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Department of Environment and Natural Resources

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DENR Administrative Order

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SUBJECT : IMPLEMENTING RULES AND REGULATIONS ON EXECUTIVE ORDER NO. 193, SERIES OF 2015: EXPANDING THE COVERAGE OF THE NATIONAL GREENING PROGRAM

Pursuant to Executive Order No. 193, series of 2015, otherwise known as “Expanding the Coverage of the National Greening Program (NGP)” and in order to harmonize all forest development activities that will encourage and enhance the development of forest plantations, including forest parks, with greater participation from the private sector, local government units, and organized upland communities, the following rules and regulations are hereby promulgated:

Section 1. Declaration of State Policy. It is the policy of the State to sustainably manage, protect and conserve the country’s forest resources while reducing poverty, promoting food security, environmental stability and biodiversity conservation; enhancing climate change mitigation and adaptation, and providing a favorable investment environment with adequate environmental, cultural and social safeguards; enhancing the participation of women and men through the implementation and expansion of the coverage of the National Greening Program (NGP).

Sec. 2. Objectives. The general objective of this Order is to expand the coverage of the NGP, extend the period of its implementation in accordance with the updated Philippine Master Plan for Forestry Development and as part of the action to contribute to the attainment of Nationally Determine Contribution (NDC) under the Paris Agreement by enhancing greenhouse gas sinks and reservoirs.

Specifically, it aims to:

1. Accelerate the rehabilitation and reforestation of unproductive, denuded and degraded areas;
2. Enhance and encourage the participation of the private sector, local government units, organized upland communities, and other relevant stakeholders in the sustainable management of the developed plantations and protection of existing forests;

3. Involve and enhance the participation and investment of the private sector with a view towards enabling private companies to achieve carbon neutrality, among others; and
4. Provide appropriate management arrangements/incentives to participants to ensure sustainability of the program.

Sec 3. Scope and Coverage. Consistent with the updated Philippine Master Plan for Forestry Development (2016-2028), this Order shall cover all the remaining unproductive, denuded and degraded forestlands to be managed for production and protection purposes as well as to achieve carbon neutrality.

This will include development of new plantations and sustainable management of established plantations as well as protection of existing forests.

Sec. 4. Definition of Terms. The following terms as used in this guidelines shall be defined as follows:

- a. **Agroforestry** – refers to the sustainable management of land, which increases their productivity by properly combining agricultural crops with forest crops simultaneously or sequentially over time through the application of management practices, which are compatible with the local climate, topography and slope.
- b. **Assisted Natural Regeneration** - is a process of rehabilitating denuded lands by taking advantage of trees already growing in the area. This usually involves following activities: locating and releasing indigenous trees, maintenance, and augmentation planting and protection.
- c. **Carbon Neutrality** - refers to achieving net zero carbon emissions or having a net zero carbon footprint, by balancing a measured amount of emission with an equivalent amount sequestered, through planting trees and protecting existing forests.
- d. **Degraded forestland** - forest land severely damaged by the excessive harvesting of wood and/or non-wood forest products, poor management, repeated fire, grazing or other disturbances or land-uses that damage soil and vegetation to a degree that inhibits or severely delays the re-establishment of forest after abandonment. This include areas with the following land cover classification: fallow, shrub land, wooded grassland, and grassland.
- e. **DENR** – shall refer to the Department of Environment and Natural Resources which includes its field offices like Regional Office, PENRO and CENRO
- f. **Denuded forestland** - refers to forestland area that is bare and not covered by natural or artificial cover.
- g. **Enrichment Planting** - is the introduction of valuable tree species in forest areas where economical species are lacking.

- h. **Forest Landscape Restoration Approach** - is a process that aims to strengthen the resilience and functionality of the forest landscape and keep future forest management options open. It also aims to restore ecological integrity and enhance human well-being in deforested or degraded forest landscapes. (ITTO 2005)
- i. **INDC /NDC- Intended Nationally Determine Contribution** is a term used under the United Nations Framework Convention on Climate Change (UNFCCC) for reduction in greenhouse gas (GHG) emissions that all countries that signed the Paris Agreement committed. The INDCs may include mitigation and/or adaptation measures, addressing sources of the GHGs or enhancing GHGs sinks and reservoirs. The INDC will become the first **Nationally Determined Contribution (NDC)** once the Paris Agreement is ratified.
- j. **Private Sector** - any entity that is not an instrumentality of the Government that is formed into either a sole proprietorship, partnership, corporation, cooperative or organization under the laws of the Philippines.

Sec. 5. Survey, Mapping, and Planning (SMP). Prior to any development activities in an area, the DENR Field Offices in coordination and consultation with stakeholders concerned, shall conduct Survey, Mapping and Planning (SMP) of all remaining unproductive, degraded and denuded forestlands for the identification, mapping, allocation of areas for production and protection purposes, and site-species matching which may include pioneer species.

Sec. 6. Development components and activities.

The forest landscape restoration approach shall be used in developing all remaining unproductive, denuded and degraded forestlands. Under this approach, the following activities can be done in order to restore the landscape functionality, economic productivity, and ecological integrity of an area:

6.1 Establishment of new plantations

- a. Tree plantations
- b. Agroforestry Development
- c. Rehabilitation of mangrove areas

Establishment of new plantations and enhancement of NGP area shall be done through Comprehensive Site Development (CSD) which shall have the following components:

- a. Site Assessment
- b. Site & Soil Preparation
- c. Species Selection & Spacing
- d. Nursery Establishment & Seedling Production
- e. Plantation Establishment
- f. Maintenance & Protection

6.2 Sustainable Management of Existing NGP Plantations

Established NGP plantations maybe enhanced and enriched in partnership with CBFM PO and the private sector.

For established NGP plantations in areas covered by tenure i.e. CBFMA, maintenance and protection to ensure sustainable management of the same shall remain with the concerned tenure holder and shall be co-terminus with the tenure instrument issued to them.

For NGP plantation established outside of the tenured area by a CBFM holder, the CBFM PO shall be given priority to manage the area through appropriate management arrangement.

For NGP plantation established by a non-CBFM PO, priority shall be given to them to manage the area through appropriate management arrangement

The Local Government Units may opt to avail of any appropriate management arrangement to sustainably manage the NGP plantations they established after the duration of the development contract. In the management agreement, the LGUs shall not be allowed to sublease the area to a third party.

All other areas shall be open for enhancement, maintenance and protection to the private sector.

6.3 Enhancement of existing forests

- a. Assisted Natural Regeneration (ANR)
- b. Enrichment Planting

Sec. 7. Qualified Participants.

Any person, whether natural or juridical, may actively participate in the expanded National Greening Program, through a Memorandum of Agreement with the Government of the Philippines, represented by the Department of Environment & Natural Resources. The person interested to participate in the National Greening program should be able to satisfy the minimum requirement provided in this Order.

Qualified participants are the following:

- i. Any duly registered Peoples' Organization who is interested to participate in the Program.
- ii. Any holder of a Community-Based Forest Management Agreement (CBFMA) and Protected Area Community-Based Resources Management Agreement (PACBRMA) that is of good standing with its registering agency
- iii. Local Government Units (LGUs) in so far as the area or areas for NGP shall be under their administrative jurisdiction. Provided,

that the Sanggunian issue a Resolution allowing the Local Chief Executive to undertake activities under this Order

- iv. Any sole proprietorship, partnership, corporation, cooperative or organization duly recognized under the laws of the Philippines.

Sec. 8. Participation of Private Sector

Qualified private sector may engage in the following activities:

- i. **Establishment of new NGP plantations.** Private Sector can develop and invest in areas, either tenured or untenured for the establishment of new NGP plantations. For areas covered with tenure (i.e CBFMA), the private sector may enter into Joint Venture Agreement (JVA) with the tenure holder to develop the area. For untenured area, private sector may develop the area under the NGP through a Memorandum of Agreement with the DENR.
- ii. **Maintenance and protection of existing NGP plantations.** For long term development, the private sector may invest in maintenance and protection of existing NGP plantations through appropriate management arrangement.
- iii. **Protection of existing second growth forest.** With appropriate technical assistance from the DENR, the private sector may invest in protecting existing second growth forest through a Memorandum of Agreement with DENR.

The private sector are encourage to participate and invest in the Program to enhance their greenhouse gas sinks and reservoir as part of their commitment to reduce greenhouse gas emission.

Together with the Environment Management Bureau (EMB), the FMB shall prepare technical bulletin on the preparation and implementation of forest carbon projects.

Sec. 9. Program Management and Supervision

The DENR Executive Committee headed by the Secretary shall be responsible for the overall management and supervision of the implementation of the expanded NGP.

The DENR-FMB shall be responsible for providing overall technical support to program implementation.

Sec. 10. Monitoring and Evaluation of NGP

The Planning and Policy Office under the Undersecretary for Planning and Policy shall take the lead in the monitoring and assessment of the performance of NGP.

Sec. 11. Mandatory Review. A third-party mandatory review and assessment of the implementation of this Order shall be done every five (5) years. However, a composite team of representatives from the DENR-Regional Office, Forest Management Bureau, & the Local Government Unit shall review and assess the implementation of this Order annually.

Any legal instrument or management arrangement issued or entered into pursuant to this Order shall be reviewed and assessed every three (3) years from the date of issuance.

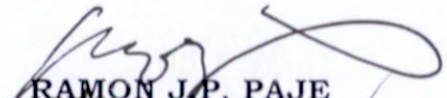
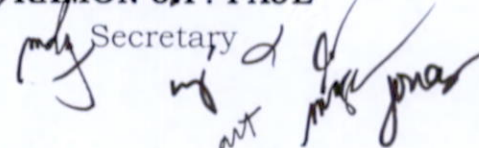
Sec. 12. Support Mechanism. Funds shall be allocated to cover various support mechanisms to include but not limited to capacity building, monitoring and assessment, development and maintenance of database.

Sec. 13. Funding. The DENR shall propose and allocate funds under the General Appropriations Act (GAA) for the implementation of activities under this Order.

Sec. 14. Separability Clause. In case any portion or provision of this Order is declared invalid, the remaining which are not affected shall remain valid and enforceable.

Sec. 15. Repealing Clause. All rules, regulations, circulars, instructions, memoranda, orders or portions thereof which are inconsistent herewith, are hereby repealed or amended accordingly.

Sec. 16. Effectivity Clause. This Order shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and upon acknowledgement of receipt of a copy thereof by the Office of the National Administrative Register (ONAR).


RAMON J.P. PAJE
Secretary


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JULY 15, 2016

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JULY 27, 2016

