the serial number of the Certificate of Origin accompanying the shipment; and
 - 10.5 Transport of logs/timber/lumber/other forest products derived from planted trees or non-wood forest products inside private lands, provided accompanied by a Certificate of verification issued by a DENR local official at the CENRO level.

Sec. 11 Certificate of Origin, a Public Document. The Certificate of Origin is a public document, it having been executed with the intervention of a public official and forms part of the official records. Hence, no printing, reproduction or copying by any and all means shall be made by any unauthorized person.

Sec. 12 Forest Products Shipment without CO. Forest products being shipped/transported without the accompanying original Certificate of Origin or the special authority to transport duly issued by a DENR Officer concerned shall be presumed as coming from illegal sources and as such, the forest products as coming from illegal sources and as such, the forest products including the conveyance used shall be subject to confiscation and disposition and the offender shall be prosecuted in accordance with P.D. 705, as amended, and other applicable laws and regulations.

Sec. 13 Proper Accomplishment of COF. All blanks in a COF shall be properly and accurately filled up and signed by the issuing Officer. Likewise, the proper spaces therein shall be duly signed by the persons concerned. A COF improperly, inaccurately or incompletely accomplished is not a valid Certificate of Origin document and as such any forest product covered thereby shall be temporarily held pending verification. When proven that such Certificate of Origin was prepared not in conformity herewith or the information contained therein do not correspond to the shipment at hand, both the shipper and the DENR officer concerned shall be subject to administrative and/or criminal liability.

Sec. 14 Monthly Reporting. Field officials of the DENR who were issued these accountable forms shall make and submit a monthly report of the used and unused COFs to the USEC for Field Operations, through the Directors of the Forest Management Bureau.

Sec. 15 Penalty Clause. Any log timber, lumber and non-timber forest products covered by these regulations which are transported without the prescribed documents shall be considered illegal and therefore, subject to confiscation in favor of the government and shall be disposed in accordance with laws, rules, and regulations governing the matter.

DENR Officers found issuing defective certificate of origin required in this Order shall be subject to suspension without prejudice to the imposition of other penalties as may be warranted by extant Civil Service laws, rules and regulations.

Sec. 16 Additional Guidelines. The Undersecretary for Field Operations is hereby authorized to issue additional guidelines and/or instructions for the effective implementation of this Order.

Sec. 17 Definition of Terms. As used in this Order, the following terms shall be construed to mean as hereby defined.

- 17.1 **CERTIFICATE OF LUMBER ORIGIN (CLO)** - Refers to the document issued by DENR local official (CENRO) to accompany the shipment/transport of lumber showing the number of pieces, species, volume, place of loading, conveyance and date of transport, its source and consignee.
- 17.2 **CERTIFICATE OF NON-TIMBER FOREST PRODUCTS ORIGIN (CNFPO)** - Refers to the document issued by the DENR Local Official at the CENRO level to accompany the transport of non-timber forest product, place and loading, conveyance used, date of transport, source and destination consignee of the products to be transported.
- 17.3 **CERTIFICATE OF TIMBER ORIGIN (CTO)** - Refers to the document issued by DENR local official at the CENRO level to accompany the transport of logs/timber/ flitches, showing the number of pieces, species, volume in cu.m. source and destination/consignee.
- 17.4 **CERTIFICATE OF VERIFICATION (CV)** - Refers to the document issued by DENR local official at the CENRO level to show that the logs/timber, lumber, or any wood or non-wood forest products come from private lands indicating therein the quantity, volume, type of forest products and destination/consignee of the commodities.
- 17.5 **CERTIFICATE OF TRANSPORT AGREEMENT (CTA)** - Refers to the joint declaration made by the shipper and the owner of the conveyance used in the transport, shipment, or movement of forest products that both parties are aware of the documents required by forestry laws and regulations, and that the conveyance used in the transport/shipment/movement of forest products may be subject to confiscation/forfeiture if the forest products sought to be transported/shipped/moved are not covered by the required/requisite documents.
- 17.6 **CERTIFICATE OF TRANSHIPMENT (COT)** - Refers to the document issued by the DENR local official at CENRO level to accompany logs/ timber, lumber and other wood or non-wood forest products being transhipped from initial port/ point of entry to their final destination, showing the quantity /volume,

type, conveyance used date of transshipment, serial number of mother CO, and destination/consignee.

- 17.7 **DEFECTIVE CERTIFICATE OF ORIGIN** - Means any document with erasure or tampering, or where the information contained therein do not tally with the actual shipment, or the use of facsimile of the official forms issued by the DENR.
- 17.8 **GREATER MANILA AREA** - Refers to the cities and municipalities covered by the National Capital Region (NCR) which includes the City of Manila, Caloocan City, Pasay City, Quezon City, Las Pinas, Makati, Malabon, Mandaluyong, Marikina, Muntinlupa, Navotas, Paranaque, Pasig, Pateros, San Juan, Taguig, Valenzuela; the Municipalities of Meycauayan, Marilao, Bocaue, Balagtas and Guiguinto, Province of Bulacan; the Municipalities of San Pedro, Binan, Sta. Rosa, Cabuyao, Calamba, Los Banos, Calauan, and City of San Pablo, Province of Laguna; the Municipalities of Antipolo, Cainta, Taytay, San Mateo and Montalban, Province of Rizal; the Municipalities of Sto. Tomas, Tanauan; and City of Lipa, Province of Batangas, and the entire Province of Cavite.
- 17.9 **FOREST PRODUCTS** - Refers to all biomass derived from the forest resource including but not limited to timber, lumber, pulpwood, woodbased fuel, bark, resin, gum, woodoil, honey, beeswax, palms, wildlife and other as well as services derived from forest resources.
- 17.10 **LUMBER** - Solid wood not further manufactured other than sawing, resawing, kiln-drying and passing lengthwise through a standard planing machine, including boules of unedged lumber.
- 17.11 **LUMBER PRODUCTS, WOOD MANUFACTURES AND OTHER WOOD FINISHED PRODUCTS** - Articles further manufactured from lumber or wood with moisture content not exceeding 15%, including but not limited to wooden furniture and toys, packing cases, parquet floors, doors, door components, doorslides, other building woodworks, window components, mouldings, drawersides, cabinet and furniture components, knock-down furniture components, picture frames, tool handles, decorative articles, wooden shoes, toothpicks and chopsticks.

- 17.12 **FINISHED PRODUCT** - Whole end-product ready for use without need of further manufacture.
- 17.13 **KNOCKED-DOWN** - Finished or unfinished wood product whose components or parts are taken apart for ease in packing, handling and transporting to the market or end-users.
- 17.14 **SEMI-FINISHED PRODUCT** - Whole end-product requiring final stages of manufacture and/or assembly.

Sec. 18 Repealing Clause - This supersedes DAO No. 34, Series of 1988, DAO No. 96, series of 1989, DAO No. 59, series of 1993, as amended, BFD Circular Nos. 8, 9, and 10, series of 1983, and provisions of Orders, Circulars, and Instructions inconsistent herewith.

Sec. 19 Effectivity. This Order shall take effect upon acknowledgement by the UP Law Center and fifteen days after its publication in a newspaper of national circulation.

ANGEL C. ALCALA
Secretary

**DENR Administrative Order
No. 08
February 17, 1994**

SUBJECT : Additional Requirements in the Issuance of New Sawmill Permits and Certificates of Registration as Lumber Dealers, Including Renewals Thereof.

In line with the sustainable forest resource development thrust of Government particularly in forestalling the further degradation of the environment which has reached intolerable levels brought about among others by unauthorized tree cutting and processing the same into lumber and lumber products, the following additional requirements governing the issuance of new sawmill permits and certificates of registration as lumber dealers, including their renewal, are hereby issued for the information, guidance, and compliance by all concerned.

Sec. 1 All terms, words, and phrases used in this Order which refer to the forest resources, their utilization, and the disposition of products derived therefrom, are as defined in earlier orders and issuances of this Department.

Sec. 2 No new permits or renewal of expiring sawmill and certificates of registration as lumber dealer shall henceforth be issued unless the additional requirements for their grant as herein specified have been satisfactorily complied with.

Sec. 3 To be eligible for a new sawmill permit or for the renewal of those that are about to expire, the applicant shall submit log supply contracts from any and/or all of the following timber sources, duly approved by the Secretary or his authorized representative:

- 3.1 An existing timber license agreement (TLA);
- 3.2 An Industrial Forest Management Agreement (IFMA) which has been granted by the Department an annual allowable cut for the harvest of its natural residual forest and/or mature harvestable timber from its forest tree plantation;

- 3.3 A Private Land/Special Private Land Timber Permit (PLTP/SPLTP) authorized by the Secretary or his authorized representative to have its harvested timber sawn, preferably by a nearby sawmill plant; and
- 3.4 An importer of logs from a foreign country with the port of entry in the Philippines specified in the log sales/supply contract sworn to by the importer as a binding legal instrument.

However, should there be a change or substitution of log supplier(s) for reason of mutual rescission of any of the original log supply contract(s) or for reason of force majeure, and upon due notice by the sawmill permittee, the Department may allow such change or substitution.

Sec. 4 The local supply contract(s) shall have a validity of at least twelve (12) calendar months and shall be for a volume of not less than 50% but not more than the annual log requirement of the mill based on the rated capacity as determined by the Department, provided, that the committed volume is within the annual allowable cut of the log supplier(s); However, consistent with a previous policy on the matter the log supply contract requirement shall not apply to sawmills within the Greater Manila Area.

Sec. 5 Henceforth, and unless cleared by the Secretary, the acceptance and processing of applications to operate a new mini-sawmill is hereby suspended. Mini-sawmills with subsisting valid permits may be allowed to continue operations up to their expiry dates, PROVIDED, that only trees harvested from forest tree plantations shall be allowed to be milled.

Sec. 6 No sawmill permit shall be issued/granted in provinces or areas under a logging ban or moratorium in natural forest unless otherwise authorized by the Secretary.

Sec. 7 No new certificate of registration as lumber dealer (CRLD) or the renewal of those about to expire, shall be granted unless the applicant therefor can submit, together with other requirements provided for in other relevant regulations of the Department, Lumber Supply Contract(s) entered into by and between said applicant and the sawmill owner(s)/operator(s) at the time the application for certificate of registration is filed. However, small-scale lumber

retailers may secure their lumber supply contracts from other subsisting lumber dealers.

Sec. 8 Unless approved by the Regional Executive Director concerned, local log/lumber supply contract(s) submitted in compliance with this Order are deemed invalid and can not be considered as legal instrument for purposes hereof.

Sec. 9 All other procedures and requirement contained in subsisting regulations which are consistent herewith shall remain in force and effect.

Sec. 10 This Order shall take effect fifteen (15) days after its publication in at least two (2) local newspapers of national circulation.

ANGEL C. ALCALA
Secretary

Recommended by:

BEN S. MALAYANG III
Undersecretary for Field Operations

DENR Administrative Order
No. 09
March 2, 1994

**SUBJECT : Amendment to DENR Administrative Order No. 39,
Series of 1993 Regarding the Rate of Forest Charges
for Igem.**

Pursuant to the provision of Republic Act No. 7161 and based on additional data on the FOB market price of Igem obtained from the concerned offices, DENR Administrative Order No. 39, Series of 1993, is hereby amended to read as follows:

1. Timber (per cubic meter)

Species	Forest Charges for Luzon, Visayas & Mindanao
e. Igem	P 1,275.00

The temporary suspension of the assessment and collection of forest charges for Igem, is hereby ordered lifted. All Igem timber cut after 01 August 1993 shall be assessed using the above new rate.

This Order shall take effect immediately upon acknowledgement of the U.P. Law Center and fifteen (15) days after its publication in a newspaper of general circulation.

ANGEL C. ALCALA
Secretary

**DENR Administrative Order
No. 12
April 19, 1994**

SUBJECT : Amending DENR Administrative Order No. 26, Series of 1993: Creating the Organizational and Management Structure for the Implementation of the ENR-SECAL Program for the MEC and RRMP Components In Region X.

In order to effectively implement the activities of the RRMP component of the ENR-SECAL Program in Region X, certain provisions of DAO 26, series of 1993, are hereby amended as follows:

1.0 REGIONAL LEVEL

Sections I.A to A.A.1 of DAO 26 is replaced with the following provisions:

1.1 REGIONAL PROGRAM COMMITTEES

In coordination with the Regional Development Council (RDC), the Regional Executive Director shall initiate the organization of the Regional Resource Management Program Committee (RRMPC) as a subset of the RDC and the formation of a Multi-Sectoral Forest Protection Committee (MFPC) for the monitoring and enforcement component with the following composition and functions

1.1.1 COMPOSITION. The RRMPC shall be composed of the following:

Chairman: RED, Department of Environment and Natural Resources

Members: The Regional Directors of the Departments of Agriculture, Agrarian Reform, Interior and Local Government, Trade and Industry, Science and Technology, Education/Culture/

Sports, Social Welfare and Development, Health, NEDA, Budget and Management, COA, Office of Southern Cultural Communities and Philippine Information Agency; Other agencies that the RRMPC may later on decide to include. The Provincial Governors of Agusan del Sur, Bukidnon, Camiguin, Misamis Oriental, Misamis Occidental, Surigao del Norte and the City Mayors of Cagayan de Oro and Gingoog;

The RDC NGO member.

1.1.2 FUNCTIONS

- a. Promulgate policies and guidelines for community-based regional resource management (CBRM) and approve administrative procedures to facilitate implementation of projects promoting community resource management, protection and rehabilitation in accordance with the overall RRMP concepts, principles and design.
- b. Resolve CBRM project implementation issues and secure inter-agency support and participation in RRMP activities. For this reason, the RRMPC shall ensure the participation of National Service Agency (NSA) representatives at the municipal levels in the Municipal Action Teams (MATs) that will be organized in municipalities where RRMP sites are located and review annual implementation plans formulated by these MATs for the delivery of services to the key barangays.

Facilitate the strengthening of Local Government Units (LGU) (e.g. creation of environment and natural resource offices within the LGU, provision of budget

for the implementation of local ISF and other resource management programs, staffing, etc.) to enable them to assume expanded responsibility for community-based resource management pursuant to the RRMP project design and the Local Government Code.

- d. Facilitate community-based resource management project development and preparation activities for additional resource management project sites within identified critical watersheds in the region and the identification and sourcing of funding therefor.
- e. Review annual work and financial plans and overall budgets of the project and ensure consistency of such plans and programs with the Regional Resource Management Framework Plan and the Regional Physical Framework Plan.
- f. Coordinate with appropriate RDC committees and subcommittees and other agencies in resolving issues affecting the implementation of the project.
- g. Render reports to the RDC through the RDC Executive Committee on annual performance and problems and issues requiring action by the council.
- h. Create a technical working group among the technical staff of the agencies represented to attend to the day-to-day activities of the committee.

As much as practicable, the RRMPC shall also serve as the MFPC. The functions enumerated under I.A.2 of DAO 26 are added to the functions of the RRMPC under 1.1.2 above.

1.2 REGIONAL PROGRAM MANAGEMENT OFFICE (RPMO)

The RPMO shall be composed of the (a) Regional Program Director (Regional Executive Director), (b) Regional Program Coordinator (Regional Technical Director for Forestry), (c) Regional Resource Management Unit, (d) Management enforcement Component Unit, (e) Technical Counterpart Coordinators, (f) Other offices as specified/designated by the Regional Program Director.

The Regional Program Director shall take an active role in the management and supervision of ENR-SECAL program implementation in the region. He ensures that the program design is implemented within program timetables and that a facilitative environment is created within DENR to enable the different RRMP actors to deliver their service and output commitments effectively and on time. He facilitates the institutionalization of community-based resource management within the DENR in the region.

The Regional Program Director and the Regional Program Coordinator shall perform the functions specified under I.B.1 and I.B.2 respectively.

1.2.1 REGIONAL RESOURCE MANAGEMENT UNIT (RRMU)

The Regional Resource Management Unit (RRMU) is hereby directly placed within the Office of the Regional Program Director to assist the latter in the day-to-day management of the RRMP. The RRMU shall be headed by the RRM Technical Coordinator (TC) designated on a full-time basis to the RRMU and composed of the Project Development Officer (PDO) V and other contractual and detailed technical and administrative staff in the RRMU. The RRMU shall report directly to the Regional Program Director or, in his absence, the Regional Program Coordinator. The RRMU is a separate and distinct unit from the regular units/divisions of the regional office. The

Director or, in his absence, the Regional Program Coordinator. The RRMU is a separate and distinct unit from the regular units/divisions of the regional office. The Regional Program Director shall augment the RRMU staffing with enough personnel to handle infrastructure monitoring, policy analysis and formulation, and review of reports. The RRMU shall perform the functions under I.B.2.3 of DAO 26, Series of 1993. Function No. 3 shall be interpreted to mean the submission/presentation of reports therein contemplated to the Regional Program Director, RRMPC and PMO.

1.2.2 TECHNICAL COUNTERPART COORDINATORS (TCC)

a) REGIONAL RESOURCE MANAGEMENT (RRM) COMPONENT

To promote effective technology transfer, the Regional Program Director shall designate selected middle management level personnel to serve as counterpart staff to the Regional Technical Assistance Team (RTAT) contracted to provide technical backstopping services to the RRMP. These personnel shall work hand in hand with the corresponding specialists of the RTAT and are assigned as such with the end in view of their eventually assuming the role of the technical assistance team as the project expands and as the RTAT phases out. The TCC shall ensure the maximum utilization of the RTAT.

The TCC shall establish and strengthen linkages with other units/divisions of the regional office and national service agencies and assist the RPMO in the execution of policies and guidelines promulgated by ENR-SECAL Committees and the National Program Management Office.

The pool of technical coordinators shall be under the direct supervision of the Regional Program Coordinator and shall handle the CO/CD, PM/IS, CRM (on-farm, off-farm and livelihood), infrastructure and NRA (CSC, FLMA, CFMA and CFSA).

The RMEU contemplated under I.B.2.4 is discontinued. Instead, the head of the RMEU shall join the TCC to serve as M & E counterpart under PM/IS.

2.0 PROVINCIAL LEVEL

Section II.A of DAO 26 is amended as follows:

2.1 PROVINCIAL RESOURCE MANAGEMENT PROGRAM COMMITTEE (PRMPC)

In consultation with the local chief executive, the Regional Executive Director shall initiate the organization of a Provincial Resource Management Program Committee (PRMPC) and the formation of a Provincial Multi-Sectoral Forest Protection Committee (MFPC) for the Monitoring and Enforcement Component. The PRMPC shall be headed by the Provincial Governor as Chairman. The PENRO shall serve as Committee Vice Chairman and the provincial heads of agencies represented in the RRMPC will be members of the Committee. The provincial governor shall create such a committee by issuing an executive order.

As much as practicable, the PRMPC shall also serve as the MFPC, if the latter is not yet organized. Where an MFPC already exists, the two committees shall be merged into one.

The PRMPC shall perform the functions enumerated under II.A.1 of DAO 26, Series of 1993. Function Nos. 2, 5 and 6 are re-stated as follows:

x x x

2. Approve the strategic plan of each watershed management unit in the province and the municipal resource management framework plans that will be formulated.

x x x

5. Generate provincial resource management and watershed development policies in pursuance of the overall policies and guidelines set by the ENR-SECAL National Steering Committee and the Regional Resource Management Program Committee.

x x x

6. In case of need, recommend NGOs to be contracted to undertake specified RRMP components in project sites.

In addition, the PRMPC shall initiate steps (a) to strengthen the capability of local government units (e.g. creation of environment and natural resource offices within the LGU, provision of budget for the implementation of local ISF and other resource management programs, staffing, etc), to assume expanded responsibility for community-based resource management pursuant to the RRMP project design and the Local Government Code and (b) to promote community-based resource management project identification, development and preparation activities for additional resource management project sites within identified critical watersheds in the province and the sourcing of funding therefor.

2.2 PROVINCIAL PROGRAM MANAGEMENT OFFICE (PPMO)

Section II.B is amended as follows:

The PPMO shall be composed of (a) the PENRO as Provincial Program Coordinator, (b) Contractual and detailed technical and administrative staff from the PENR office, (c) DENR site officers,

(d) Provincial Investigating Team (PIT), and (d) Others as may be specified by the Regional Executive Director from time to time.

The Provincial Program Coordinator shall supervise and monitor the implementation of the program within the province. He shall take an active role in creating a facilitative environment within his jurisdiction to enable the different RRMP actors to deliver their committed service and outputs effectively and on time and to promote the institutionalization of community-based resource management in the DENR in the province. He shall monitor and evaluate project performance and see to it that plans and programs are achieved within the specified time frame without sacrificing quality. He shall perform the functions under II.B.3 of DAO 26.

In view of the devolutionary design of RRMP, the Provincial Program Coordinator shall work closely with concerned local government units which will, on years 4 and 6 of the project, assume responsibility for project management and implementation. He shall ensure that the appropriate officials of the LGU are provided with opportunities to participate actively in and learn from implementing activities related to the establishment stage.

The PPMO shall perform all the functions enumerated under II.B of DAO 26. Function No. 4 is restated as follows: "Within 7 days from receipt of NGO billing documents, the PIT shall conduct its validation and verification activities and thereafter certify performance of NGOs as basis for payment of the corresponding accomplishment delivered by said NGOs."

2.2.1 DENR SITE OFFICERS

In the effort to strengthen DENR's capability to implement more community-based resource management projects, the Regional Program Director shall ensure that CAREER LEVEL TECHNICIANS WITH PERMANENT APPOINTMENTS shall be identified, selected and assigned by the PENRO/CENRO on full-time basis to the Watershed Management Units at the rate of one officer per WMU for

hands-on actual training and experience in the key barangays in community organizing and cooperatives development processes; community resource management planning and implementation; labor-based and equipment supported infrastructure construction methods; project management and institutional strengthening processes; operationalization of the community revolving fund (CRF); making the project's linkage structures functional; and other RRMP concepts and principles. In the future, these experienced and trained site officers will initially make up the cadre of CBRM-oriented DENR technicians who, together with the LGU, will implement the expansion of the Project in other barangays when the NGOs will already be phased out.

3.0 DISTRICT/CITY/MUNICIPAL LEVEL

3.1 CITY/MUNICIPAL PROGRAM COMMITTEES

City/Municipal program committees for RRMP and MEC shall likewise be organized. The City/Municipal Resource Management Program Committee (CRMPC, MRMPC) shall be headed by the City/Municipal Mayor as Chairman and CENRO as Vice Chairman. Its membership shall include heads of offices represented in the RRMP, and local organizations or associations, as may be decided upon by the C/MRMPC.

The C/MRMPC shall perform the functions enumerated under III.A.1 of DAO 26. In addition, the C/MRMPC shall resolve all program issues at the city or municipal level.

3.2 CITY/MUNICIPAL PROGRAM COORDINATOR

The CENRO is the city/municipal program coordinator. In addition to his duties and responsibilities under III. B.B.3 of DAO 26, he shall work closely with the appropriate offices of the LGU and provide them with opportunities to participate actively in and learn

from implementing activities related to the establishment stage of RRMP in order to pave the way for a smoother assumption of responsibility for project implementation by the LGU on Year 4 of the project.

The City/Municipal Program Coordinator shall ensure that the DENR site officer contemplated under 2.2.1 hereof is assigned and fielded.

3.3 WATERSHED MANAGEMENT UNIT (WMU)

In addition to the functions enumerated under III.C of DAO 26, the WMU shall resolve program issues at the WMU level.

All other provisions of DENR Administrative Order No. 26, series of 1993, shall remain in force.

The Regional Program Director may, in consultation with the RTAT, issue special orders and supplemental guidelines consistent with this order and program design from time to time to facilitate the smooth implementation of the RRMP.

This Order shall take effect immediately.

ANGEL C. ALCALA
Secretary

Recommending Approval:

BEN S. MALAYANG III
Undersecretary for Field Operations
and Senior Official for ENR-SECAL

ROSALIO B. GOZE
Program Director
ENR-SECAL Program

DENR Administrative Order
No. 13
April 19, 1994

SUBJECT : Amending DENR Administrative Order No. 43, Series of 1992: Creating the Organizational and Management Structure for the Implementation of the ENR-SECAL Program In Region IX.

In order to effectively implement the activities of the RRMP component of the ENR-SECAL Program in Region IX, certain provisions of DAO 43, series of 1992, are hereby amended as follows:

1.0 REGIONAL LEVEL

Sections I.A to A.A.1 of DAO 43 is replaced with the following provisions:

1.1 REGIONAL PROGRAM COMMITTEES

In coordination with the Regional Development Council (RDC), the Regional Executive Director shall initiate the organization of the Regional Management Program Committee (RRMPC) as a subset of the RDC with the following composition and functions.

1.1.1 COMPOSITION. The RRMPC shall be composed of the following:

Chairman: RED, Department of Environment and Natural Resources

Members: The Regional Directors of the Departments of Agriculture, Agrarian Reform, Interior and Local Government, Trade and Industry, Science and Technology, Education/Culture/Sports, Social Welfare and Development, Health, NEDA, Budget and Management, COA, Office of Southern Cultural

Communities and Philippine Information Agency; Other agencies that the RRMPC may later on decide to include. The Provincial Governors of Basilan, Zamboanga del Norte, Zamboanga del Sur, and the City Mayors of Pagadian and Zamboanga.

The RDC NGO member.

1.1.2 FUNCTIONS

- a. Promulgate policies and guidelines for community-based regional resource management (CBRM) and approve administrative procedures to facilitate implementation of projects promoting community resource management, protection and rehabilitation in accordance with the overall RRMP concepts, principles and design.
- b. Resolve CBRM project implementation issues and secure inter-agency support and participation in RRMP activities. For this reason, the RRMPC shall ensure the participation of National Service Agency representatives at the municipal levels in the Municipal Action Teams (MAT) that will be organized in municipalities where RRMP sites are located and review annual implementation plans formulated by these MATs for the delivery of services to the key barangays.
- c. Facilitate the strengthening of Local Government Units (LGU) (e.g. creation of environment and natural resource offices within the LGU, provision of budget for the implementation of local ISF and other resource management programs, staffing, etc.) to enable them to assume expanded responsibility for community-based resource management pursuant to the RRMP project design and the Local Government Code.
- d. Facilitate community-based resource management project development and preparation activities for additional resource

management project sites within identified critical watersheds in the region and the identification and sourcing of funding therefor.

- e. Review annual work and financial plans and overall budgets of the project and ensure consistency of such plans and programs with the Regional Resource Management Framework Plan and the Regional Physical Framework Plan.
- f. Coordinate with appropriate RDC committees and subcommittees and other agencies in resolving issues affecting the implementation of the project.
- g. Render reports to the RDC through the RDC Executive Committee on annual performance and problems and issues requiring action by the council.
- h. Create a technical working group among the technical staff of the agencies represented to attend to the day-to-day activities of the committee.

1.2 REGIONAL PROGRAM MANAGEMENT OFFICE (RPMO)

The RPMO shall be composed of the (a) Regional Program Director (Regional Executive Director), (b) Regional Program Coordinator (Regional Technical Director for Forestry), (3) Regional Resource Management Unit, (d) Technical Counterpart Coordinators, (e) Other offices as specified/designated by the Regional Program Director.

The Regional Program Director shall take an active role in the management and supervision of ENR-SECAL program implementation in the region. He ensures that the program design is implemented within program timetables and that a facilitative environment is created within DENR to enable the different RRMP actors to deliver their service and output commitments effectively and on time. He facilitates the institutionalization of community-based resource management within the DENR in the region.

The Regional Program Director and the Regional Program Coordinator shall perform the functions specified under I.B.1 and I.B.2 respectively.

1.2.1 REGIONAL RESOURCE MANAGEMENT UNIT (RRMU)

The Regional Resource Management Unit shall be organized within the Office of the Regional Program Director to assist the latter in the day-to-day management of the RRMP. Headed by the RRM Coordinator and composed of the contractual and detailed technical and administrative staff, the RRMU reports directly to the Regional Program Director or, in his absence, the Regional Program Coordinator. The RRMU is a separate and distinct unit from the regular units/divisions of the regional office. Its functions are:

- a) Coordinate/work closely with the RTAT for the effective conduct of their contracted assistance.
- b) Monitor and evaluate the implementation of activities of the RTAT and contracted NGOs and review and consolidate reports for submission to the RRMPC and the PMO
- c) Review and consolidate municipal/ WMU work and financial plans and programs and prepare an overall RRM Project Strategic Plan for submission to the Regional Program Director, RRMPC and PMO.
- d) Facilitate the identification and provision of technical assistance and training support to concerned PENROs, PPDOs, CPDOs, CENROs, WMUs, MPDOs, site BDUs and clientele especially to the multi-agency action teams at the municipal level.

- e) Assist the project's field units and participating agencies involved in project implementation to internalize RRMP's development philosophy and learning process methodology while establishing community-based resource management (CBRM) working models in the key barangays.
- f) Facilitate coordination of key inter-agency committees and task forces including ENR, RDC and other RRMP-initiated task forces (from DENR, DA, DAR, DOJ).

1.2.2 TECHNICAL COUNTERPART COORDINATORS (TCC)

To promote effective technology transfer, the Regional Program Director shall designate selected middle management level personnel to serve as counterpart staff to the Regional Technical Assistance Team (RTAT) contracted to provide technical backstopping services to the RRMP. These personnel shall work hand in hand with the corresponding specialists of the RTAT and are assigned as such with the end in view of their eventually assuming the role of the technical assistance team as the project expands and as the RTAT phases out.

The TCC shall establish and strengthen linkages with other units/divisions of the regional office and national service agencies and assist the RPMC in the execution of policies and guidelines promulgated by ENR-SECAL Committees and the National Program Management Office.

2.0 PROVINCIAL LEVEL

Section II.A of DAO 43 is amended as follows:

2.1 PROVINCIAL RESOURCE MANAGEMENT PROGRAM COMMITTEE (PRMPC)

In consultation with the local chief executive, the Regional Executive Director shall initiate the organization of a Provincial Resource Management Program Committee (PRMPC). The committee shall be headed by the Provincial Governor as Chairman. The PENRO shall serve as Committee Vice Chairman and the provincial heads of agencies represented in the RRMPC will be members of the Committee. The provincial governor shall create such a committee by issuing an executive order.

The PRMPC shall perform the functions enumerated under II.A. of DAO 43, series of 1992. Function Nos. 2, 5 and 6 are restated as follows:

x x x

2. Approve the strategic plan of each watershed management unit in the province and the municipal resource management framework plans that will be formulated.

x x x

5. Generate provincial resource management and watershed development policies in pursuance of the overall policies and guidelines set by the ENR-SECAL National Steering Committee and the Regional Resource Management Program Committee.

x x x

6. In case of need, recommend NGOs to be contracted to undertake specified RRMP components in project sites.

In addition, the PRMPC shall initiate steps (a) to strengthen the capability of local government units (e.g. creation of environment and natural resource offices within the LGU, provision of budget for the implementation of local ISF and

other resource management programs, staffing, etc), to assume expanded responsibility for community-based resource management pursuant to the RRMP project design and the Local Government Code and (b) to promote community-based resource management project identification, development and preparation activities for additional resource management project sites within identified critical watersheds in the province and the sourcing of funding therefor.

2.2 PROVINCIAL PROGRAM MANAGEMENT OFFICE (PPMO)

Section II.B is amended as follows:

The PPMO shall be composed of (a) the PENRO as Provincial Program Coordinator, (b) Contractual and detailed technical and administrative staff from the PENR office, (c) DENR site officers, (d) Provincial Investigating Team (PIT), and (d) Others as may be specified by the Regional Executive Director from time to time.

The Provincial Program Coordinator shall supervise and monitor the implementation of the program within the province. He shall take an active role in creating a facilitative environment within his jurisdiction to enable the different RRMP actors to deliver their committed service and outputs effectively and on time and to promote the institutionalization of community-based resource management in the DENR in the province. He shall monitor and evaluate project performance and see to it that plans and programs are achieved within the specified time frame without sacrificing quality.

In view of the devolutionary design of RRMP, the Provincial Program Coordinator shall work closely with concerned local government units which will, on years 4 and 6 of the project, assume responsibility for project management and implementation. He shall ensure that the appropriate officials

of the LGU are provided with opportunities to participate actively in and learn from implementing activities related to the establishment stage.

The PPMO shall perform all the functions enumerated under II.B of DAO 43. Function No. 4 is restated as follows: "Within 7 days from receipt of NGO billing documents, the PIT shall conduct its validation and verification activities and thereafter certify performance of NGOs as basis for payment of the corresponding accomplishment delivered by said NGOs."

The CENRO of the district where the RRMP project is located will act as the Assistant Provincial Program Coordinator. In addition to his duties and responsibilities under II.B.2 of DAO 43, he shall work closely with the appropriate offices of the LGU in the city or municipality and provide them with opportunities to participate actively in and learn from implementing activities related to the establishment stage of RRMP in order to pave the way for a smoother assumption of responsibility for project implementation by the LGU on Year 4 of the project.

The CENRO shall ensure that the DENR site officer contemplated under 2.2.1 hereof is assigned and fielded.

2.2.1 DENR SITE OFFICERS

In the effort to strengthen DENR's capability to implement more community based resource management projects, the Regional Program Director shall ensure that CAREER LEVEL TECHNICIANS WITH PERMANENT APPOINTMENTS shall be identified, selected and assigned by the PENRO/ CENRO on full-time basis to the Watershed Management Units at the rate of one officer per WMU for hands-on actual training and experience in the key barangays in community organizing and cooperatives

development processes; community resource management planning and implementation; labor-based and equipment supported infrastructure construction methods; project management and institutional strengthening processes; operationalization of the community revolving fund (CRF); making the project's linkage structures functional; and other RRMP concepts and principles. In the future, these experienced and trained site officers will initially make up the cadre of CBRM-oriented DENR technicians who, together with the LGU, will implement the expansion of the Project in other barangays when the NGOs will already be phased out.

3.0 DISTRICT/CITY/MUNICIPAL LEVEL

3.1 CITY/MUNICIPAL PROGRAM COMMITTEES

City/Municipal program committees for RRMP shall likewise be organized. The City/Municipal Resource Management Program Committee (CRMPC, MRMPC) shall be headed by the City/Municipal Mayor as Chairman and CENRO as Vice Chairman. Its membership shall include heads of offices represented in the RRMPC, and local organizations or associations, as may be decided upon by the C/MRMPC. On top of the functions enumerated under II.A. of DAO 43, the C/MRMPC shall resolve all program issues at the city or municipal level. Function No. 3 is re-stated as: "Approve the WMU Strategic Plan for submission to the CRMPC/PRMPC and PPMO."

3.2 WATERSHED MANAGEMENT UNIT (WMU)

In addition to the functions enumerated under III.B of DAO 43 the WMU shall resolve program issues at the WMU level. It

shall also conduct technology and process documentation and recommend appropriate policy action to improve the present CBRM system.

All other provisions of DENR Administrative Order No. 43, series of 1992, shall remain in force.

The Regional Program Director may, in consultation with the RTAT, issue special orders and supplemental guidelines consistent with this order and program design from time to time to facilitate the smooth implementation of the RRMP.

This Order shall take effect immediately.

ANGEL C. ALCALA
Secretary

Recommending Approval:

BEN S. MALAYANG III
Undersecretary for Field Operations
and Supervising Official for ENR-SECAL

ROSALIO B. GOZE
Program Director
ENR-SECAL Program

**DENR Administrative Order
No. 15
April 29, 1994**

**SUBJECT : Further Admendments/Clarification to the
Provisions of DAO 68, Series of 1993, Re-
Additional Incentives to IFP.**

In line with the policy of the Government of ensuring continuous supply of raw materials for the forest industries from both the natural and plantation forest, thru the sustainable management of the remaining natural forest and establishment of plantations, the following amendments and/or clarifications to the provisions of DAO 68, Series of 1993, are hereby promulgated for the information and guidance of all concerned:

Sec. 1 Performance Guarantee Bond. The use of performance guarantee bond as provided in sub-section 13.2 and 21.1 and Sections 14 and 33 of DENR Administrative Order No. 60 and which was waived in Item No. 27.7 under Section 1 of DAO 68, Series of 1993 as basis in the award of IFMA areas with residual forest is hereby restored. All provisions in DAO 60, Series of 1993 related to the use of guarantee bond as basis in the award of IFMA are likewise deemed restored.

Sec. 2 Performance Bond for All IFMAS. Performance Bond as provided in DAO 60, Series of 1993 is a surety bond primarily to guarantee the proper management and protection of residual forest and other types of natural forest within the IFMAs. With the restoration of the guarantee bond as basis of award of IFMA areas with residual forests, Item No. 14 under Sec. 2 of DAO 68, requiring all IFMA holders to maintain a performance bond of P 20.00/ha. or fraction thereof and other sections thereof related to the maintenance of said bond is hereby revoked.

Sec. 3 Additional Areas for IFMA. IFMA holders who have completed the development of plantations within the period specified in their Comprehensive Development and Management Plans and have complied with all other terms and conditions of their IFMAs shall be entitled to annex additional area to their IFMAs; PROVIDED, that such areas are adjacent to their current

IFMA areas; and PROVIDED FURTHER, that such areas do not contain residual production forest which shall in all cases be subject to public bidding as provided for in Section 14 of DAO 60.

Sec. 4 Conditions for TLA Holders Converting to IFMAs. Existing TLA holders of good standing who wish to convert their timber license into IFMA shall be given the full term of twenty five (25) years renewable for another twenty five (25) years and shall be allowed to continue their timber harvest operations in accordance with the approved Comprehensive Development and Management Plan and/or the Integrated Annual Operations Plan; PROVIDED, that all other conditions of their IFMAs shall have been fully complied with.

Sec. 5 Compensation for the Fair Market Value of Improvements. Item No. 27.12 under Section 1 of DAO 68 regarding incentive package to Industrial Forest Plantation developers is hereby amended to read as follows:

27.12 IFMA holders shall be entitled to receive compensation for the fair market value of improvements, including plantation forest crops, in case of expiration or termination/reduction of area when public interest demands.

Sec. 6 Enforceability Clause. All other provisions in DAO Nos. 60 and 68 consistent herewith shall remain in full force and effect.

Sec. 7 Repealing Clause. This order amends pertinent provisions of DENR Administrative Order No. 68 as above-cited.

Sec. 8 Effectivity. This order shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

ANGEL C. ALCALA
Secretary

DENR Administrative Order

No. 16

April 29, 1994

SUBJECT : Amendment to DENR Administrative Order No. 65, Series of 1993 which Integrated the Community Forestry Program to the DENR Regular Structure.

Consistent with the principle of streamlining under Memorandum Order No. 27 dated August 13, 1992 and in order to enhance the process of integrating the Community Forestry Program to the regular structure of the DENR, Sec. 5 of DAO 65, Series of 1993, is hereby amended as follows:

“Sec. 5 Program Management - For effective planning, implementation and monitoring of the CFP program, an organizational set-up is hereby established as shown in Annex 1.

5.2 Regional CFP Coordinating Unit - At the Regional Office, a Regional CFP Coordinating Unit (RCCU) shall be created under the Social Forestry Division to coordinate, supervise and monitor the planning and implementation of CFP activities in the region. The RCCU shall provide technical and administrative support to the program. It shall be headed by a Regional Coordinator, who shall report directly to the Chief of the Social Forestry Division in the Region. The RCCU shall have the following functions:

1. Prepare the annual CFP program of work of the region with corresponding financial requirements for submission to the National CFP Coordinating Office (NCCO);
2. Coordinate the planning, implementation and monitoring of CFP activities in the region;
3. Source technical assistance for the NGOs/AOs and CFP community organizations within the DENR and other resource institutions;

4. Review the technical validity and integrity of key financial transaction of NGOs;
5. Prepare and submit quarterly and annual CFP reports to the NCCO thru the Regional Executive Director;
6. Establish, keep and maintain records of relevant information about CFP;
7. Act on cases, problems and issues relevant to CFP implementation in the region and submit reports to the NCCO; and
8. Perform other functions relevant to CFP as may be directed by the Regional Technical Director for Forestry.

All other provisions of DAO 65, Series of 1993 shall remain unchanged.

This Order shall take effect immediately.

ANGEL C. ALCALA
Secretary

Recommending Approval:

WILFREDO J. OBIEN
CFP National Program Coordinator

LOPE D. REYES
Director
Forest Management Bureau

RICARDO M. UMALI
Undersecretary for Natural Resources Management

DENR Administrative Order

No. 17

May 25, 1994

SUBJECT : Registration of Agents, Contractors and Dealers on Imported Logs, Lumber, Veneer and Commercial Poles and Piles.

Pursuant to P.D. 705, as amended and R.A. No. 1239 dated June 8, 1955, the following regulations governing the registration of agents, contractors and dealers on imported logs, lumber, veneer, commercial poles and piles are hereby issued for the information and guidance of all concerned.

Sec. 1 Basic Policy and Objectives. In consonance with the forest resource sustainable development thrust of the government and to provide an effective monitoring and disposition of imported logs, veneer, commercial poles and piles, it is hereby declared as a national policy that importers of the above commodities shall register with the DENR to be accredited as agents, contractors or dealers thereof.

Consistent with the above policy, the following objectives shall be pursued:

- a. Complement the sustainable development program of the government through the close and effective monitoring of the movement of imported wood materials;
- b. Promote the rational development of the wood and panel-based industries; and
- c. Provide safeguards against misdeclaration of locally sourced wood materials as coming from imported raw materials or vice-versa.

Sec. 2 Who may apply. The provisions of extant regulations notwithstanding all persons authorized to import logs, lumber, veneer or commercial poles and piles and who themselves shall process or dispose locally said imported commodities, shall apply with the Office of the Regional Executive Director concerned for a Certificate of Registration as agent, contractor or

dealer, copy furnished the Director of Forest Management Bureau (FMB), subject to the guidelines hereunder provided.

Sec.3 Registration Requirements. In order that an application duly filed may be considered, the following basic supporting documents shall accompany said application:

- 3.1 Authenticated copy of authority to import logs, lumber, veneer or commercial poles and piles;
- 3.2 Authenticated copy of sales/supply contract with a foreign exporter of said wood commodities sworn to by the local importer as a binding legal instruments; and
- 3.3 Authenticated copies of import documents covering the imported commodities.

Sec. 4 Schedule of Fees and Bonds. For every application of a new or renewal of a Certificate of Registration issued in consonance herewith, the following shall be collected:

- 4.1 Application Fee - P 500.00
- 4.2 Registration Fee - P 400.00
- 4.3 Cash Bond - P 10,000.00 (In case of surety bond, the cash bond shall be increased by at least 25%)

Sec. 5 Validity. A Certificate of Registration issued in consonance with this Order shall be valid for a period not exceeding one (1) year, subject to renewal for a similar period upon application and proper compliance with existing DENR rules and regulations.

Sec. 6 Responsibilities of Registered Agents, Contractors or Dealers. Holders of Certificates of Registration shall:

- 6.1 Display the Certificate of Registration within the establishment's premises exposed to public view;

- 6.2 Submit to the DENR a monthly report on imported logs, lumber, veneer or commercial poles and piles not later than the fifth (5th) day of the succeeding month to include, among others, the following information:
 - 6.2.1 Balance of previous months;
 - 6.2.2 Purchase(s) made during the month under report;
 - 6.2.3 Total volume/quantity handled;
 - 6.2.4 Volume processed/sold; and
 - 6.2.5 Balance at end of the month.
- 6.3 Secure from the RED concerned or his authorized representative a written authority before disposing through sales the imported raw materials consisting of logs, lumber and veneer to local wood processors;
- 6.4 Allow authorized DENR personnel to inspect the premises where the imported wood materials are stored and to examine records concerning withdrawals or disposition of same; and
- 6.5 Provide such other related information as may be required by the Secretary or his authorized representative.

Sec.7 Authority to Issue Additional Instructions. The Undersecretary for Field Operations is hereby authorized to issue additional guidelines and instructions for the effective implementation of this Order.

Sec.8 Definition of Terms. For purposes of this Order, the following terms shall be construed to mean as defined hereunder:

- 8.1 Agent - a person authorized in writing by another person to act for and in behalf of the principal, for the production, procurement, sale or other means of disposal of logs, lumber, veneer or commercial poles and piles.
- 8.2 Contractor - a person who enters into a written contract or agreement with another for whom he undertakes to produce, procure, furnish or sell logs, lumber, veneer, or commercial poles and piles.

- 8.3 Commercial poles and piles - large stakes or pieces of timber for foundation or harbor works.
- 8.4 Dealer - a person, who, for himself or on commission, sells or offers for sale logs, lumber, veneer or commercial poles and piles.

Sec. 9 Penalty Clause. In consonance with the provisions of R.A. 1239, persons found directly or indirectly responsible for violation of any of the provisions of this Order or the terms and conditions stipulated in the Registration Certificate shall be penalized by a fine of not more than One Thousand Pesos (P 1,000) or imprisonment of not more than one (1) year, together with the cancellation of the Certificate of Registration.

Sec. 10 Repealing Clause. Forestry Administrative Order No. 26, Series of 1956 and all orders, memoranda, circulars and instructions inconsistent herewith are hereby repealed.

Sec. 11 Effectivity. This Order shall take effect upon acknowledgement from the U.P. Law Center and after fifteen (15) days from the date of publication in at least two (2) newspapers of general circulation.

ANGEL C. ALCALA
Secretary

Recommended By:

ATTY. LOPE D. REYES
FMB, Director

DENR Administrative Order
No. 18
May 25, 1994

SUBJECT : Guidelines Governing the Cutting, Gathering and Disposition of Edible Fruit-bearing Trees.

Pursuant to Act No. 2812 and in line with the sustainable development of the country's natural resources, at the same time provide a healthy environment as well as edible fruits for the enjoyment of the citizenry, the following guidelines governing the cutting, gathering and utilization of edible fruit-bearing trees are hereby issued for the information and guidance of all concerned:

Sec. 1 Basic Policy. As enunciated in Act No. 2812, the unauthorized cutting within forest lands of the following edible fruit-bearing trees/shrubs for timber or firewood is prohibited:

- 1.1 Eugenia Spp. (Tampoy, Makopa, Yambu, etc)
- 1.2 Euphoria didyema (alupag); E. gracilis (Boboa)
- 1.3 Mangosteen
- 1.4 Pili
- 1.5 Balobo
- 1.6 Baluno
- 1.7 Bulala
- 1.8 Gumihan
- 1.9 Marang
- 1.10 Nangka or Langka
- 1.11 Lanzones
- 1.12 Kamagong or Mabolo
- 1.13 Alupag-amo
- 1.14 Paho or Pahutan
- 1.15 Guava or Bayabas
- 1.16 Durian or Dulian
- 1.17 Others, the fruits of which can be used as food for human being and wildlife.

Moreover, and in consonance with the spirit and intents of P.D. No. 953, the cutting, destroying, damaging or injuring of naturally growing or planted

trees along roads in land subdivisions or areas therein, is likewise prohibited unless authorized under a permit issued by the Secretary or his authorized representative.

Sec. 2 Objectives. In line with the foregoing policy, the following objectives are sought to be attained:

- 2.1 Protection of the environment and maintenance of a desirable ecosystems balance;
- 2.2 Provide edible fruits for the consumption or enjoyment of the citizenry as well as food for wildlife;
- 2.3 Curtail the proliferation of unauthorized cutting of edible fruit-bearing trees.

Sec. 3 Authority to Cut. The cutting, gathering and utilization of edible fruit-bearing trees inside forest lands may be allowed, **PROVIDED**, that the same is in accordance with the approved Integrated Annual Operations Plan or the Comprehensive Management and Development Plan, as the case maybe.

In the case of private lands, the cutting, gathering and disposition of naturally growing edible fruit-bearing trees may be authorized under a Private Land Timber Permit (PLTP), **PROVIDED**, that the land under consideration is not within logging ban or moratorium area; **PROVIDED FURTHER**, that the requirements called for under existing rules and regulations have been properly complied with; **PROVIDED FINALLY**, that the application is supported by a Certificate from the Secretary, Department of Agriculture or his authorized representative that the edible fruit-bearing tree(s) applied for may be cut.

Sec. 4 Authority of the DENR Regional Executive Director (RED) to enter into Agreement with the Regional Director of the Department of Agriculture. The DENR Regional Executive Director (RED) concerned is hereby authorized to enter into an agreement with the Regional Director of the Department of Agriculture to closely monitor and implement the provisions of this Order particularly fruit-bearing trees found within private lands.

Sec. 5 Transport/Shipment Requirements. The transport/shipment of timber, including the products derived therefrom, which have been

cut and gathered in consonance with this Order shall be accompanied by the Certificate of Origin or Verification required under DAO No. 07, Series of 1994, together with other documents required thereof.

For wood materials coming from the Autonomous Region in Muslim Mindanao (ARMM), the transport thereof shall be documented jointly with the nearest DENR Office, subject to the applicable terms and conditions stipulated in the Memorandum of Agreement entered into by and between the DENR and ARMM on October 1, 1992, and the provisions of DENR Memorandum Circular No. 15, Series of 1992.

Sec. 6 Penal Provision. Any violation or infraction of any of the provisions of this Order shall be penalized in accordance with existing forestry laws, rules and regulations.

Sec. 7 Effectivity. This Order shall take effect fifteen (15) days after publication in two (2) newspaper of general circulation.

ANGEL C. ALCALA
Secretary

DENR Administrative Order
No. 19
June 02, 1994

SUBJECT : Amending Section 2 of DENR Administrative Order No. 54, Series of 1993, as Amended.

Pursuant to Presidential Decree No. 705, as amended by Executive Order No. 227 and Executive Order No. 192, and in order to strengthen forest law enforcement, Section 2 of DENR Administrative Order No. 54, Series of 1993, as amended by DENR Administrative Order No. 67, Series of 1993, is hereby amended to read as follows:

“Section 2. Conveyances Subject to Confiscation and Forfeiture
- All conveyances used in the transport or movement of logs, lumber or any forest product cut, gathered or removed illegally or possessed without the legal documents in accordance with Sections 68 and 68-A of P.D. 705 shall be confiscated and subject of forfeiture in favor of the government and disposed in accordance with pertinent laws, regulations or policies on the matter. This provision shall not apply to passenger public conveyances unless said public conveyances are specially hired or contracted for the transport or movement of the logs, lumber or forest products mentioned herein.”

This Order shall take effect fifteen (15) days after submission of a copy thereof to the UP Law Center as provided under the Administrative Code of 1987.

BEN S. MALAYANG III
Acting Secretary

DENR Administrative Order

No. 23

July 14, 1994

SUBJECT : Expanding the Authority of the Regional Executive Directors in the Enforcement of Forestry Laws.

In the interest of the service and the consuming public, and pursuant to Republic Act No. 7581, otherwise known as the Price Act of 1991, and Presidential Decree No. 705 (PD 705), as amended, otherwise known as the revised Forestry Code of the Philippines, the Regional Executive Directors are hereby authorized to do and perform the following acts for and in behalf of the Secretary, Department of Environment and Natural Resources:

1. To file and institute a formal charge (Appendix "A") against any person, company or entity who is found, upon verified complaint/reports supported with documents and other papers, committing any act or activity in violation of Section 79, of Presidential Decree No. 705 and Republic Act 7581, with reference to wood and other forest products;
2. To designate the RTD for Forestry, PENROs and CENROs concerned to act as the Investigation/Mediation or Prosecution Officer where their services are necessary;
3. If during mediation, respondent admits the violation, the Investigator/Mediator shall issue the decision and impose such administrative penalties provided under Republic Act No. 7581, and or Section 79 of Presidential Decree 705, as amended. If respondent does not admit the violation, the Mediation/Investigation Officer shall file a statement of violation with the Regional Office concerned;
4. The Regional Executive Director, or their duly authorized representative shall adjudicate the case and impose the appropriate administrative penalties in accordance with the applicable provisions of Republic Act 7581 and/or P.D. 705, without prejudice to criminal or

civil actions that may be taken for the same violation. Their decision on the case shall be final, unless appealed to the Secretary within ten (10) days from receipt of the decision.

This Order modifies/supersedes existing orders inconsistent herewith and shall take effect immediately.

ANGEL C. ALCALA
Secretary

Recommended by:

ATTY. LOPE D. REYES
Director
Forest Management Bureau

DENR Administrative Order
No. 27
August 11, 1994

SUBJECT : Creation of Regional Special Operations Group (RSOG) and Multisectoral Forest Protection Councils (MFPC) in All Regions, DENR.

In the interest of the service and in line with the mandate of the DENR to ensure the protection of the natural resources of the country, there is a need to strengthen the enforcement and developmental capabilities of the regional offices.

In line with this, a Regional Special Operations Group (RSOG) is hereby created in each region. The Group Leader shall be designated by the Secretary, upon recommendation by the Undersecretary for Field Operations and the REDS, to be selected from among those personnel in the region with ranks of at least CENRO.

The RSOG shall be reporting directly to the Regional Executive Director and shall receive instructions from the Secretary and the Undersecretary for Field Operations on operations to be conducted; it may be utilized by the REDs to beef up capabilities in different areas within the operational jurisdiction of the regional office. They shall conduct intelligence and surveillance operations of illegal logging, mining and other illegal environmental and natural resources related activities and submit plans to the REDs on how to stop such activities.

Multisectoral Forest Protection Councils (MFPC) are likewise to be created in all regions. Funds necessary in the effective execution of MFPC and RSOG tasks shall be taken from the regional budget to be augmented from special funds coming from the Office of the Undersecretary for Field Operations.

This Order shall take effect immediately.

ANGEL C. ALCALA
Secretary

DENR Administrative Order
No. 30
September 30, 1994

SUBJECT : Implementing Guidelines for Non-Government Organization Assisted Community-Based Mangrove Forest Management (NGO-Assisted CBMFM) for the DENR.

Pursuant to Executive Order No. 192 and the Coastal Environment Program and in order to promote environmental awareness, social equity, economic development and sustainable resources management in coastal communities, the following guidelines are hereby promulgated.

Sec. 1 Statement of Policy and Objectives. It is the policy of the State to conserve the country's biological diversity and endangered habitats by mobilizing stakeholders to serve as effective partners.

It is, therefore, in this regard that the Department of Environment and Natural Resources hereby adopts an NGO-Assisted Community-Based Mangrove Forest Management (NGO-Assisted CBMFM), the primary objective of which is to transfer all existing traditionally-dependended upon mangrove forests under an effective community-based management.

The specific objectives of this system shall be:

1. To identify, train and orient traditional mangrove users and other coastal resources dependents in effective community-based management;
2. To enlist the help of NGOs with exemplary track record in natural resouces management, particularly mangrove forest management, as partners of the government in identifying, training and orienting the target clientele;
3. To rehabilitate traditionally depended upon/used mangrove forest thru an NGO-Assisted CBMFM;

4. To expand and develop the existing mangrove forest to provide for the increasing demand for products derived therefrom and sustain the production of these products and services based on the Sustainable Yield (SY) of the resource.

The key elements of the CBMFM concept are as follows:

1. Provision of security of tenure for coastal residents/mangrove dependents;
2. Reorientation of values such as internalizing concern and commitment for the protection and conservation of mangroves;
3. Induce technical capability of coastal residents/traditional mangrove users;
4. Encourage community-based initiatives on hands-on- management, in consonance with people empowerment;
5. Identification of the direct stakeholders/mangrove dependents;
6. Initial emphasis on the sustainable management of existing mangrove resources and recognition of sustainable traditional resource utilization patterns and innovations to suit the current situations; and DENR's effort in realizing a community managed coastal environment.
7. Implementation of a total area management approach and zonification of areas to provide for a comprehensive Coastal Resources Management Scheme; and
8. Active participation of technically capable NGOs engaged in Community Organizing (CO) activities and people empowerment.

On the other hand, the NGO-Assisted CBMFM arrangement should produce the following outputs:

1. Active, self-sustaining mangrove depends/groups/ organization, preferably a part of the existing Fishermen's Cooperatives/Associations (FCs/FAs);

2. Mangrove Stewardship Agreements (MSAs) between the DENR and the mangrove dependents;
3. A comprehensive socio-economic profile of coastal communities adjacent/bordering or within the mangrove forest;
4. A resource profile of the awarded MSA areas; and
5. Minimization of open access to the resources and the protection and management of coastal resources.

Sec. 2 Definition of Terms. For the purpose of this order, the following terms shall be defined as follows:

- a. **Stakeholder** - a person or an entity which relies mainly on the mangroves as his primary source of livelihood; or his main source of livelihood (i.e. fishing, sea farming, sea ranching, etc.) relies heavily on the productivity and survival of the mangroves.
- b. **Traditionally depended upon mangrove forest** - is any mangrove forest within a timberland which is being made the source of livelihood ever since, on a daily and periodic basis by the mangrove stakeholder.
- c. **Sustained yield** - is the amount of harvestable material which can be removed from an ecosystem over a long period of time with no apparent deleterious effect on the ecosystem.
- d. **Non-destructive livelihood alternatives** - are livelihood activities guided by the sustained yield principle. Non-destructive alternative livelihood requires optimum sustainable harvesting of material and minimum disturbance on the processes and homeostatic qualities of the ecosystem.
- e. **Integrated Area Management Approach** - a management approach which encompasses socio-economic, cultural and bio-physical components/attributes of a management area. It capitalizes on the interrelationship and interdependency of these components/attributes and

maximizes the cumulative effect of these components/ attributes to each other and to the whole management area.

- f. **Integrated Coastal Resources Management Approach** - refers to the management of coastal resources, and the interlinking processes within and between the resources and their environment. This is an Integrated Area Management Approach for the coastal zone.
- g. **Special Interest Group** - refers to any group or entity bound by a certain and specified interest, issues and concerns.
- h. **Steward** - someone entrusted with the resources of another for the purpose of exercising stewardship by providing care, protection and management to improve quality and productivity of those resources.
- i. **Stewardship contract/agreement** - refers to a contract entered into by and between an individual mangrove user or mangrove user association or cooperative and the government which grants the former the right to the exclusive use of a specified mangrove area in return for managing that area according to a Stewardship Plan. It is hereinafter called the **Agreement**.

Sec. 3 Coverage. This Order shall cover all naturally grown mangrove forests except those set aside for the purpose of research and preservation and those covered by valid Ordinary Fishpond Permits (OFP) or Fishpond Lease Agreement (FLA). Established and terminated/turned-over mangrove plantation forests funded through the National Forestation Program and Fisheries Sector Program are also covered.

The beneficiaries of the MSA/CMSA are prioritized according to the following:

1. Traditional Claimants and Mangrove dependents/users (firewood cutter, charcoal maker, nipa shingle producer, etc.);
2. Fishermen's Associations/Cooperatives;
3. LGUs/Barangay/Municipality

Sec. 4 Operational Concept. The NGO-Assisted CBMFM system shall have three (3) phases:

- a) Resource Assessment and Social Preparation phase
- b) Development and Management phase
- c) Monitoring and Evaluation phase

Each of the phases shall have the following activities:

4.1 Resource Assessment and Social Preparation.

4.1.1 Assessment and survey of mangrove areas.

Targeted mangrove areas shall be surveyed. Resource assessment activities shall be conducted to come up with an updated resource profile of the targeted areas. Based on the updated resource profile of the area proposed, a zonification plan shall be drafted to be presented to the community/ participants for evaluation, discussion and approval.

4.1.2 Public Information Campaign (PIC) and Socio-Economic profiling of coastal communities within and adjacent to the mangrove areas.

Value awareness and perception of coastal communities towards the resource shall likewise be assessed and used as basis of the Information, Education and Communication (IEC) Campaign/ Technical Training programs to be implemented.

4.1.3 Tapping of NGOs with technical expertise and actively participating in Community Organizing (CO) activities in target areas as Assisting Organizations (AOs).

In cases where this is not feasible, Local Government Units (LGUs) and DENR Field Offices (FOs) shall be made as venue

to extension activities. The aim of this activity is to reorient the perception of the coastal communities on mangroves and to provide for the technical capability building of coastal residents/ mangrove dependents.

4.2 Development and Monitoring

4.2.1 Awarding of Mangrove Stewardship Certificates (MSCs) to deserving individuals or groups within community.

Through the DENR Field Offices, technical assistance to the community shall be provided in drawing up a twenty five (25) year management plan and in the rehabilitation of the awarded areas. The management plan shall follow the outline provided in DENR Administrative Order No. 03, Series of 1991.

4.2.2 Assistance by DENR in the rehabilitation of awarded areas by providing planting materials and technical assistance.

All labor inputs in developing and rehabilitating the MSA areas shall be the counterpart provided by the steward free of charge. Where applicable, indigenous species shall be recommended for planting. Rehabilitation should be made within six months after the awarding of Mangrove Stewardship Agreement (MSA).

4.2.3 Introduction of Mangrove based non-destructive alternative livelihood projects (rock mound, crab traps, crab fattening etc.) by the DENR through technology transfer and assistance on credit support/sourcing.

4.2.4 Zonification of the CBMFM areas

This shall be encouraged to identify the production and protection areas. Zonification activities shall be conducted by stewards assisted and formalized by the DENR.

4.2.5 The biological diversity of the naturally grown mangrove forest covered by the agreement shall be preserved. In case of denuded

areas covered by the agreement, the natural diversity of mangroves shall be considered by planting mixed species subject to species site matching requirements.

4.3 Monitoring and Evaluation

- 4.3.1 Monitoring and Evaluation of MSA site shall be made yearly during the first five years of implementation, and every fifth year thereafter.

During the first year after the awarding of the MSA, bi-monthly monitoring shall be made to insure the implementation of the six-month rehabilitation phase.

Sec. 5 Contract Processing. The procedures in the processing of contracts are as follows:

- 5.1 The target partner NGO/AO shall submit to the DENR an Indicative Development Plan including maps duly endorsed by the Provincial Environment and Natural Resources Officer (PENRO) and Community Environment and Natural Resources Officer (CENRO) concerned. The proposal must be accompanied by the following documents.
- 5.1.a Letter of Intent addressed to the Undersecretary for Field Operations (FOs)/ Regional Executive Director (RED) concerned;
 - 5.1.b Endorsement from the Community/Fishermen's Association/ People's Organizations, Barangay Councils and LGU's;
 - 5.1.c Certification of availability and feasibility of the site from the CENRO;
 - 5.1.d Registration Certificate from the Securities and Exchange Commission or Cooperative Development Authority;
 - 5.1.e organizational structure (including biodata of officers)

- 5.1.f Track record on environment and natural resources management including community organizing;
- 5.1.g DENR Accreditation as an NGO;
- 5.1.h Proof of financial capability of the NGO.

The Indicative development plan should follow the format as described in Appendix C of this order.

- 5.2 A National/Regional Evaluation Committee shall be created by the Undersecretary for Field Operations and the Regional Executive Director concerned, respectively with the following composition:

- 5.2.a National Evaluation Committee

- Coastal Environment Program Coordinator - Chairman
- Program Manager/Project Leader of Mangrove-Related Projects - Member
- NGO Desk Representative - Member
- Representative from FASPO - Member
- Representative from CEP - Member

- 5.2.b Regional Evaluation Committee

- CEP Regional Coordinator - Chairman
- Regional Representative of mangrove-related projects - Vice-Chairman
- One Representative each from Forest Management Sector, and concerned CENR and PENR Offices - Members

- 5.3 The criteria to be used in the evaluation of the proposal shall be:

- 5.3.1 Track Record of NGO - 20%
- 5.3.2 Development Plan - 30%

5.3.3	Financial Capability minimum of three (3) months working capital	- 10%
5.3.4	Site-Based	- 20%
5.3.5	Facilities/Assets	- 5%
5.3.6	Involvement of NGO in the coastal resources management activities	- 15%
	TOTAL	- 100%

In case of a tie in an area, the contract shall be awarded to proponent with highest rating on the development plan.

5.3.7 The Evaluation Committee shall request the proponents to present their proposal during the convention of the Committee.

Sec. 6 Awarding of Contracts. Mangrove Stewardship Contracts/Agreements (MSC/A) or Community Mangrove Stewardship Contracts (CMSC) shall be used as tenurial arrangements using DENR Administrative Order No. 3, s. 1991 as implementing guidelines. The contracts shall be awarded and funded under Object Class 29 (Other Services as Contract of Service), attached as Annex A of this Order.

The contracts shall be awarded by DENR Officials in accordance with Memorandum Order No. 5, s. 1993, as follows:

- a. Issuance of Individual Certificates of Stewardship Contracts, maps, and other supporting documents
 - a.1 for areas not more than 5 ha.
 - reviewing/recommending official: Project site Manger/ISF CENRO coordinator
 - approval: CENR Officer

- a.2 for areas more than 5 ha. to 7 ha.
 - reviewing/recommending official: PENR ISF coordinator/
concerned CENR Officer
 - approval: PENR Officer
- a.3 for areas more than 7 ha. to 12 ha.
 - reviewing/recommending official: PENR Officer Regional
ISF Coordinator
 - approval: RED
- b. Issuance of Communal/Community Forest Stewardship Agreement
 - reviewing/recommending official: RED/USEC for Field Operations
 - approval: Secretary

First phase activities as enumerated in section 4.1 of this Order shall have a duration of three months. The activities under the second phase (Section 4.2) must be undertaken for not more than one year but not less than nine months. The third phase shall cover the contract duration starting after the first month after the contract is effected. The monitoring of the activities stipulated in the Mangrove Stewardship Agreements shall be guided by the stipulations provided in Section 4.3.1

- 6.1 The Contract of Service for the NGO Assisted CBMFM shall be awarded by the DENR officials as follows:
 - 6.1.1 The Regional Executive Directors/CEP National Coordinator shall award Contract of Services for NGO-Assisted CBMFM amounting to not more than P 1,000,000.00 which shall be recommended by the Regional CEP Coordinator.
 - 6.1.2 The Department Secretary shall award Contract of Services for NGO Assisted CBMFM amounting to more than P 1,000,000.00

which shall be recommended by the Undersecretary for Field Operations and/or concerned Regional Executive Directors.

Sec. 7 Contract Duration. Contract for NGO-assisted CBMFM shall have the following duration:

7.1 For FSP Covered Bays

The duration of contract of NGO-Assisted CBMFM in areas within the twelve (12) critical bays shall be fifteen (15) months.

7.2 Other Areas

For areas outside the Community Organizing (CO) coverage of the Fisheries Sector Program (FSP), the duration will be at most three (3) years. Contracts shall be renewed every end of each calendar year. Areas with existing community based organizations (Fishermen cooperative, People's Organizations, etc.) shall be prioritized/preferred to defer/minimize cost for community organizing.

Extension of contracts shall be recommended upon evaluation of the expiring contract by the community and the Evaluation Committee under Section 4.2 of this Order.

Sec. 8 Duties and Responsibilities. The implementation of the contracts shall be the responsibility of the non-government organizations, the MSA/ CMSA holders and the DENR field offices as enumerated hereunder:

8.1 Non-Government Organizations

- 8.1.1 Conduct a survey of mangrove users, uses and level of dependence in each barangay;
- 8.1.2 Disseminate information on the value and management of mangroves to the community as a whole;
- 8.1.3 Mobilize concerned barangay residents to participate in the

mangrove rehabilitation and mangement program as part of an existing community group or as a new special interest group;

- 8.1.4 Provide training and assist concerned residents/associations/cooperatives to undertake their role as stewards of the mangrove resources to be awarded to them;
 - 8.1.5 Assist concerned residents to agree on criteria for participation in the program and for the allocation of available areas for production, limited production and protection and then to allocate the area among qualified participants;
 - 8.1.6 Contract the formal parcellary survey if it cannot be underaken by the DENR;
 - 8.1.7 Assist the mangrove stewards to develop and undertake initial implementation of a six (6) month rehabilitation and twenty five (25) year stewardship area management plans;
 - 8.1.8 Assist the mangrove stewards to collect local planting materials and procure outside of the site whatever mangrove planting materials may be required for the rehabilitation program if local sources are not adequate/suitable;
 - 8.1.9 Assist the DENR in the issuance of Mangrove Stewardship Agreements;
 - 8.1.10 Assist interested individuals to undertake non-destructive mangrove-based livelihood activities, including assistance in sourcing of credit, if needed;
 - 8.1.11 Include mangrove activities in regular reports submitted to the DENR and/or DA.
- 8.2 MSA/CMSA Holder consultative dialogues shall be conducted by the PENRO, CENRO, ERDS and ISF Units, to be coordinated with the AOs and target clientele.

Costing per activity as described in Annex "B" of this Order shall be followed.

Sec. 9 Reporting. The CENR and PENR Offices shall submit monthly progress reports on the CBMFM implementation on or before the **25th day of the month**, to the Regional Executive Director, thru the CEP Regional Coordinator. The Regional CEP Coordinator shall submit the monthly Regional Progress Report every **28th day of the month** to the Project Director/Project Manager of FSP and National Forestation Development Office (NFDO).

Sec. 10 Monitoring and Evaluation. Monitoring activity shall be conducted on a monthly basis by a composite team of PENRO/CENRO and Regional personnel coordinated by the CEP Regional Coordinator assisted by FSP/NFDO Representative. The MSA area shall be subjected to MES-ICM at the end of the CBMFM contract, or six (6) months after the MSA/CMSA is awarded. MES-ICM may be contracted to independent entities/contractors or conducted by the field offices composite inspection teams. MES-ICM awarding shall be guided by the provisions of DENR Administrative Order No. 31, s. 1992.

Sec. 11 Penal Provision. All stipulations incorporated in the contract shall be governed by the Civil Code.

Upon cessation of activities due to any violation of the contract by the Contractor, the Contractor's right to compensation shall cease. No costs of any activities rendered by the Contractor after the date of such motion shall be reimbursed. The DENR may exercise its right to file case and/or collect damages incurred thereof.

Sec. 12 Repealing Clause. All administrative Orders, Memoranda and regulations inconsistent herewith are hereby amended or revised.

Sec. 13 Effectivity. This order shall take effect fifteen days after its publication in a newspaper of national circulation.

ANGEL C. ALCALA
Secretary

ANNEX "A"

CONTRACT OF SERVICE FOR NGO-ASSISTED COMMUNITY-BASED MANGROVE FOREST MANAGEMENT (CBMFM)

KNOW ALL MEN BY THESE PRESENTS:

This **CONTRACT** made and entered into by and between:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**, with principal office at _____ represented by _____ hereinafter referred to as DENR;

- and -

The _____, a duly registered Non-Government Organization (NGO) with official address at _____, _____ and represented by _____, hereinafter referred to as the **CONTRACTOR**;

WITNESSETH

WHEREAS, there is a need to enhance the capabilities of the communities in the mangrove areas and establish sustainable community organizations at the community level.

WHEREAS, the DENR in recognition of its limited manpower and

equipment to provide for the day-to-day supervision of CBMFM activities and the availability and capability of the Environmentally oriented NGOs as its extension arm in the coastal areas and as assisting organizations in the DENR's effort in realizing a community managed coastal environment.

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual covenant hereinafter set forth, the parties have agreed as they hereby agree on the following terms and conditions, to wit:

I. OBLIGATIONS OF THE PARTIES

The **DENR** shall:

- a. Periodically inspect, monitor and evaluate the capability building and other related activities covered by this agreement being conducted by the Contractor;
- b. Pay the Contractor the amount corresponding to the work actually accomplished on a monthly basis or as per agreement between the DENR and the Contractor which shall be an integral part of this contract ;
- c. Provide technical information, guidelines and assistance to the Contractor, particularly on forest rehabilitation and management, whenever requested by the latter; and
- d. Inspect/validate reported accomplishments of the Contractor in connection with the latter's progress billings and release the corresponding payment as expeditiously as possible.

The **CONTRACTOR** shall perform the following activities:

1. Conduct Public Information campaign (PIC)/Education Information and Communication (IEC) activities and disseminate information on value and management of mangroves to the community as a whole;

2. Socio-Economic Profiling and conduct of Mangrove Awareness Survey;
3. Prepare a comprehensive report with photographs, and which shall include a detailed discussion of process employed;
4. Identification of mangrove resources direct dependents;
5. Mobilize mangrove dependents to be part of the existing Fishermen Cooperatives/Associations (FCs/FAs) or other people's organization;
6. Assist concerned residents to agree on a criteria for participation in the program and for the allocation of the available areas for production and protection purposes and then to allocate the area among qualified participants;
7. Provide capability building thru trainings and workshops; and assist concerned residents/associations/ cooperatives to undertake their role as stewards of the mangrove resources to be awarded to them;
8. Assist the mangrove stewards to develop a twenty-five (25) year stewardship area management plan and to undertake initial implementation of six (6) month rehabilitation and;
9. Assist the mangrove stewards to collect local planting materials and procure outside of the site whatever mangrove planting materials may be required for the rehabilitation program, if local sources are not adequate or suitable;
10. Assist the DENR in the issuance of Mangrove Stewardship Agreements;
11. Assist interested individuals to undertake non-destructive mangrove-based livelihood activities, including assistance in networking and sourcing of credit, if needed;

II. CONTRACT PRICE

The Contract Price to be allotted for activities shall be **ONE THOUSAND NINE HUNDRED SEVENTY FIVE PESOS only (1,975.00)** per hectare.

III. SCHEDULE OF PAYMENT (see attached Annex B)

IV. GROUNDS FOR TERMINATION

The DENR may terminate this contract on any of the following grounds:

- a. Failure of the contractor to carry out any of the activities stated in the Contract.
- b. Falsification, misrepresentation or fraud in preparation of documents/reports billings submitted and any negotiations herein sent to the DENR.
- c. Failure to post performance bond on a yearly basis.
- d. The contractor quits or leaves the place where it is supposed to do the work, without justifiable reasons.
- e. Majority of the identified CBMFM participants rejects the NGO contractor due to its failure to implement the activities.

Upon such termination, the Contractor's right to compensation shall cease. No costs of any activities rendered by the Contractor after the date of such motion shall be reimbursed. The DENR may exercise its right to file a case and/or collect damages incurred thereof.

V. FORCE MAJEURE

When the Contractor is unable to complete performance of its services under the contract by reasons beyond the control of both the DENR and the contractor such as force majeure as defined in Memorandum Circular No. 9, Series of 1991, the Contractor shall be compensated for the activities actually accomplished and verified by the evaluation team.

VI. DISPUTES

In case of disagreements arising from a contract entered into, the Complainants shall submit to the Evaluation Committee a brief statement of facts, the issue(s) in dispute, and his/her position thereon. Within fifteen (15) days from receipt of the Complainant's position paper, the Committee shall render its decision in writing furnishing a copy thereof to the Contractor.

VII. SUBCONTRACTING

Community Organizing Contractors are hereby prohibited from subcontracting or assigning, wholly or in part the services/ activities contracted under this contract.

VIII. PERFORMANCE BOND/SURETY BOND

The contractor shall post performance bonds equivalent to 10% of the total contract cost, callable on demand for the duration as herein stipulated, seven (7) working days after signing of this contract. The contractor shall also post bond for the mobilization funds if the contractor opts to secure such funding. Mobilization Fund shall not exceed fifteen percent (15%) of the total contract amount.

IX. ACCEPTANCE

Acceptance of all work performed hereunder shall be made by any of the following: Program Manager, NFDO Director, National Coordinator of Coastal Environment Program, Regional Coordinators and Regional Executive Director.

SECRETARY

CONTRACTOR

Department of Environment and Natural Resources

ANNEX “B”

MAXIMUM COSTINGS OF ACTIVITIES OF THE COMMUNITY-BASED MANGROVE FOREST MANAGEMENT (CBMFM) FOR AREAS COVERED BY THE FSP/NFDO CONTRACTED NGOs DOING COMMUNITY ORGANIZING

	ACTIVITIES	COST/HA
1.	Conduct information education campaign (IEC) and disseminate information on value and management of mangrove to the community as a whole.	50/ha
2.	Socio-Economic Profiling and conduct of Mangrove Awareness Survey.	50/ha
3.	Preparation of a comprehensive report with and shall include a detailed discussion of process employed.	50/ha photographs,
4.	Mobilize mangrove dependents to be a part of the existing Fishermen Cooperatives/Associations (FCs/FAs) organized to be the partner in FSP implementation thru orientation.	100/ha
5.	Provide Training on Technical Capability Building to Mangrove Dependents:	
a.	Introduction to Coastal Environment	75/ha
b.	Introduction to Mangrove Ecosystem (productivity role and inter-action with the Coastal Environment, Economic Benefits)	100/ha

- | | | |
|----|-----------------------------------|--------|
| c. | Values (Technical and Managerial) | 100/ha |
| d. | Parcellary survey | 100/ha |
| e. | Preparation of MSA | 100/ha |

30% shall be released upon the completion of the following activities:

- a. Awarding of MSA
- b. Submission of Criteria for the participation on MSA
- c. Procurement of Planting Materials
- d. IEC
- e. PIC

10% shall be released upon submission of the 25 year Development Plan and Mobilization of 2nd batch for MSA awarding.

15% upon submission of documents and upon turn-over.

RETENTION FUND

Retention fund of 15% shall be released upon completion and acceptance of the NGO-Assisted CBMFM contract and upon evaluation, if and when at least 60% of the area targeted for rehabilitation has been completed.

ANNEX C: OUTLINE OF THE INDICATIVE DEVELOPMENT PLAN

- I. EXECUTIVE SUMMARY
- II. RATIONALE
- III. DESCRIPTION OF THE PROJECT SITE
 - A. Location of the Site
 - B. Vegetative Condition of the Mangrove Area Targeted
 - C. Socio - Economic Profile of Communities Within and Adjacent to the Targeted Area
 - D. Threats on the Mangrove Areas
- IV. PROJECT OBJECTIVES
- V. DEVELOPMENT STRATEGIES / ACTIVITIES
 - A. Mangrove Rehabilitation
 - B. Community Mobilization and Capability Building
 - C. Alternative Livelihood
 - D. Resource Inventory
 - E. IEC / PIC
 - F. Linkages / Networking
 - G. Reporting
- VI. WORK PLAN
- VII. FINANCIAL PLAN

DENR Administrative Order

No. 31

September 06, 1994

**SUBJECT : Amending Section 17.8 of DAO 7, Series of 1994
Redefining the Coverage of Greater Manila Area.**

Pursuant to PD 705 as amended, and its implementing rules and regulations and in line with the policy of the government to support the immediate wood material needs of dependent industries and communities in areas adjacent to or nearby Metro Manila, the territorial coverage of Greater Manila Area as defined in Item 17.8 of Department Administrative Order No. 7, Series of 1994 is hereby expanded.

1. Greater Manila Area - refers to the cities and municipalities covered by the National Capital Region (NCR) which includes the City of Manila, Caloocan City, Pasay City, Quezon City, Las Pinas, Makati, Malabon, Mandaluyong, Marikina, Muntinlupa, Navotas, Paranaque, Pasig, Pateros, San Juan, Taguig, Valenzuela; the Municipalities of Meycauayan, Marilao, Bocaue, Balagtas and Guiguinto, Province of Bulacan; the Municipalities of San Pedro, Binan, Sta. Rosa, Cabuyao, Calamba, Los Banos, B A Y, Calauan, and City of San Pablo, Province of Laguna; the Municipalities of Antipolo, Cainta, Taytay, San Mateo and Montalban, Province of Rizal; the Municipalities of Sto. Tomas, Tanauan and City of Lipa, Province of Batangas; the entire Provinces of Cavite, PAMPANGA, BATAAN, AND TARLAC; OLONGAPO CITY, AND MUNICIPALITIES OF SUBIC, CASTILLEJOS, SAN MARCELINO, SAN ANTONIO, SAN NARCISO, SAN FELIPE, CABANGAN, BOTOLAN AND IBA, PROVINCE OF ZAMBALES.
2. DENR Administrative Order No. 7, Series of 1994 and other pertinent laws, rules and regulations inconsistent herewith are hereby modified and/or repealed.
3. This Order shall take effect upon acknowledgement by the U.P. Law Center and after publication in a newspaper of general circulation.

ANGEL C. ALCALA

Secretary

DENR Administrative Order
No. 33
September 12, 1994

SUBJECT : Adoption of the Multi-sectoral Forest Protection Committee Manual of Procedure (MFPC MOP).

In the interest of the service, pursuant to the instruction of this Office to adopt the Multi-Sectoral Forest Protection Committees as a strategy for forest conservation, the Manual of Procedures prepared by the ENR-SECAL TA is hereby declared for adoption by all DENR units involved in MFPC work. The operations of existing MFPCs and the formation of future MFPCs shall be based on this Manual of Procedures.

The MFPC MOP is not static. However, the essentials for a uniform and standardized operations of the MFPCs can already be attained through it. As the MFPCs grow and gain experience, this manual of procedures shall be improved and updated to suit the needs of the time. The lessons gained through time shall be the basis for the improvement of the MFPC MOP.

All DENR units concerned are hereby required to use the MOP in their MFPC work and are urged to communicate with the National MFPC Coordinating Group (NMFPC-CG), Special Concerns Office, any suggested improvement or corrections to the MOP. The NMFPC-CG shall immediately act on these suggestions or recommendations and make known to all concerned of these corrections or amendments to the MOP.

This Order supersedes all other orders, memoranda and circulars inconsistent herewith.

This Order takes effect immediately.

SO ORDERED.

ANGEL C. ALCALA
Secretary

Recommending Approval:

BEN S. MALAYANG III
Undersecretary for Field Operations
and Senior Officer for ENR-SECAL

ROMEO T. ACOSTA
Director, SCO & Chairman
National MFPC Coordinating Group

DENR Administrative Order
No. 34
September 16, 1994

SUBJECT: Amending Section 13 of DAO No. 58, Series of 1983, Providing for the Rules and Regulations Governing Narra Resources.

Pursuant to Executive Order 192, and its implementing rules and regulations and in line with the policy of the government of ensuring sustainable development of Narra resources in the country, Section 13 of Department Administrative Order No. 58, Series of 1993 is hereby amended to read as follows:

1. SECTION 13. Narra from other Sources.

“Narra trees uprooted/toppled by typhoons, earthquakes, landslides, and other calamities and drifted from their areas of origin and where ownership cannot be established shall be presumed to come from the public forest and shall be reported immediately to the nearest DENR office for disposition through public bidding in accordance with existing rules and regulations. The finder of said trees shall be entitled to a reward equivalent to ten (10%) percent of the price or value of the logs/flitches or trees found pursuant to Article 720 of the Civil Code.”

2. This Order shall take effect upon acknowledgement by the U.P. Law Center and after publication in a newspaper of general circulation.

ANGEL C. ALCALA
Secretary

DENR Administrative Order
No. 36
October 05, 1994

SUBJECT : Declaring and Certifying Certain Portion of the Forestland as Available for Fishpond Development, Under LC Project NO. 12-I of Maluso, Basilan.

1. Pursuant to Section 13 of PD 705, otherwise known as the Revised Forestry Code of the Philippines, as amended, I hereby declare and certify a portion of the timberland containing an area of 15.6 hectares as available for fishpond development, the administration and management of which is hereby transferred to the Department of Agriculture and Food, through the Bureau of Fisheries and Aquatic Resources, located in the aforementioned municipality and province, shown and described in Map No. SZ -, which is attached hereto and forms an integral part of this order, subject however, to the following conditions:
 - a. The strips of mangrove or swampland fifty (50) meters wide fronting oceans, lakes and other bodies of water, and the strips of land 20 meters on both sides of river channels/banks are reserved for shoreline and/or bank protection.
 - b. Existing mangrove vegetation found therein shall be protected and conserved for ecological reasons in line with government's environmental and natural resources conservation program.
 - c. The utilization of forest products existing therein shall remain subject to Forest and Internal Revenue Laws and Regulations, and the present holder(s), if any, of licenses covering such areas that maybe occupied for purposes of development under the authorization of the Director of Fisheries and Aquatic Resources shall have the preferential rights in the utilization of the timber thereof.
 - d. The areas herein certified and declared as available for fishpond development must be developed or utilized for the purpose stated

within five (5) years from approval hereof, otherwise the declaration/certification as such is automatically revoked or cancelled pursuant to paragraph 3, Section 43 of PD 705 and the Joint DA-DENR General Memorandum Order No. 3, Series of 1991, and the Department of Environment and Natural Resources (DENR) shall exercise immediate administration and control over these areas.

- e. Violation of any of the above-stated conditions shall constitute sufficient cause to invalidate this declaration/certification.
2. This Order shall take effect immediately.

ANGEL C. ALCALA
Secretary

DENR Administrative Order
No. 40
November 08, 1994

SUBJECT : Rates of Forest Charges pursuant to Republic Act No. 7161 (R.A. 7161) and based on the FOB Market Price of Forest Products.

Pursuant to the provisions of Section 3, 4 and 5 of R.A. 7161 and based on 1993 FOB Market Price survey on timber and other forest products, the following new rates of forest charges shall be collected:

1. TIMBER (per cubic meter)

SPECIES	FOREST CHARGES (P)		
	LUZON	VISAYAS	MINDANAO
a. Philippine Mahogany Manggasinoro Group, Manggachapui Group, Narig Group, Palosapis Group Guijo Group;	1,218.00	1,218.00	1,264.00
b. Yakal Group	1,474.00	1,474.00	1,529.00
c. Apitong Group	1,324.00	1,324.00	1,324.00
d. Softwood species except igem	715.00	715.00	715.00
e. Igem	1,275.00	1,275.00	1,275.00
f. Nato	785.00	785.00	785.00
g. Furniture/ Construction Hardwood	785.00	785.00	785.00

	h. Premium species, if allowed to be cut: and	3,000.00	3,000.00	3,000.00
	i. Lesser-Used Species	550.00	550.00	550.00
2.	Pulpwood, matchwood and other species for the manufacture of panel board (per cubic meter)	95.00	95.00	95.00
3.	Firewood, branches and other recoverable wood wastes of timber (per cubic meter)	10.00	10.00	10.00
4.	Rattan-unsplit (per linear meter)			
	4.a Palasan, Culape and Kurakling			
	4.a.1 over 2-cm in diameter	0.85	0.85	0.85
	4.a.2 2 cm or less in diameter	0.65	0.65	0.65
	4.b Sika and Arorog	0.10	0.10	0.10
	4.c Tumalin, Limuran, Ditaan and other species of rattan			
	4.c.1 over 2 cm in diameter	0.80	0.80	0.80
	4.c.2 2 cm or less in diameter	0.50	0.50	0.50

5.	Rattan-split (per kilogram)	3.50	3.50	3.50
6.	Bamboo (per piece)			
6.a	Kawayan Tinik/ Kawayan Kiling	6.00	6.00	6.00
6.b	Bayog	3.00	3.00	3.00
6.c	Boho/Bolo	2.00	2.00	2.00
6.d	Other Species of Erect Bamboos; and	1.50	1.50	1.50
6.e	All climbing Bamboos	0.50	0.50	0.50
7.	Almaciga Resin (per kilogram)	1.00	1.00	1.00
8.	Manila Elemi (per kilogram)	0.95	0.95	0.95
9.	Other gums and resins (per kilogram)	0.40	0.40	0.40
10.	Beeswax (per kilogram)	1.00	1.00	1.00
11.	Gutta-percha (per kilogram)	1.50	1.50	1.50
12.	Other minor forest products herein listed shall be charged 10% of the FOB market value			

The cutting and manifestation of all mangrove species is hereby prohibited pursuant to RA 7161, and other regulations regarding the matter.

Exemption from payment of forest charges for planted trees and other forest products harvested from industrial tree plantations and private lands covered by existing titles or tax declared A and D lands with an approved public land application is hereby reiterated.

This Order supersedes DENR Administrative Order NO. 39, Series of 1993 and shall take effect upon acknowledgement by the U.P. Law Center and fifteen (15) days from the date of publication in at least two (2) newspapers of general circulation.

ANGEL C. ALCALA
Secretary

DENR Administrative Order

No. 43

December 08, 1994

**SUBJECT : Prohibiting Entry and Occupation Within The Area
Covered by the Bataan National Park.**

1. That it has been noted that there were unauthorized entry upon and occupation of the forest area covered by the Bataan National Park in Morong, Bataan, ostensibly on the basis of original certificates of title found to have been illegally issued, coupled with the cutting of trees and destruction of the environment;

2. That action for cancellation of such titles, namely:

LOT NOS. FREE PATENT NOS. TITLE NOS. NAME

1958	(III-14)0002125	OTC 0-2361	Emilia Entrara
1959	(III-14)0002126	OTC 0-2360	Rogelio Costales
1960	(III-14)0002127	OTC 0-2359	Leonor Calub
1961	(III-14)0002128	OTC 0-2358	Nancy Cabrerros
1963	(III-14)0002130	OTC 0-2356	Annie Estacio
1964	(III-14)0002131	OTC 0-2355	Noel Punzalan
1965	(III-14)0002132	OTC 0-2354	Panchito Tigno
1966	(III-14)0002133	OTC 0-2353	Oscar de Lara
1967	(III-14)0002134	OTC 0-2352	Pancracio Mendoza
1968	(III-14)0002135	OTC 0-2351	Petra Perez
1969	(III-14)0002136	OTC 0-2350	Marlyn Entrata
1972	(III-14)0002143	OTC 0-2457	Lorenzo Fundanera
1973	(III-14)0002144	OTC 0-2458	Juan Angrada
1974	(III-14)0002145	OTC 0-2459	Melina Fundanera
1975	(III-14)0002146	OTC 0-2460	Gregorio Entrata
1976	(III-14)0002147	OTC 0-2461	Araceli Romano
1985	(III-14)0002156	OTC 0-2470	Oscar de Lara
1987	(III-14)0002158	OTC 0-2482	Petra Perez
1988	(III-14)0002159	OTC 0-2481	Marlyn Entrara
1989	(III-14)0002160	OTC 0-2480	Leonor Andrada
1990	(III-14)0002161	OTC 0-2479	Lelibeth Lorica

1993	(III-14)0002170	OTC 0-2456	Modesto Perez
1994	(III-14)0002171	OTC 0-2455	Melinda Fundanera
2004	(III-14)0002181	OTC 0-2445	Rogelio Costales
2005	(III-14)0002182	OTC 0-2444	Araceli Romano
2006	(III-14)0002183	OTC 0-2443	Lorenzo Fundanera
2007	(III-14)0002184	OTC 0-2442	Juan Andrada
2008	(III-14)0002185	OTC 0-2441	Petra Perez
2009	(III-14)0002186	OTC 0-2384	NOel Punzalan
2010	(III-14)0002187	OTC 0-2383	Leonor Andrada
2011	(III-14)0002188	OTC 0-2382	Lelibeth Lorica
2012	(III-14)0002189	OTC 0-2381	Francisco Yap
2013	(III-14)0002190	OTC 0-2380	Amado Entrata
2014	(III-14)0002191	OTC 0-2379	Maxima Mendoza
2015	(III-14)0002192	OTC 0-2378	Purificacion Tamayo
2016	(III-14)0002193	OTC 0-2377	Modesto Perez
2017	(III-14)0002194	OTC 0-2376	Lorenzo Fundanera
2018	(III-14)0002195	OTC 0-2375	Leonor Calub
2019	(III-14)0002196	OTC 0-2374	Pancracion Mendoza
2020	(III-14)0002197	OTC 0-2373	Panchito Tigno
2021	(III-14)0002198	OTC 0-2372	Melinda Fundanera
2022	(III-14)0002199	OTC 0-2371	Emilia Entrata
2023	(III-14)0002200	OTC 0-2370	Rogelio Costales
2024	(III-14)0002201	OTC 0-2369	Oscar de Lara
2025	(III-14)0002202	OTC 0-2368	Gregorio Entrata
2026	(III-14)0002203	OTC 0-2367	Purificacion Tamayo
2089	(III-14)0002326	OTC 0-2559	Mariano Estocano
2090	(III-14)0002327	OTC 0-2500	Juan Andrada
2091	(III-14)0002328	OTC 0-2561	Petra Perez
2092	(III-14)0002329	OTC 0-2562	Noel Punzalan
2093	(III-14)0002330	OTC 0-2573	Leonor Andrada
2094	(III-14)0002331	OTC 0-2574	Amado Entrata

is now pending with the Office of the Solicitor General initiated upon joint recommendation of the Land Registration Authority and the Land Management Bureau which found said titles to be illegally issued by the then District Land Officer of Bataan, Rosendo Arcena, as the land covered thereby is within a forest reserve beyond the jurisdiction of the then Bureau of Lands to issue patent and

further aggravated by the fact that the land covered by such titles are unsurveyed. The land being outside the commerce of man, occupation thereof by private individuals no matter how long would not ripen into ownership or right of preference, patent and title to said land is void ab initio;

3. That to stop further incursion into the area and to prevent further destruction which will take a long time to rehabilitate, it is necessary to monitor and stop such entry and occupation; and

4. In view of the foregoing consideration, the PENRO in Balanga, Bataan, as well as other concerned officials are hereby directed to stop further entry and occupation of any person on the area within the Bataan National Park. For those who are already in the possession of any portion thereof said officials are directed to conduct an inventory and to submit the same to the Regional Executive Director concerned which is enjoined to study and take legal action for the possible ejection of the occupants from the premises.

5. This Order takes effect immediately.

ANGEL C. ALCALA
Secretary

Recommended for Approval:

ABELARDO G. PALAD, JR.
Director
Lands Management Bureau

DENR Administrative Order

No. 46

December 14, 1994

**SUBJECT : Disestablishment of Communal Forest Parcel II,
Amended of Baler, Aurora**

1. Pursuant to the provisions of Sections 2, 9 and 19 of Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines, as amended, the established Communal Forest Parcel II amended of Baler, Aurora (Communal Forest Map - Cn. F.-739) is hereby revoked.
2. The established parcel shall hereafter, be reverted to the category of forestland for school site of the Aurora State College of Technology or to serve the use or uses as will be determined by appropriate land evaluation consistent with the established land use planning and allocation scheme to be enforced.
3. This Order takes effect immediately.

ANGEL C. ALCALA
Secretary

Recommended by:

JOSE D. MALVAS, JR.
Director
Forest Management Bureau

DENR Administrative Order
No. 48
December 29, 1994

SUBJECT : Amending Department Administrative Order (DAO) No. 35, Series of 1992 and Prescribing Guidelines for Community Reforestation and Agroforestry Development for the Low-Income Upland Communities Project (LIUCP)

In the interest of the service and in order to incorporate the lessons learned in LIUCP's Community reforestation experience particularly in fostering greater community/family responsibility in the maintenance and protection of established plantations and noting that some provisions are less responsive to the present conditions, the following amendments are hereby promulgated.

Article I
Preliminary Provisions

Sec. 1 Implementation Arrangements - The implementation of reforestation and agroforestry component of the DENR's Low-Income Upland Communities Project (LIUCP) shall be guided by implementation strategies and principles provided by the Project Document and appropriate administrative orders in the issuance of land tenure instrument (LTI).

- 1.1 The Project will target around 30,000 hectares for forestation (15,000 for agroforestry and 15,000 for reforestation) within the Project areas primarily those covered by an appropriate land tenure instrument.
- 1.2 In the absence of an NGO in certain Project areas, the DENR Field Office shall directly deal with existing/interested People's Organization (PO).

PART I. COMMUNITY REFORESTATION COMPONENT

Sec. 2 Definition of Terms - As used in these Guidelines, the terms enumerated below shall be defined accordingly:

CENRO - refers to the Community Environment and Natural Resources Office/Officer of the DENR.

Community Forestation - refers to the undertaking by targeted communities of various forms of forestation such as reforestation, agroforestry development, assisted natural regeneration, rattan plantation and other means of rehabilitating the watersheds.

Community Forestation Agreement (CFA) - refers to an agreement between the DENR and a duly recognized People's Organization (PO) acting for and in behalf of residents of a community located in or adjacent to a reforestation site, whereby the supervision of the PO, which would in turn be directly responsible to the DENR. *As much as possible, the agreement shall be written in Pilipino to ensure that this is fully understood by the PO.*

Certificate of Ancestral Land/Domain Claim (CALC/CADC) – refers to the Certificate issued by the DENR which identified, delineated and recognized the ancestral land/domain claims of Mangyan communities where their rights and privileges are defined as provided under Department Administrative Order No.2, series of 1993.

Comprehensive Site Development - refers to the undertaking of a comprehensive number of activities to physically develop the sites under forestation. .

Covercrop Planting - The process of conditioning denuded areas which are highly cogonal, rocky or erodible by planting creeping leguminous perennials such as kudzu, calopogonium, stylosanthes, des modium, lablab bean, psophocarpus (winged beans), patani, or by planting suitable non-legumes such as morning glory vine, wild sunflower and kikuryu grass, in order to improve soil fertility, organic matter and water holding capacity prior to or concurrent with the replanting of trees and other perennials in such areas.

DENR Field Office - refers to the PPMO/PENROs/CENROs concerned.

Enrichment Planting - The process of interplanting fuelwood, timber and non-timber crops in inadequately-stocked reforestation projects previously implemented for the purpose of increasing wood supply for the people and enhancing the income-generating potential of such projects.

Family Approach Forestation Agreement (FAFA) - refers to an agreement entered into by and between the government represented by the DENR and the head of a family.

Forest Land Management Agreement (FLMA) - refers to an agreement between the DENR and a bonafide PO providing for usufruct rights over reforestation plantations pursuant to DENR Administrative Order (DAO) No. 71, series of 1990.

Income-Enhancement Planting - the practice of interplanting fuelwood and food crops in reforestation areas to produce additional income.

Intercropping - the process of interplanting food crops, such as: camote, barbanas, cassava, peanuts, etc.. in portions of a reforestation project cultivated as part of site preparation.

Learning Process Approach - refers to a phased and flexible implementation approach that allows easier community participation and where lessons derived from the process are used to modify policies and implementation approaches for efficiency and effectiveness.

Limited Production Forests - areas with slopes greater than 50% developed primarily to supply non-timber products such as bamboo, rattan, anahaw, pandan, medicinals, fruits, gums and resins, spices and other horticultural crops.

Local Government Units (LGUs) - refers to the provincial and municipal government officers involved in the Project.

LIUCP National Executive Committee - refers to a committee created under DENR Special Order No. 198, series of 1994 tasked to supervise Project implementation management.

Minimum Survival Rate - the number of final crop and nurse tree species or other perennial growing at a reforestation project that is acceptable to DENR upon completion of a comprehensive site development contract, and which is fixed at 80% each for final crop and nurse species per hectare based on the prescribed planting density.

Monitoring and Evaluation (M & E) - inspection and assessment procedures employed in reforestation projects simultaneous with or upon completion of either the whole or part of the site development activities, for the main purpose of determining their status and progress.

National Project Office (NPO) - refers to an office/ institution established within the DENR's office at national /central level and responsible for coordinating the operations of both Provincial Project Management (DBM), National Economic Development Authority - Regional Development Council (NEDA-RDC).

National Project Steering Committee (NPSC) - refers to an inter-agency policy making body composed of senior officers of DENR, Governors from Oriental and Occidental Mindoro, Department of Budget and Management (DBM), and National Economic Development Authority - Regional Development Council (NEDA-RDC).

PENRO - refers to the Provincial Environment and Natural Resources Office/ Officer of the DENR.

People's Organization (PO) - refers to targeted Mangyan and migrant community organizations duly recognized by law. Interchangeably used with community or steward or beneficiary organization.

Planting Density - the total number of final crop and nurse trees or other perennial prescribed per hectare for a particular reforestation project following the standards provided for in the Guidelines.

Production Forests - areas with slopes from 0-50% developed to supply both timber and non-timber products such as bamboo, rattan, horticultural crops (e.g., fruits/nuts trees), gums and resins, species, or a combination thereof.

Project Development Plan - A concise write-up that presents in a systematic and organized manner the objectives, detailed activities, planting design/choice of species, schedule of activities, organization and manpower, estimated costs, and such other matters necessary for the full operation and establishment of a reforestation project.

Protection Forests - areas regardless of slope which are highly erodible or too rocky for establishment of either production forests or limited production forests, developed for the principal objectives of establishing vegetative cover to prevent erosion, conserve water and nurture wildlife.

Provincial Project Management Office (PPMO) - implementing unit established at the provincial level responsible for coordinating, supervising, monitoring and providing technical assistance to the WMU, SMU, and the community.

Provincial Project Steering Committee (PPSC) - the advisory council at the provincial level composed of the following members, namely: Provincial Governor as the chairman, PENRO, PPMO Project Manager, Provincial Planning and Development Officer (PPDO) and NGO representatives.

Reforestation by Administration - the implementation of reforestation activities by DENR field offices through the traditional method of directly hiring laborers or workers instead of contracting such activities.

Sectioning and Blocking - sectioning refers to the process of establishing Universal Transverse Mercator (UTM) grid control points on the ground. A section consists of 100 ha with a dimension of 1 km x 1 km which is equivalent to 10 blocks. Blocking is the process of subdividing the area, usually a section, into blocks consisting of 10 ha each with a dimension of 200 m x 500 m, the short end oriented along the east-west direction while the long end is oriented along the north-south direction.

Site Management Unit (SMU) - the ecologic and socio-economic unit composed of one (1) or two (2) barangays and adjoining sitios in a watershed system where a simple community development plan will be developed. The frontline functional unit of the project responsible for facilitating the implementation of basic goods and services.

Socio-Economic Development Plan (SEDP) - an integrated development plan prepared by the community and facilitated by the Watershed Management Unit containing, in a systematic manner, the goals, objectives, socio-economic and resource profile, strategies, action plans and funding requirements in developing specified area or Site Management Unit.

Surveying, Mapping and Planning (SMP) - Pre-establishment activities in reforestation which include, among others, sectioning and blocking, monumenting and marking of corner posts, perimeter survey, contour mapping/slope classification, preparation of operations maps, gathering of benchmark data for planning, and preparation of recommended strategies for site development.

Tree Farming - a mode of forestation similar to the objectives of a production forest but undertaken on a smaller scale and initiated by a community/family rather than through a contract and to be undertaken particularly within the Project area. This shall be encouraged by the Project through the provision of free planting materials and technical assistance to bonafide project beneficiaries.

Universal Transverse Mercator (UTM) Grid - refers to the imaginary lines (i.e., latitude and longitude) which subdivide the earth into sections.

Watershed Management Council (WMC) - a group of advisory people composed of the following members: the CENRO as the chairman, Municipal Planning Development Officer (MPDO), representative from the NGOs and POs responsible for supervising and monitoring the progress of activities under the operation of WMUs and SMUs.

Watershed Management Unit (WMU) - refers to a unit managed by the contracted NGOs composed of watershed manager, training specialist and other support staff. Its main function is to coordinate and monitor the management of SMU operation and responsible for coordinating/linking with the concerned agencies/organizations.

ARTICLE II

Survey, Mapping and Planning

Sec. 3 Survey, Mapping and Planning - shall be undertaken by a composite team created by the PENRO upon the recommendation of the Project Manager to be composed of representatives from the PENRO, CENRO and PPMO. However, in case the LCT cannot accommodate all survey works, a third party shall be contracted to undertake survey and mapping which will be conducted immediately after the community has identified the reforestation areas.

- 3.1 **Sectioning, Blocking and Monumenting** - This shall be carried out in applicable areas following the procedures prescribed by the DENR Monitoring and Evaluation System for Contract Reforestation. The corners of the UTM 100-hectare grids shall be identified on the ground by concrete UTM monuments at all locations within contract reforestation areas and adjacent locations whenever possible. Thereafter, blocks consisting of ten (10) hectares each with a dimension of 200 meter x 500 meter with the short/long ends following east-west/north-south directions, respectively, shall be delineated within the project area. The actual planting may not follow the blocks delineated under this.
- 3.2 **Map and Technical Report Preparation** - This involves preparation of control map, operations map, and technical report and recommendations in areas where sectioning, blocking and monumenting is possible *subject to DAO No. 35, series of 1993*.
- 3.3 **Planning** - Planning shall be done by the community to be facilitated by the Site Management Units with technical assistance from PENRO/CENRO/PPMO. The concerned community may opt to avail the services of third parties such as professional foresters on terms and conditions acceptable to both parties.

Sec. 4 Detailed Planting Survey - In cases where Survey, Mapping and Planning (SMP) is not applicable, detailed planting survey shall be undertaken.

ARTICLE III Comprehensive Site Development and Management

Sec. 5 Coverage - Comprehensive Site Development and Management shall cover the following:

- 5.1 **Covercrop Planting** - Covercrop planting may be implemented as part of CSDM contracts. Covercrops may be established under any of the situations described in Annex A.

After the area has been conditioned with the covercrops, it shall be planted with trees and other perennials.

- 5.2 **Fuelwood Production** - In the development of production forest, planting of fuelwood crops with high calorific value shall be introduced in response to increased demand for firewood and charcoal due to high costs of fuel.
- 5.3 **Inclusion of Fruit Trees** - The planting of fruit trees shall be allowed in production, limited production and protection forests. Provided, that no more than 20% of the production forest areas shall be planted to fruit trees. Provided further, that in limited production forests, timber trees shall be planted within a 20 meter strip on both sides of gullies and banks of rivers and streams. Provided furthermore, that fruit trees shall not be planted in a contiguous area of more than one hectare.
- 5.4 **Enrichment Planting** - Enrichment planting may be allowed under contracts when necessary to improve forest stands.
- 5.5 **Planting and Harvesting of Intercrops** - Intercropping of food crops compatible with the trees and perennial shall be allowed and encouraged in CSDM Contract. The beneficiary may interplant food crops in any areas cultivated during preparation and all benefits derived therefrom shall accrue exclusively to the cultivator without restrictions.
- 5.6 **Procurement of Intercrop Materials** - The family/ community shall procure planting materials for intercropping. The DENR Field Offices, however, are enjoined to assist the beneficiaries in securing seeds and other planting materials by establishing linkages with the Department of Agriculture and other government and private institutions that can supply such materials.
- 5.7 **Plant Density** - The contracted PO shall abide with prescribed planting density and provide for adequate survival so that the resulting forest shall have the proper number of trees.

5.8 **Minimum Survival Rate** - The survival rate that is acceptable shall be 80% each of the final crop and nurse trees or other perennial based on the prescribed planting density. In addition, for timber species, the minimum acceptable height for surviving seedlings shall be one-and-a-half (1.5) meters for slow growing species and tree (3) meters for fast growing species.

5.9 **Duration of Activity Implementation** - The implementation of activities under the plan normally shall be undertaken within a period of thirty-six (36) months or depending on the provisions of the Community Reforestation Agreement.

Sec. 6 Mode of Implementation - Comprehensive Site Development and Management (CSDM) shall be undertaken by the project beneficiaries thru the People's Organization formed and/or strengthened. Comprehensive site development shall commence upon approval of the community SEDP or when the community has determined the necessity to start community forestation activities or after thorough community agreement to start reforestation activities. Provided, all pertinent requirements have been duly accomplished and approved by the signing authority as provided under existing guidelines on delegation of authority. In case there are no functional POs or are not technically capable to undertake the work activities, CSDM shall be implemented by Administration upon recommendation of the Watershed Management Council (WMC) and approval of the Provincial Project Steering Committee (PPSC) in consultation with the People's Organization nearest the reforestation site.

Sec. 7 Protection, Maintenance and Utilization - In consonance with the intent and spirit of the Project in promoting community based resource management, the following arrangements for the protection, maintenance and utilization of products of forestation areas shall be explicitly defined in the Community Forestation Agreement.

7.1 **Areas covered by CCFS and/or CADC/CALC** - Protection and maintenance responsibilities shall be vested to steward organizations in as much as these organization have already been vested with the same obligations under said instruments.

- 7.2 **Areas not covered by a CCFS and/or CADC/CALC - In areas not covered by a CCFS and/or CADC/CALC and where usufructory rights are not defined, particularly in areas established by migrant organizations, a Forest Land Management Agreement (FLMA) provided under DENR Administrative Order No. 71, series of 1990 shall be the defining instrument. This Agreement shall be executed by and between the DENR and the community organization for the protection, maintenance and utilization of products of forestation areas. Funds shall be provided under LIUCP and applied to forestation areas under regular DENR projects as well as those established under the National Forestation Program upon completion of the contracts under which these were established and their turnover to the DENR shall have been effected.**

ARTICLE V Monitoring and Evaluation

Sec. 8 Inspection Chart Mapping (ICM) - Monitoring and Evaluation of community reforestation contracts shall be conducted by the Technical Inspection Team. The Technical Inspection Team shall accomplish the Inspection Chart Maps for the Project Monitoring and Evaluation System in triplicate copies to be submitted each to the PENRO, CENRO and PPMO.

ARTICLE IV Cost and Budgets

Sec. 9 General Budgeting Guidelines - Budgets for activities under this guidelines shall be consistent with the family and community reforestation objectives and be governed by the following guidelines:

1. Budgets for social preparation may vary depending on population, population density, cultural homogeneity, degree of organization, experience in project implementation, size of reforestation areas,

remoteness and/or accessibility, and presence of other upland development programs.

- ii. Budgets for reforestation activities may vary depending on edaphic, climatic and biological conditions. In view of the need to make the forest financially viable, a larger budget may be allotted to production forests.

Sec. 10 Cost Ceilings for Reforestation - Cost of reforestation under this guideline is shown in Annex D.

Sec. 11 Method of Computing Contract Budgets - The cost ceilings established shall not be exceeded in the computation of the cost estimates for a particular project or activity to be contracted. In computing planting costs, the PPMO/CENRO concerned shall first determine the number of hectares for each development category i.e. production forest (timber, bamboo, rattan), limited production forest and protection forest, before the budgets are computed using the cost estimate worksheet provided in Section 18.

Sec. 12 Adjustment of Activity Cost Ceilings - Notwithstanding the cost ceilings set under this guideline, the cost estimates for specific activities or types of work may be increased or decreased by 25% of the applicable cost ceiling for such activity/type of work at the option of the community/family during the preparation of the Work and Financial Plan or Development Plan as the case may be: Provided further, that the budget prepared by the community/ family is approved by the designated authority which awards and administers the agreement.

ARTICLE V Contract Management

Sec. 13 Mode of Awarding Contracts - Comprehensive Site Development and Management shall be awarded through negotiation in accordance with the existing guidelines on the delegation of authority.

Sec. 14 Timing of Implementation of Contracts - The implementation of contract particularly CSDM, shall be consistent with the seasonal

climatic variables prevailing in the site covered by the contract, and shall also take into account the date of release and availability of funds that may be obligated for implementation.

Sec. 15 Approval of Contracts - Contracts for Comprehensive Site Development and Management (CSDM) shall be approved in accordance with the existing guidelines on the delegation of authority.

Sec. 16 Performance Bond Exemption - Considering the marginal status of the Project beneficiaries, the family or community shall be exempted from posting performance bond. Notwithstanding this exemption, the success or failure of forestation activities shall be equally borne by the contracted organization as well as the facilitating organizations.

Sec. 17 Payment of Mobilization Lost - Pursuant to the authority granted by the Office of the President on 10 January 1989 and in May 1989, payment of mobilization cost shall be allowed to the community/family reforestation. The PO/family shall be entitled to the payment of mobilization cost which shall not exceed fifteen percent (15%) of the first year budget target requirement for Comprehensive Site Development and Management to be disbursed upon approval of the contract.

Sec. 18 Payment of Billings - Succeeding payments to the family/community shall be made only in response to written progress billings submitted to PPMO in accordance with the payment schedule. Upon receipt of the billing, the Technical Inspection Committee (TIC) shall within five (5) working days, inspect the work. Within three (3) working days after inspection, the Technical Inspection Committee shall submit their inspection report. The report may either recommend for payment of the bill in such amount as may be warranted by actual accomplishments, or for its rejection, as the case may be.

If payment is recommended, the billing shall be immediately processed and the payment shall be remitted to the family/community. Otherwise, the PPMO/CENRO/PENRO/RED concerned shall notify the community within three (3) working days from receipt of the Inspection Report informing the latter of such fact explaining the reasons therefore. The DENR/PPMO shall have the right to suspend payments or impose such conditions as may be appropriate, if the result

of inspections by the composite team indicate that accomplishments are below the targets specified. Suspension if imposed shall last until such time the community/family overcomes any shortfall in performance and complies with the terms and conditions.

Sec. 21 Mode of Implementation - Monitoring and evaluation (M & E) of reforestation projects shall be undertaken by the Technical Inspection Committee (TIC) created by the concerned PENRO. Implementation of M & E by these groups shall be done primarily to determine the extent to which family and community have attained the targets specified in their agreement, and to identify implementation problems. The Technical Inspection Committee will conduct inspection and assess performance in response to progress billings submitted by the family/community. The principal purpose of M & E implementation will be to determine amounts due and payable to these families/communities for services rendered or work accomplished.

Sec. 22 Monitoring and Evaluation Procedures - Monitoring and evaluation of the various site development activities, such as: seedling production, site preparation, planting/replanting, maintenance and protection, etc. shall be carried out by the Technical Inspection Committee (TIC) with the use of standard M & E procedures adaptable to a given area (e.g., ICM, random sampling). Results of monitoring and evaluation shall be used by the Technical Inspection Committee in deciding on the most appropriate course of action.

Sec. 23 Frequency of Inspection and Assessment - Inspection and assessment of site development activities shall be undertaken as per request by the concerned PO/family or pursuant to the approved Work and Financial Plan.

Sec. 24 Force Majeure - Under this Guidelines, force majeure shall refer to those events which could not be foreseen, or which though, foreseen, were inevitable so as to make it impossible for the community to carry out, in whole or in part, the obligations. These shall include the following:

- a) Those due to human causes such as wars, armed invasion, revolution, rebellion, insurrection, armed blockades, riots, civil disturbance, strikes and other analogous causes; and

- b) Those due to natural causes such as earthquakes, typhoons, storms, floods, prolonged drought, epidemics and other similar phenomena.

In case of force majeure, the community/family shall notify the DENR office concerned in writing within seven (7) days after its occurrence, describing the same and its effects upon the performance. The parties shall within five (5) days after PPMO/DENR notice, consult with each other to decide on the most appropriate course of action to take under the circumstances, which may include suspension of work or termination.

Considering the foregoing definition, forest fires regardless of cause of origin, shall not be considered force majeure, especially since adequate funds for site preparation, maintenance and protection (which include fire prevention and control) are provided for in the agreement. Thus, community/family shall be fully responsible in the replanting of burned areas.

In case of suspension of work, the contract may be extended for a period equivalent to that for which the community/family was prevented from performing the work. In the event of termination, the beneficiaries, upon receipt of the notice, shall take immediate steps to bring the work to a close in a prompt and orderly manner minimizing expenditures as far as practicable. The PPMO/DENR are not liable to the family/community except for work or services performed prior to the date of termination and for actual costs incurred in connection with the liquidation of work.

Sec. 25 Resolution of Disputes - In case of major issues arising from an agreement entered into pursuant to the guideline, the community/family shall call the attention in writing the WMC & PPMO Manager or his duly authorized representative which shall act as the Advisory Committee to settle the issue not exceeding fifteen (15) days thereafter. This body shall render its decision in writing furnishing a copy thereof to the concerned community/family.

In case of appeal, the aggrieved party within fifteen (15) days after the resolution of the case shall appeal to PPSC and/or higher authorities.

Sec. 26 Termination of Work Agreement - The agreement executed under this guideline shall be terminated upon completion of the stipulated

services. Work activities may likewise be terminated if the WMC/PPMO Manager found out that the beneficiaries failed to comply with their obligations/responsibilities stipulated in this agreement.

Sec. 27 Contract Supervision - Implementing Unit Heads (PENRO/CENRO/PPMO) shall be responsible for ensuring proper and faithful compliance with this guidelines as well as with all other pertinent rules and regulations for CSDM, within the area. The PENRO/CENRO/WMU/PPMO shall assist in preparing documents, providing technical assistance, processing billings, monitoring progress of implementation of reforestation and other duties as may be necessary for effective supervision and management.

Sec. 28 Contract Integrity - Department of Environment and Natural Resources (DENR) policies, rules, and regulation applicable to LIUCP setting shall be in effect at the time of signing of the contract and shall govern the same throughout its duration. New policies, rules and regulations may apply only upon the written consent of the contractor.

ARTICLE XI Penalty Provision

Sec. 29 Liabilities of People's Organization - In case of failure of PO to undertake reforestation activities which had been determined by the WMC after payment has been released, PO is liable to return back the government expenditures in cash or render services to the project corresponding to the amount advanced.

PART II. AGROFORESTRY DEVELOPMENT COMPONENT

Sec. 30 Definition of Terms - As used in this guidelines, the following agroforestry terms shall be defined accordingly:

Agroforestry - is a land-use management system which combines the production of agricultural crops, forest trees and/or livestock simultaneously or sequentially on the same unit of land for the purpose of creating employment

opportunities for upland farm labor, producing raw materials for cottage industries, providing food and other products for home consumption and improving ecological conditions in the watersheds. It applies management practices that are compatible with the cultural practices of the local population. Examples of agroforestry systems include (1) randomly mixed agroforestry; (2) row inter-crop agroforestry; and (3) agrisilvipasture.

Randomly Mixed Agroforestry - involves different species of forest and fruit trees and short to medium term agricultural crops with no definite pattern of arrangement within the farm. It takes advantage of the existing vegetation including leftover forest tree species.

Row Intercrop Agroforestry - involves the integration of forestry species with agricultural crops simultaneously on the same unit of land. Unlike a randomly mixed agroforestry, it follows a definite pattern of arrangement. Example of this system is the Sloping Agricultural Land Technology (SALT).

Agrisilvipasture - involves the integration of forestry species, agricultural crops and livestock component.

Agroforestry Demonstration Farm - refers to the demonstration farm established under ADB Technical Assistance (TA) Grant No. 1243. (Agroforestry Research and Development)

ARTICLE VI

Agroforestry Development Project Proposals

Sec. 31 Implementation Arrangement - In order to foster genuine participation from upland farmers and ensure efficient delivery of support services to the recipients of CCFS/CS and or CADC/CALC, the Project shall encourage their organizations to discuss among themselves ways and means on how they can be supported to introduce and institutionalize soil conserving agroforestry technologies and semi-permanent land use patterns. This will be contained in an agroforestry project proposal to be submitted by the People's Organization to the Project for consideration of funding requirements.

Sec. 32 Scope and Coverage - The Project will facilitate agroforestry development in about 15.00 hectares of farmlots particularly those subjected to slash and burn agriculture through the introduction and institutionalization of soil conserving agroforestry technologies and semi-permanent land use patterns.

The agroforestry project proposal may provide for the following, among others:

1. Provision for the establishment, operation and maintenance of community nurseries.
2. Provision for the procurement and distribution of farm animals and other farm inputs particularly for agri-silvipasture as well as other basic inputs such as farm tools and implements, insecticide, organic and inorganic fertilizers, vegetable seeds and others.
3. Provision for training and agricultural extension for farmer cooperators in soil-conserving agroforestry technologies particularly the establishment of model farms by the proponent organization themselves. The role of the other supporting agencies such as the Provincial Agriculture Office (PAO), the Social Forestry Technicians of the Local Government Units (ENRO) and the Department of Agriculture shall likewise be defined.
4. Provision on the number of farmer cooperators (aggregated by gender in compliance with Republic Act No. 7192) and the extent of their involvement in agroforestry development to monitor DENR's contribution in generating and more importantly sustaining employment opportunities through the KABUHAYAN 2000 Program of the Department.
5. Provision for the exclusive utilization rights of farmer cooperators over their produce.
6. Provision for technical supervision and monitoring and evaluation by the Project as well as management costs to facilitate the implementation of the proposal at the field level.

7. Provision for the counterpart of the proponent people's organization.

ARTICLE VII

Cost and Budget

Sec. 33 Cost Ceiling - Cost ceilings under these guidelines shall be in accordance with the project's prevailing development cost per hectare of agroforestry area.

Sec. 34 Approval - Project proposals shall be approved in accordance with existing guidelines on the delegation of authority.

Sec. 35 Mobilization Cost - Pursuant to the provisions of existing DENR circulars, the contracted People's Organization/family is entitled to the payment of mobilization cost not exceeding fifteen percent (15%) of the first year budget requirement to be disbursed upon approval of the contract.

Sec. 36 Payment of Billings - Succeeding payments to the contracted People's Organization/family shall be effected pursuant to the provisions of existing guidelines and upon an evaluation of the progress of work under the contract is made by the DENR Composite Team.

ARTICLE VIII

Technical and Administrative Assistance

Sec. 37 Technical Assistance - The DENR shall ensure that the services of qualified agroforestry farm technicians, either from the DENR Field Offices, ENRO and the PAO shall be made available to farmer cooperators.

Sec. 38 Technical Reference - Annex D shall be used by the farm technicians as a technical guide in undertaking their tasks.

Sec. 39 Orientation/Training - To ensure that the proponent organizations understand and comply with agreed upon administrative requirements particularly in the submission of financial reports, the project shall undertake a series of orientation seminars on these aspects. It shall also assign a

qualified staff to periodically monitor compliance to these administrative requirements.

ARTICLE XI **Final Provisions**

Sec. 40 Supplementary Rules and Regulations - The LIUCP National Executive Committee is hereby authorized to issue such supplemental or interpretative rules and regulations, as may be necessary taking into account the peculiarities or unique conditions obtaining in the project area.

Sec. 41 Repealing Clause - Unless otherwise explicitly provided under these guidelines, all other DENR issuances, rules and regulations which are inconsistent herewith shall not be applied.

Sec. 42 Separability Clause - In the event any provision of these guidelines is declared unconstitutional or null and void, the validity of the other provisions shall not be impaired by such declaration.

Sec. 43 Effectivity - These guidelines shall take effect immediately and the Project shall undertake a systematic information/education campaign to ensure that all Project beneficiaries are clearly aware of and can understand the opportunities provided in these guidelines.

ANGEL C. ALCALA
Secretary

Recommended By:

RICARDO M. UMALI
Undersecretary and Chairperson
LIUCP National Executive Committee

DENR Administrative Order
No. 49
December 29, 1994

SUBJECT : Creation of the Center for Forest Pest Management and Research

WHEREAS, the Department of Environment and Natural Resources (DENR) is the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources, the following guidelines are hereby promulgated.

WHEREAS, it is the policy of the State to ensure the sustainable use, development, renewal and conservation of the country's forest and other natural resources.

WHEREAS, to accomplish its mandate, the Department has the following powers and functions, among others:

- a. Formulate, implement and supervise the government's policies, plans and programs pertaining to the management, conservation and replenishment of the country's forest resources;
- b. Promulgate rules and regulations governing conservation, use and other commercial activities tending to cause the depletion and degradation of country's forest resources;
- c. Promulgate rules and regulations necessary to harness forest resources in a sustainable manner;
- d. Conduct researches for appropriate technologies recommended for various projects.

WHEREAS, there is a need for a concerted and directed researches aimed at formulating pest management strategies against primary and potential insect pests and diseases, infesting both indigenous and exotic tree species of economic importance, and other ecosystems; and by formulating policies, rules and

regulations to prevent/restrict artificial introduction of pests and diseases from other countries into the Philippines and from other regions to other regions within the Philippines, based on research results.

Sec. 1 Creation of the “Center for Forest Pest Management and Research: There is hereby created a Center for Forest Management and Research (CFMR) which shall direct and implement concerted and comprehensive researches on forest pest and diseases, and formulate, implement and monitor statutory regulations relating to forestry quarantine.

Sec. 2 The Center for Forest Pest Management and Research shall be headed by an Executive Director, to be designated by the Secretary, who shall have the position of a Regional Technical Director or its equivalent. The Executive Director shall have an advance academic degree in Forest Pest Management or Forest Entomology and at least 5 years work experience.

Sec. 3 The Center shall report directly to the Secretary of DENR. It shall be advised by Technical Advisory Board to be composed of the Undersecretary for Field Operations as Chairman and the Undersecretary for Environment and Research, Director of the Ecosystems Research and Development Bureau, the Director of the Forest Management Bureau, the Director of Protected Areas and Wildlife Bureau and the Protected Areas and Wildlife Bureau.

Sec. 4 The Center for Forest Pest Management and Research shall be composed of personnel who shall work on fulltime basis, detailed from the Ecosystem Research and Development Bureau, the Forest Management Bureau and the Protected Areas and Wildlife Bureau.

Sec. 5 The Directors of the Ecosystems Research and Development Bureau, Forest Management Bureau, and Protected Areas and Wildlife Bureau are hereby instructed to approve the detail of some of their personnel who will compose the key staff members of the Center for Forest Pest Management and Research.

Sec. 6 Objectives of the Center for Pest Management and Research. The Center shall have the following objectives:

- a. To formulate and put into operation a national forest insect/disease detection and monitoring system;
- b. To develop base-line information/data-base from which pest/disease profiles of each species of trees of economic importance and of those presently planted can be drawn;
- c. To develop strategies to manage the population of key destructive organisms in nurseries, plantations, parks and other forest ecosystems through basic research on the key organisms, other associated organisms, its host plant and environment, and their inter-relationships;
- d. To formulate regulatory policies, based on research results, that address the prevention/control of the spatial spread of bio-deteriorants within the country and the entry of dangerous or potentially destructive organisms into the country;
- e. To provide assistance to other DENR Offices, and to coordinate with other government offices and private institutions in formulating guidelines, regulations and policies concerning ecosystems, environmental and/or forest protection;
- f. To provide assistance and/or advice to other government and non-government offices, organizations and persons concerning tree pests or disease problems;
- g. To strengthen the research and/or technical capabilities of its personnel.

Sec. 7 Functions of the Center for Forest Pest Management and Research. The Center shall have the following functions:

- a. Formulate and put into operation a national forest pest protection plan;
- b. Develop control techniques and management strategies against economically important forest tree pests and diseases;
- c. Direct, plan and monitor the forest and forest products quarantine program of the DENR;

- d. Coordinate, direct and monitor all forest pest and disease researches/operation of DENR and its other Offices or Bureaus;
- e. Coordinate with and assist ERDB in the planning of researches and programs related to forest pests and diseases management;
- f. Assist in strengthening the technical capability of field personnel on forest pest and disease management;
- g. Perform other pertinent functions that may be assigned by the Secretary.

Sec. 8 Transitory Provisions.

- a. The Ecosystems Research and Development Bureau shall provide sufficient office space for the Center for Pest Management and Research (CFMR) until such time that a separate office, to be used principally by the Center, shall have been constructed.
- b. The ERDB shall provide the Center with office facilities and equipment, i.e. chairs, tables, cabinets, typewriters, computer units, filing cabinets, telephone, vehicles, etc.

The present Entomology and Pathology laboratories of the ERDB shall be directly under the supervision and stewardship of the Center.

- d. The ERDB shall give the Center access to the use of the Genetics and Tree Improvement Laboratory and other laboratories and facilities which the Center may use in its operation and its implementation of researches, seminars, trainings and other activities.
- e. All Field Offices (ERDS, PENROs and CENROs) are directed to submit to the Office of the Executive Director the names of two of their personnel who will be designated to act as the Field Forest Pest Management and Research Coordinator and support staff. Preferably, these personnel shall have undergone training on Forest Entomology or Forest Pest Control/Management, or Integrated Pest Management or any related training courses. These personnel should hold a Bachelors degree in Forestry or Agriculture or any related Biological Sciences.

- f. As an initial activity, the CPMR shall evaluate the submitted list of nominees and determine their capability as Field Support Staff. In the process of evaluation, the Office shall brief the Regional and Field Offices of the functions, responsibilities and structure of the CPMR.
- g. The DENR Central Office shall provide the Center for Forest Pest Management and Research an initial budget of P 10,000,000 for its first year of operation, to be drawn from the budget of related functions, programs and projects of DENR.

Sec. 9 Effectivity. This Order shall take effect immediately.

ANGEL C. ALCALA
Secretary