

DENR-DILG JOINT MEMORANDUM CIRCULAR NO. 98-01

**Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**

**JOINT MEMORANDUM CIRCULAR
NO. 98-01**

**MANUAL OF PROCEDURES FOR DENR-DILG-LGU PARTNERSHIP ON
DEVOLVED AND OTHER FOREST MANAGEMENT FUNCTIONS**

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

Section 1. Basic Policies

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

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

1.2 The LGUs shall share with DENR the responsibility in the sustainable management and development of the forest resources within their territorial jurisdiction. Toward this end, the DENR and the LGUs shall endeavor to strengthen their collaboration and partnership in forest management.

1.3 Comprehensive land use and forest land use plans are important tools in the holistic and efficient management of forest resources. Toward this end, the DENR and the LGUs together with other government agencies shall undertake forest land use planning as an integral activity of comprehensive land use planning to determine the optimum and balanced use of natural resources to support local, regional and national growth and development.

“Pursuant to national policies and subject to supervision, control and review of the DENR,

enforcement of forestry laws limited to community-based forestry projects, xxx.” Sec. 17, (b) (3) (iii)

3.2 For a Municipality

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

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

3.3 For a City

“All the services and facilities of the municipality and provinces, x x x.” Sec. 17 (b) (4)
The other provisions of the Code that pertain to forest management functions to be performed by the local government units and/or their chief executives are:

3.4 To the Municipal Mayor

“For efficient, effective and economical governance the purpose of which is the general welfare of the municipality government, and in this connection shall: x x x Adopt adequate measures to safeguard and conserve x x x forest, and other resources of the municipality ; x x x Sec. 444 (b) (3) (vii)

3.5 To the Sangguniang Bayan

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

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

3.6 To the City Mayor

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

3.7 To the Sangguniang Panglungsod

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

“Approve ordinances which shall ensure the efficient and effective delivery of basic services and facilities as provided for under Section 17 of this Code, and in addition to said services and facilities, shall: Provide for the establishment, maintenance, protection and conservation of communal forests and watersheds, tree parks, greenbelts, mangroves, and other similar forest development projects.” Sec. 458 (a) (5) (i)

3.8 To the Provincial Governor

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

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

"Ensure the delivery of basic services and the provision of adequate facilities as provided for under Section 17 of this Code, x x x." Sec. 456

3.9 To the Sangguniang Panlalawigan

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

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

Section

4.

Definitions

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

4.2 Community Environment and Natural resources Office (CENRO) refers to the DENR Office, headed by a Community Environment and Natural Resources Officer Appointed by the Secretary of DENR, which is responsible for the implementation of DENR policies, programs, project and activities and the enforcement of ENR laws and regulations in the community level.

4.3 Community Based Forest Management Program refers to the program involving local communities which integrates and unites the Integrated Social Forestry Program (ISFP), Forestry Sector Program, Forestry Sector Project, Forest Land Management Agreement Program (FLMP), Community Forestry Program (CFP), Ancestral Domains Management Program (ADMP) and other people oriented forestry projects.

4.4 Community Watershed Areas refer to forest lands set aside by the Secretary of the DENR upon the recommendation of the concerned LGU as sources of water supply for specific local communities subject to the provision that the utilization thereof shall be in accordance with sustainable development.

4.5 DENR refers to the Department of Environment and Natural Resources.

4.6 DENRO refers to Deputized Environment and Natural Resources Officer with power and authority as provided for by law and spelled out in the deputation.

4.7 DILG refers to the Department of the Interior and Local Government.

4.8 Devolution refers to the act by which the national government confers power and authority, upon the various LGUs to perform specific functions and responsibilities.

4.9 Environment and Natural Resources Officer (ENRO) refers to the LGU official who may be appointed by the concerned Local Chief Executive and who shall be directly responsible for the Planning and implementation of the devolved DENR functions.

4.10 Foreign Assisted Projects refers to DENR projects that are wholly or partially funded from foreign sources.

4.11 LGU refers to Local Government Unit either at the barangay, municipal, city or provincial level.

4.12 Provincial Environment and Natural Resources Office (PENRO) refers to the DENR office, headed by the Provincial Environment and Natural Resources Officer appointed by the Secretary of the DENR, which is responsible for the implementation of DENR policies, programs and projects in the province.

4.13 Protected Areas refers to identified portions of land and water set aside by reason of their unique physical and biological significance and are managed to enhance biological diversity and protected against destructive human exploitation as provided for in RA 7586, otherwise known as the National Integrated Protected Areas Systems (NIPAS) ACT of 1992.

4.14 Regional Environment and Natural Resources Office (RENRO) refers to the DENR Office headed by a Regional Executive Director (RED) appointed by the President that is responsible for the coordination and implementation of all policies, programs and projects on environmental and natural resources development and conservation of DENR in the region.

4.15 Regular Reforestation Projects refers to reforestation activities funded through regular appropriation and implemented by DENR field offices by administration or by contracts or both s distinguished from foreign sourced funds.

Section 5. Forestry Management Programs, Projects and Function of the DENR which Have Been Devolve to the Local Government Units

5.1 To the Provinces

5.1.1 The enforcement of the laws, rules and regulations in community based forestry project areas, community watersheds and communal forests.

5.2 To the Municipalities

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

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

(a) Integrated Social Forestry Projects, except at least one project per province, which has been previously identified as Centers for People Empowerment in the Uplands and/or Community Training Centers. However, notwithstanding such retention by the DENR, the

management implementation and monitoring of the same shall be with the participation of the LGUs with the aim of strengthening the capacity of the LGUs to manage the devolved ISF Projects. when the situation so warrants, the DENR Secretary may finally devolve all ISF Projects to the municipalities through MOAs with the LGUs;

(b) Establishment of new regular reforestation projects, except in areas located in protected areas and critical watersheds;

(c) Completed family and community based contract reforestation projects whether regularly funded or foreign funded or foreign fund subject to the policies and procedures of the DENR , except in areas located in protected areas and critical watersheds;

(d) Management and supervision of areas for forest lands covered by FLMA's;

(e) Community Forestry Projects; and

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

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

5.3 To the Cities

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

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

5.4 To the Barangays

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

5.4.2 In spite of the absence of devolved forest management functions to the barangays, barangays play important roles in protecting the forests as well as in rehabilitating degraded forest lands within or near their territorial coverage.

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

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

6.1 National Steering Committee

There is hereby created a National Steering Committee that shall formulate policies and programs toward strengthening and institutionalizing the DENR-DILG-LGU partnership

on devolved and other forest management functions. The National Steering Committee shall be composed of the Secretaries and Assistant Secretaries for Planning of the DENR and DILG, the respective Presidents of the Leagues of Provinces, Cities and Municipalities. The Chair and the Co-Chair of the National Steering Committee shall be the Secretaries of the DENR and DILG, respectively.

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

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

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

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

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

The office of the RTD for Forestry shall serve as the Secretariat of the Regional Steering committee.

6.3 Provincial, City and Municipal Working Groups

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

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

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

Section 7. General Procedures In the DENR-DILG-LGU Partnership on Devolved and Other Forest Management Activities

7.1 Strategic Planning

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

a) Develop a program for information, education and communication campaigns on this Manual.

b) Prepare a strategic plan on how to strengthen and institutionalize the DENR-DILG-LGU partnership on devolved and other forest management functions.

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

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

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

7.2 Appointment or Designation of ENRO Officers

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

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

Said seconded DENR Officer shall be the acting ENRO for the LGU. The LGU shall designate and understudy of said seconded DENR Officer

7.3 Provision of Technical Assistance

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

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

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

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

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

for	forest	areas	up	to	1,000	has	CENRO
more	than	1,000	has	up	to	5,000	has
more	than	5,000	has	up	to	15,000	has
more	than	15,000	has	up	to	30,000	has
more	than	30,000	has	Secretary			

7.5 Monitoring and Evaluation

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

Section 8. Specific Guidelines and Procedures for the effective Implementation of Devolved Forest Management Projects and Functions

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

8.1.1 Existing CBFM Projects

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

- (a) Inventory of all CBFM projects within the province, city or municipality;

(b) Provision by DENR to concerned LGUs of copies of pertinent records, documents, maps and other information of all CBFM projects within the LGUs jurisdiction. In like manner, the concerned LGUs shall update DENR on status of projects already devolved to them;

(c) Field assessment, of each project to determine present status, major problems and constraints;

(d) Joint formulation of action plan for each projects site in coordination with the concerned participants, POs or communities to improve project implementation;

(e) Joint formulation or action plan for turnover by DENR of projects to concerned LGUs, including the phasing in of their respective responsibilities and resources sharing in the management of the same;

(f) Definition of specific roles and responsibilities of DENR, LGU (provincial, municipal/cities, barangay), Communities (or beneficiaries), and other sectors in plan implementation ;

(g) Design and implementation of joint monitoring and evaluation system for each CBFM project.

8.1.2 New CBFM Projects

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

(a) DENR through its regional, provincial and community field offices shall consult and coordinate with concerned provincial, municipal or city governments for their participation in the implementation of CBFM projects in their respective territorial jurisdiction.

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

1. Definition of specific roles/responsibilities of DENR and concerned LGUs consistent with DENR DAO 96-29 and other pertinent rules and regulations;

2. Creation of teams composed of representatives from both offices to undertake the various phases of CBFM;

3. Commitments of financial and other resources needed in CBFM implementation;

4. Monitoring and evaluation system;

5. Schedule of activities.

(c) DENR-LGUs Phase-out plan for project management.

8.2 Forest Protection

8.2.1 Forest Protection and Forest Law Enforcement

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

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

The DENR shall not release any forest product, tool, equipment and other conveyance seized during forest law enforcement operations without the recommendation of the concerned LGU. The disposition of forest products shall likewise jointly done by the DENR and the LGU.

8.2.2 Strengthening of the Multisectoral Forest Protection Committees

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

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

8.3 Reforestation

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

8.4 Communal Forest

8.4.1 Existing Communal Forest

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

(a) DENR, through its CENRO, and the concerned LGU shall undertake the actual identification and assessment of existing communal forests. The assessment shall determine the suitability of the existing communal forests. If these are no longer suitable, then these communal forests may be disestablished. The Approval for disestablishment shall be by the RED upon recommendation of the DENR-LGU assessment Team through the PENRO and the RTD for Forestry;

(b) Existing communal forest which are found and recommended by the DENR-LGU Assessment Team as still suitable to achieve their purpose shall be maintained as such. Thereafter, the Sangguniang Panglungsod or Sangguniang Bayan where the communal forest is located shall pass resolution requesting the DENR Secretary for the turnover of said communal forest to the city or municipality. Upon receipt of said resolution, the DENR Secretary shall issue an Administrative Order officially transferring said communal forest to the concerned LGU. The DENR RED shall effect the official transfer to the concerned LGU within fifteen (15) days from the issuance of the administrative order;

(c) Within twelve months form the issuance of the Administrative Order and turnover of said communal forest to the city or municipality, the LGU to which the communal forest was

transferred shall formulate and submit to the Provincial ENR Council for approval a management plan governing the sustainable development of the communal forest.

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

8.4.2 Establishment of New Communal Forest

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

(a) DENR, through its CENRO, together with the concerned city/municipal LGU shall jointly identify potential communal forest areas within the geographic jurisdiction of the concerned city/municipality.

(b) Communal forests to be established shall be identified through a forest land use planning to be undertaken jointly between the DENR and the concerned LGU. The ensuing forest land use plan shall indicate, among others, the site and location of the communal forests within the production forest categorized as such in the forest land use plan;

(c) Once the forest land use plan has been affirmed, the the local chief executive shall initiate the passage by the LGU's sanggunian of a resolution requesting the DENR Secretary to issue an Administrative Order declaring the identified area as a communal forest. The required administrative order shall be issued within sixty (60) days after receipt of the resolution;

(d) Upon acceptance of the responsibility for the communal forest, the city/municipal LGU shall formulate the management plan and submit the same to its ENR Council. The management plan shall include provision for replanting by the communities and the LGUs of the communal forests to ensure sustainability.

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

8.5 Establishment and Management of Community Watershed Areas

8.5.1 Identification and Establishment of Community Watersheds

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

(a) DENR, through its CENRO, together with the city/municipal LGU shall identify potential watershed areas in the city or municipal territorial jurisdiction that can be sources of water supply for specific communities:

(b) Community Watershed Areas to be established shall be identified through a forest land

use planning to be undertaken jointly by the DENR and the concerned LGU. The Forest land use plan shall indicate, among others, the site and location of the Community watershed;

(c) Once the forest land use plan has been completed, the local chief executive shall initiate the passage by the LGU's sanggunian of a resolution requesting the DENR Secretary to issue an Administrative Order declaring the identified area as Community Watershed as sources of water supply for specific communities. The required administrative order shall be issued within sixty (60) days after receipt of the resolution;

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

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

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

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

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

Section 9. Expanded DENR-LGU Partnership on Forest Management Activities

9.1 Forest land Use Planning

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

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

(a) DENR Central Office shall issue an order directing the REDs to organize within sixty (60) days from issuance thereof, Forest Land Use Planning (FLUP) teams at the provincial, city and municipal levels in coordination with the concerned local chief executives. Corollarily, the concerned local chief executives shall issue the appropriate orders for their LGUs participation in the FLUP;

(b) The FLUP Teams shall organize their work and undertake FLUP within twelve (12) months from their organization;

(c) The FLUPs thus formulated shall be submitted to the LGU's Sanggunian for endorsement/approval and incorporation of the same to the LGU's comprehensive land use plan;

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

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

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

9.3 Issuance of Licenses and Permits

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

9.3.1 Approval of Operations Plan of Timber License Agreements

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

9.3.2 Other Tenurial Instruments

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

Section 10. Funding

10.1 Inclusion in DENR Annual Budget and Work Plan

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

10.2 Inclusion In LGUs' Budget

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

10.3 Other Assistance to the LGUs

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

Section 11. Repealing Clause

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

Section 12. Effectivity

This joint Memorandum Circular shall take effect immediately.

VICTOR O. RAMOS
Secretary, DENR

EPIMACO A. VELASCO
Secretary, DILG