

MEMORANDUM OF UNDERSTANDING

between

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

and

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

I. Purpose

The United States Agency for International Development (hereinafter referred to as “USAID”) and the Department of Environment and Natural Resources (hereinafter referred to as “DENR”) have a common interest in improving water security of the Philippines.

The purpose of this Memorandum of Understanding (“MOU”) is to establish cooperation between USAID and DENR (each a “Participant” and collectively, “Participants”), pursuant to the Development Objective Agreement between the United States of America and the Republic of the Philippines for Enhanced Ecosystem and Community Resilience signed on February 3, 2021 by National Economic and Development Authority Acting Secretary Karl Kendrick T. Chua and USAID/Philippines Mission Director Lawrence Hardy II.

The MOU also seeks to further the goals set forth below, and to outline the understandings and intentions with regard to these shared goals. The Participants seek to share their respective strengths, experiences, technologies, methodologies, and resources (including human, in-kind, and monetary) in order to achieve these goals.

The Participants share the following goals:

- Improve the sustainable management of watersheds and forests, including water resources and supply as a critical ecosystem service;
- Strengthen economic regulatory reform and water utility governance; and
- Reduce greenhouse gas emissions from the land sector.

The Participants intend to focus on joint activities, including the following:

- Baseline assessments, hydrological studies, and land use mapping to assess the status as well as condition of water resources, watersheds, and forests in the target sites;
- Formulation of integrated watershed management plans and LGU implementation/conservation plans in priority watersheds;
- Strengthening stakeholder coordination and planning for water resource management and water supply and sanitation service provision;
- Development, replication and/or institutionalization of watershed rehabilitation, conservation and protection financing schemes;
- Promotion of sustainable livelihood and practices in target watersheds;
- Development and/or application of tools, manuals or models for the protection of water resources, watersheds, and forest lands;
- Adoption and implementation of green infrastructure and other nature-based solutions, as well as water demand management;
- Implementation of the Philippine Water Supply and Sanitation Master Plan priority measures under the eight key reform areas;
- Capacity building activities such as training, conferences and workshops;
- Analysis and development of national- and local-level policies and plans to advance water security or water resource management;
- Annual work planning and pause-and-reflect sessions to monitor and evaluate the progress in project implementation; and

- Production and dissemination of knowledge materials.

The Participants enter into this MOU while maintaining their own separate and unique missions and mandates, and their own accountabilities. This MOU is not a treaty and does not give rise to rights or obligations under international law. Unless specifically provided otherwise, the cooperation between the Participants as outlined in this MOU shall not be construed as a legal form of partnership or other type of legal entity or personality. Each Participant shall accept full and sole responsibility for any and all expenses incurred by itself relating to this MOU. Nothing in this MOU shall be construed as superseding or interfering in any way with any agreements or contracts entered into among the Participants, either prior to or subsequent to the signing of this MOU. Nothing in this MOU shall be construed as an exclusive working relationship. The Participants specifically acknowledge that this MOU is not an obligation of funds, nor does it constitute a legally binding commitment by any Participant or create any rights in any third party.

II. Partner Roles, Responsibilities and Notices

1. USAID

USAID Background

USAID is an independent federal government agency of the United States of America that receives overall foreign policy guidance from the Secretary of State. USAID supports international development and advances U.S. foreign policy objectives by supporting economic growth, agriculture and trade, global health, democracy and conflict mitigation and management; and humanitarian assistance in Sub-Saharan Africa, Asia and the Near East, Latin America and the Caribbean, and Europe and Eurasia.

USAID is providing technical assistance to the Government of the Philippines through a five-year (December 2019 - December 2024) project called **Safe Water**, which is being implemented with the National Economic Development Authority (NEDA) as the lead host government partner and in close collaboration with Philippine government agencies that carry water-related mandates such as the DENR, the National Water Resources Board (NWRB), Department of Interior and Local Government (DILG), Department of Health (DOH), Department of Public Works and Highways (DPWH) and Local Water Utilities Administration (LWUA). Safe Water is implemented by DAI Global LLC, with the Orient Integrated Development Consultants, Inc. (OIDCI), Lutheran World Relief (LWR), Geosciences Foundation, Inc. (GFI) and Manila Observatory as subcontractors.

Safe Water seeks to improve the water security of water-stressed communities in the Philippines, contributing to national goals of inclusive growth, improved public health, food security, disaster and climate resilience, and peace and stability under the Philippine Development Plan 2017-2022. Safe Water aligns with the Philippine Water Supply and Sanitation Master Plan, the enhanced National Greening Program, the National Framework Strategy for Climate Change 2010-2022 and the National Climate Change Action Plan 2011-2028. To achieve water security, Safe Water will improve access to safe and resilient water supply and sanitation services (WSS), thereby contributing to the country's Sustainable Development Goal target of universal coverage by 2030; improve water resources management focusing on protection and conservation of resources, and efficient use of water resources to ensure sustainable supply; and strengthen water sector governance, primarily supporting the enactment of policies, regulatory reforms and strategic investments at the national and local government levels. After five years, local government units (LGUs), water service providers, and watershed councils in the selected areas will have the information, incentives, and partnerships to identify and address barriers to a water-secure future—yielding life-saving gains in access to water supply and sanitation services for unserved and underserved communities in the Philippines. In addition to national level activities, Safe

Water will be implemented in the provinces of Palawan, Negros Occidental, and Sarangani as well as the cities of Puerto Princesa, Bacolod, and General Santos.

USAID Role

In support of the goals of this MOU, USAID, through the Safe Water project and subject to the availability of funds, is expected to:

- Provide international and national long- and short-term experts, as may be needed, to support the implementation of the Safe Water project.
- Establish a basic office set-up in Manila and target sites, including office space, furnishing, equipment and vehicles.
- Provide training courses and other capacity building programs as well as facilitate workshops and conferences in direct support of Safe Water's objectives.
- Conduct hydrological and baseline studies, forest and land use mapping, policy analysis, water security planning, capacity building for watershed management councils and/or river basin organizations and water service providers, and other technical activities, as may be needed, at the target sites in coordination with the DENR.
- Facilitate private sector partnerships to support water demand management, sustainable livelihood, and household access to sanitation.
- Produce information materials and other knowledge products based on Safe Water's activities for public distribution.
- In coordination with NEDA, share quarterly progress reports, as well as annual reports and the project completion report, and project datasets to DENR

All notices to USAID should be sent to the following USAID Point of Contact:

Joanne C. Dulce

Project Management Specialist (Climate Change Adaptation and WASH)
Environment Office
U.S Agency for International Development
Annex 2 Building, U.S Embassy
1201 Roxas Boulevard, Ermita
Manila, Philippines
Tel. No.: 5301-4825
Email: jodulce@usaid.gov

2. DENR

DENR Background

DENR is the Government of the Philippines' primary agency responsible for the conservation, management, development, and proper use of the country's environment and natural resources. DENR envisions a nation enjoying and sustaining its natural resources and a clean and healthy environment. Its principal mission is to mobilize the citizenry in protecting, conserving, and managing the environment and natural resources for the present and future generations. An attached agency to the DENR is the National Water Resources Board, which manages and regulates all water resources and services in the Philippines. It integrates and coordinates all water related activities that have social, environmental and economic impacts in the country.

DENR Role

In support of the goals of this MOU, the DENR is expected to:

- Designate one (1) staff member in each of the following offices and attached agency: Foreign-Assisted and Special Projects Service, Forest Management Bureau, DENR Region IV-B (MIMAROPA) DENR Region VI (Western Visayas), DENR Region

XII (SOCCSKSARGEN), and NWRB, as Project Focal Persons. The project focal persons will be responsible for project planning, implementation, monitoring and evaluation, and assign, as may be needed, additional staff members to collaborate in the technical implementation. The DENR shall make them available in time for project activities, monitoring, and evaluation tasks, training courses and workshops, and travel to seminars, conferences and meetings, including all documents required for their participation, as agreed upon.

- In coordination with NEDA, provide recommendations to support the achievement of Safe Water goals.
- Together with the Safe Water project team, coordinate all activities in support of the project's goals with the local government units and watershed management councils and/or river basin organizations concerned.
- Make available all information and documents necessary for the accomplishment of Safe Water, as permissible by existing laws and DENR guidelines, in cooperation with other government agencies and partners at the national and local levels.
- Together with USAID and the Safe Water project team and in coordination with NEDA, hold periodic meetings and roundtable discussions to review progress, resolve operational concerns, and exchange lessons learned.

All notices to DENR shall be sent to the DENR Point of Contact:

Dr. Seville David, Jr.
Executive Director
National Water Resources Board
8th Floor, NIA Building
EDSA, Diliman, Quezon City
Tel. No.: (632) 8928-2365, (632) 8920-2641
Email: seville.davidjr@nwr.gov.ph

III. Implementation

1. Governance structure

The Participants will establish a Project Management Committee (PMC) whose main function is to coordinate and exchange information that will help ensure the effective implementation of the Safe Water project. The PMC will have members from DENR, NEDA, NWRB, USAID, and other offices as may be deemed appropriate. The Safe Water project team will serve as the PMC Secretariat. Details of the PSC structure, composition, functions and frequency of meetings will be outlined in a DENR Special Order.

A project coordinating team may be established at the site-level to provide information, monitoring and implementation support at the regional and local levels.

2. Communications

The Participants intend to collaborate and/or coordinate in the development of outreach and education materials regarding the programs for external audiences. Where relevant, branding should be accomplished in accordance with the Participants' respective legal, policy and procedural requirements.

The Participants intend to respect each other's confidentiality policies, with the mutual understanding that the Participants intend to publicize the cooperation and its objectives without disclosing any confidential or proprietary information of the other Participant.

3. Reporting and Evaluation

(a) Reporting

USAID, through Safe Waterand in coordination with NEDA, will share with DENR, through the DENR Point of Contact, a copy of the quarterly reports, annual reports, short-term consultants' report, and the project completion report.

(b) Evaluation

The Participants will jointly monitor and evaluate the status of Safe Water during implementation. This may be accomplished through participation in an annual pause-and-reflect workshop. The DENR shall ensure the participation of the relevant stakeholders in the monitoring and evaluation. USAID may engage third-party evaluation of the project. To this end, USAID, in consultation with DENR, may hire experts or appraisers for the independent evaluation of the Safe Water project.

IV. Effective Date, Duration, Amendments, and Termination

This MOU becomes effective on the date of the last signature of all the Participants and is expected to continue until December 1, 2024. However, the Participants may decide, in writing, to extend this period. In addition, this MOU may be modified or amended if all Participants agree in writing.

Any Participant may terminate this MOU at any time but should endeavor to provide at least 30 days' written notice to the other Participants. Termination shall be effective upon expiry of the notice period.

IN WITNESS WHEREOF, the Participants, each acting through their duly authorized representatives, have caused this MOU to be signed, in duplicate, in their names and delivered as of this ___ day of _____ 2021.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

By: Lawrence Hardy II
(Signature)

By: [Signature]
(Signature)

Name: **LAWRENCE HARDY II**
Title: Mission Director
Date: _____

Name: **ROY A. CIMATU**
Title: Secretary
Date: **JUN 04 2021**

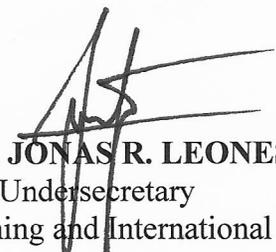


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[Handwritten signatures]

SIGNED IN THE PRESENCE OF:

JOHN EDGAR
Chief Environment Office
USAID Philippines



ATTY. JONAS R. LEONES
Undersecretary
Policy, Planning and International Affairs



SEVILLO DAVID, JR.
Executive Director
National Water Resources Board



MARCIAL C. AMARO, JR., CESO III
Assistant Secretary
Policy, Planning, FASPS and Director, FMB
in concurrent capacity