



Republic of the Philippines
Department of Environment and Natural Resources

FOREST MANAGEMENT BUREAU

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Tel. No.: (632) 8925-2141 / (632) 8927-4788

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MEMORANDUM FOR THE SECRETARY

THRU : The Undersecretary for Legal, Administration, Human Resources, and Legislative Affairs

ATTN : The Director, DENR Legal Affairs Service

FROM : The Assistant Secretary for Policy, Planning, and Foreign Assisted and Special Projects, and FMB Director, in concurrent capacity

SUBJECT : **LEGAL OPINION REGARDING THE REQUEST FOR ISSUANCE OF PRESIDENTIAL PROCLAMATION REPEALING PRESIDENTIAL PROCLAMATION NO. 663 SERIES OF 2013, AND DENR MEMORANDUM ORDER TRANSFERRING THE ADMINISTRATION OF BUSUANGA PASTURE RESERVE (BPR) TO THE DENR MIMAROPA OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

DATE : **OCT 25 2021**

This has reference to the undated Memorandum of the Undersecretary on the legal opinion regarding the issuance of Presidential Proclamation repealing Presidential Proclamation No. 663 Series of 2013, and DENR Memorandum Order (DMO) transferring the administration of Busuanga Pasture Reserve (BPR) to the DENR MIMAROPA of the Department of Environment and Natural Resources (DENR).

This Office would like to clarify that the draft DENR Memorandum Order "Defining the functions of DENR-MIMAROPA and the Forest Management Bureau in the management and administration of the BPR" is another proposed policy option to be issued in the meantime while waiting for the amendment of Presidential Proclamation No. 663 (PP 663), s. 2013, through indorsement of the draft Presidential Proclamation repealing PP 663 to the Office of the President.

Under Executive Order No. 192 s. 1987, the Forest Management Bureau is created as a staff bureau, the line functions of which were transferred to the regional field offices of the DENR. Hence, for more efficient and strategic management of the Busuanga Pasture Reserve, it is deemed necessary that certain duties and responsibilities be transferred to DENR MIMAROPA with FMB maintaining its oversight function as the administrator thereof, which is the purpose of the said draft DMO.

We have already revised the said documents based on the comments earlier provided by the OULAHRLS. In view of the foregoing, respectfully re-endorsed is the draft Presidential Proclamation amending Presidential Proclamation No. 663 series of 2013 with corresponding draft endorsement to the Office of the President, and the draft DENR Memorandum Order

“Defining the functions of DENR-MIMAROPA and the Forest Management Bureau in the management and administration of the BPR” for the Secretary’s concurrence and signature.

FOR CONSIDERATION AND APPROVAL, PLEASE.



MARCIAL C. AMARO, JR., CESO III

cc:

DENR Undersecretary for Field Operations and Environment
DENR Undersecretary for Enforcement, Mining & Muslim Affairs and Supervising Undersecretary for FMB
DENR Assistant Secretary for Field Operations – Luzon
Regional Executive Director, DENR MIMAROPA
PENR Officer, Palawan
CENR Officer, Calamianes Islands
OIC, BPR Management Office

DENR Memorandum Order

No. _____

**SUBJECT: DEFINING THE FUNCTIONS OF DENR-MIMAROPA AND
 THE FOREST MANAGEMENT BUREAU IN THE
 MANAGEMENT AND ADMINISTRATION OF THE
 BUSUANGA PASTURE RESERVE**

Pursuant to Presidential Proclamation No. 1387, Presidential Decree No. 705, as amended, Presidential Proclamation No. 663, and Executive Order No. 192 s. 1987, , the following guidelines pertaining to the duties and responsibilities in managing and administering the Busuanga Pasture Reserve (BPR) is hereby issued for the compliance of all concerned:

A. DENR MIMAROPA Region

The DENR MIMAROPA Region (Region 4B) shall have the following functions in the management of the Busuanga Pasture Reserve:

1. Assume supervision of the DENR Field Offices concerned on the management of the Busuanga Pasture Reserve;
2. Integrate the functions of the Busuanga Pasture Reserve Management Office (BPRMO) to the Community Environment and Natural Resources Office Calamianes Islands, Coron, Palawan;
3. Develop management plan for the BPR to effectively manage and promote forest investments in the area;
4. Ensure the integration of the program activities based on the management plan with that of the local government's program of work and Forest Land Use Plan;
5. Facilitate involvement of private sector in the development and protection of BPR thru applicable tenure instruments and/or other management arrangements;
6. Coordinate with concerned LGUs and other stakeholders to ensure their participation in the planning and implementation of programs and projects within BPR;
7. Implement existing laws, policies, rules and regulations on the conservation and protection of the BPR and file appropriate charges in Court for violation thereof;
8. File, litigate, and prosecute cases against violators of pertinent environment laws, rules and regulations within Busuanga Pasture Reserve (BPR);
9. Review, and evaluate applications for permits, tenure instruments and/or agreements within BPR in accordance with existing laws, rules and regulations;
10. Participate in joint ventures and other management arrangements with Peoples Organizations, NGOs and private sector for the projects related to the protection and conservation of the areas covered by BPR;
11. Conduct periodic monitoring of activities within BPR; Include the development, forest protection and law enforcement activities, among others, in the annual budgeting for BPR; and
12. Submit periodic reports to the undersigned, through the Office of the Undersecretary for Field Operations, copy furnished the Director of the Forest Management Bureau.

B. Forest Management Bureau

The Forest Management Bureau shall have the following functions in the administration of the Busuanga Pasture Reserve:

1. Exercise oversight function on the implementation of plans, programs and projects within BPR;
2. Oversee the enforcement of environmental and forestry laws, rules and regulations in the pasture reserve;
3. Recommend policies, plans, and programs/projects for the protection, development, management and conservation of the BPR and in furtherance of forestry investments in the area;
4. Review, facilitate and endorse to the DENR Secretary, through the Undersecretary for Field Operations, of any possible management arrangements with other government entities in the BPR;
5. Provide technical advice and assistance, as necessary, in the management and administration of the pasture reserve;
6. Assist in the generation of additional funding support for the implementation of forestry-related plans, projects, and programs in the pasture reserve, if necessary;
7. Create a Busuanga Pasture Reserve Support Unit under the Office of the Director to act and facilitate on matters relevant to BPR; and
8. Assist in the monitoring of the BPR operations and activities.

This Order supersedes, amends and/or revokes all Orders, Circulars which are inconsistent herewith and shall take effect immediately.

ROY A. CIMATU
Secretary



MEMORANDUM FOR PRESIDENT RODRIGO ROA DUTERTE

THRU : Executive Secretary Salvador C. Medialdea

FROM : The DENR Secretary

SUBJECT : **REQUEST FOR ISSUANCE OF PRESIDENTIAL PROCLAMATION REPEALING PRESIDENTIAL PROCLAMATION NO. 663 SERIES OF 2013 TRANSFERRING THE ADMINISTRATION OF BUSUANGA PASTURE RESERVE (BPR) TO THE DENR MIMAROPA OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

DATE :

We have the honor to forward herewith for **CONSIDERATION AND APPROVAL**, is the Draft Presidential Proclamation repealing Presidential Proclamation No. 663 Series of 2013 and transferring the administration of Busuanga Pasture Reserve (BPR) to the DENR MIMAROPA Region of the Department of Environment and Natural Resources (DENR).

BACKGROUND

1. Busuanga Pasture Reserve is a parcel of public domain situated in the island of Busuanga, Province of Palawan, was withdrawn from “sale, settlement or any other form of disposition, exploration or exploitation,” and “reserved as pasture reserve” pursuant to Presidential Proclamation No. 1387, Series of 1975;
2. On May 10, 2010, then President Gloria Macapagal Aroyo issued Presidential Proclamation (PP) No. 2057 “Authorizing the Philippine Forest (PhilForest) Corporation to Administer the development of the area covered by the Busuanga Pasture Reserve delineated by Proclamation No. 1387”;
3. On October 14, 2013, following the dissolution of the then PhilForest, then President Benigno S. Aquino III issued Presidential Proclamation No. 663, “Repealing Proclamation No. 2057 and transferring the administration of the Busuanga Pasture Reserve to the DENR-Forest Management Bureau (DENR-FMB);
4. The area is currently being administered by the Forest Management Bureau (FMB) pursuant to Presidential Proclamation No. 663 citing Section 3 of Commonwealth Act No. 452 that the Bureau of Forestry (presently the FMB of DENR) shall have jurisdiction and authority over the administration, protection, and management of pasture lands;
5. The reorganization of the Department of Energy, Environment and Natural Resources, renaming it as the Department of Environment and Natural Resources (DENR) and creating the Forest Management Bureau as staff bureau absorbing the powers and functions of the Bureau of Forest Development (formerly Bureau of Forestry) and the Wood Industry Development Authority except those line functions and powers which was transferred to the Regional Field Office of the DENR;

JUSTIFICATION

The MIMAROPA Region of DENR has the line functions and powers which would help effectively and efficiently manage the BPR especially through the: (1) implementation of existing laws, policies, rules and regulations on the conservation and protection of the BPR; (2) filing, litigation, and prosecution of cases against violators of pertinent environment laws, rules and regulations within Busuanga Pasture Reserve (BPR); and (3) review, and evaluation of applications for permits, tenure instruments and/or agreements within BPR in accordance with existing laws, rules and regulations.

LEGAL BASIS

Executive Order No. 192, s. 1987 provides that:

“SECTION 13. Forest Management Bureau. There is hereby created a Forest Management Bureau which shall integrate and absorb the powers and functions of the Bureau of Forest Development (BFD) and the Wood Industry Development Authority (WIDA), in accordance with Section 24 (e) hereof **except those line functions and powers which are transferred to the regional field office**. The Forest Management Bureau, to be headed by a Director and assisted by an Assistant Director shall advise the Secretary on matters pertaining to forest development and conservation and shall have the following functions, but not limited to:

- (a) Recommend policies and/or programs for the effective protection, development, occupancy, management and conservation of forest lands and watersheds, including grazing and mangrove areas, reforestation and rehabilitation of critically denuded/degraded forest reservations, improvement of water resource use and development, ancestral lands, wilderness areas and other natural preserves, development of forest plantations including rattan, bamboo, and other valuable non-timber forest resources, rationalization of the wood-based industries, regulation of the utilization and exploitation of forest resources including wildlife, to ensure continued supply of forest goods and services.
- (b) Advise the regional offices in the implementation of the above policies and/or programs.
- (c) Develop plans, programs, operating standards and administrative measures to promote the Bureau's objectives and functions.
- (d) Assist in the monitoring and evaluation of forestry and watershed development projects to ensure efficiency and effectiveness.
- (e) Undertake studies on the economics of forestry and forest-based industries, including supply and demand trends on the local, national and international levels, identifying investment problems and opportunities, in various areas.
- (f) Perform other functions as may be assigned by the Secretary and/or provided by law.

xxx

SECTION 21. Functions of Environment and Natural Resources Regional Office. Environment and Natural Resources Regional Offices shall be located in the identified regional capitals and shall have the following functions, but not limited to:

- (a) Implement laws, policies, plans, programs, projects, rules and regulations of the Department to promote the sustainability and productivity of natural resources, social equity in natural resource utilization and environmental protection.
- (b) Provide efficient and effective delivery of services to the people;
- (c) Coordinate with regional offices of other departments, offices, agencies in the region and local government units in the enforcement of natural resource conservation laws and regulations, and in the formulation/implementation of natural resources programs and projects;
- (d) Recommend and, upon approval, implement programs and projects on forestry, minerals, and land management and disposition;
- (e) Conduct comprehensive inventory of natural resources in the region and formulate regional short and long-term development plans for the conservation, utilization and replacement of natural resources;
- (f) Conduct comprehensive inventory of natural resources in the region and formulate regional short and long-term development plans for the conservation, utilization and replacement of natural resources;
- (g) Supervise the processing of natural resources products, grade and inspect minerals, lumber and other wood processed products, and monitor the movement of these products;
- (h) Supervise the processing of natural resources products, grade and inspect minerals, lumber and other wood processed products, and monitor the movement of these products;
- (i) Conduct field researches for appropriate technologies recommended for various projects;
- (j) Perform other functions as may be assigned by the Secretary and/or provided by law.

The **natural resources provincial and community offices shall absorb, respectively, the functions of the district offices of the bureaus**, which are hereby abolished in accordance with Section 24 (b) hereof. The provincial and community natural resource office shall be headed by a provincial natural resource officer and community natural resource officer, respectively.”

Also, **Executive Order No. 292** grants the President residual powers and continuing authority to reorganize the administrative structure of the Executive Branch.

RECOMMENDATION

In view thereof, considering that the issuance of Presidential Proclamation is in accordance with the existing laws, rules and regulations, and, it is respectfully recommended that the same be issued.

ROY A. CIMATU

MALACAÑANG PALACE

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. ____

**REPEALING PROCLAMATION NO. 663 SERIES OF 2013 AND TRANSFERRING
THE ADMINISTRATION OF BUSUANGA PASTURE RESERVE TO THE DENR
MIMAROPA REGION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES (DENR)**

WHEREAS, Presidential Proclamation No. 1387 (s. 1975) was issued reserving and establishing as pasture reserve a more or less 40,000 hectares parcel of land of the public domain situated in the Island of Busuanga, Province of Palawan;

WHEREAS, Proclamation No. 2057 (s. 2010) authorized the Philippine Forest Corporation (PFC) to administer the development of the area covered by the Busuanga Pasture Reserve (BPR);

WHEREAS, Presidential Proclamation No. 663 (s. 2013) transferred the administration of the Busuanga Pasture Reserve from the Philippine Forest Corporation to the Forest Management Bureau (FMB) of the Department of Environment and Natural Resources (DENR);

WHEREAS, the Forest Management Bureau is a staff bureau under the Department of Environment and Natural Resources by virtue of Executive Order No. 192 (s. 1987) whose line functions were transferred to the Regional Field Offices of DENR;

WHEREAS, the administration of the Busuanga Pasture Reserve is suitably a line function that should be carried out by the DENR field offices in accordance with its mandate;

WHEREAS, the Administrative Code of 1987 grants the President residual powers and continuing authority to reorganize the administrative structure of the Executive Branch;

NOW, THEREFORE, I, RODRIGO R. DUTERTE, President of the Philippines, by virtue of the powers vested in me by law, do hereby repeal Presidential Proclamation No. 663, Series of 2013 and transfer the administration of the Busuanga Pasture Reserve from the Forest Management Bureau to the DENR MIMAROPA Regional Office of the Department of Environment and Natural Resources.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE, in the City of Manila, this ____ of ____, in the year of our Lord, Two Thousand and Twenty One.

By the President:

SALVADOR C. MEDIALDEA

Document N 2147550815 / C-14674
Sender Norlito A. Eneran
Address Dir. Legal Affairs
SUBJECT Memo dtd Sept. 14, 2021 Draft Legal Opinion regarding the request for Issuance of Presidential Proclamation Repealing Presidential Proclamation No. 663 series 2013 and Transferring the Administration of Busuanga Pasture Reserve to the DENR MIMAROPA Region of the DENR

Addressee (s) Office of the Director
cc Addressee FMB D

ROUTING SLIP				
FROM	DATE/TIME RECEIVE	FOR/TO	TIME RELEASE	ACCEPTANCE REMARKS/ACTION REMARKS
Records	09/21/2021 2:30 pm	OD		
<div>FOREST MANAGEMENT BUREAU RECEIVED SEP 21 2021 5:32pm OFFICE OF THE DIRECTOR</div> <div>FOREST MANAGEMENT BUREAU RECEIVED SEP 24 2021 11:07 am RECORDS UNIT</div>				
<div>For. Iss 09/24/20 For consideration, guidance & further action. Procon.</div> <div>For. Iss 09/24/20 For consideration, guidance & further action. Procon.</div> <div>Handwritten notes and signatures in the routing slip table.</div>				

FOREST MANAGEMENT BUREAU
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NAME: _____
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FOREST INVESTMENT DEVELOPMENT DIVISION
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SEP 24 2021
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Handwritten signature



Republic of the Philippines
Department of Environment and Natural Resources
Document Action Tracking System
Document Routing Slip

Document No: DENRCO - AS RMD-2021-009904

Print Date: Monday, April 19, 2021

Sender: MARCIAL C. AMARO JR

Address: DENR FMB

Subject: MEMO DTD 04/14/2021 REQUEST FOR ISSUANCE OF PRESIDENTIAL PROCLAMATION REPEALING PRESIDENTIAL PROCLAMATION NO. 663 SERIES OF 2013 AND TRANSFERRING THE ADMINISTRATION OF BUSUANGA PASTURE RESERVE TO THE DENR MIMAROPA REGION OF THE DENR (W/ ENCL)

Addressee(s): Office of the Undersecretary for Legal, Administration, Human Resources and Legislative Affairs (OULAHRLA)

CC Addressee(s):

Date/Time Received: 04/17/2021 07:35:00 PM

RECEIVED
Date: 4-22-2021
Time:

ROUTING AND ACTION INFORMATION				
FROM	DATE/TIME RECEIVED	FOR/TO	DATE/TIME RELEASED	ACCEPTANCE REMARKS/ACTION REQUIRED/TAKEN REMARKS/STATUS
	04/17/2021 07:36:01 PM	DENRCO - AS RMD		
DENRCO - AS RMD		OULAHRLA	04/17/2021 07:36:03 PM	

LAS

Respectfully respond for your comments
and recommendations pls.
Thank you

LPD April 30, 2021

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05/05/21

Instruction/s:
☒ For appropriate action.
☐ For review/evaluation.
☐ For information/reference/file.
☐ Please respond to the letter within the prescribed period.
☐ Others:

NIVALTO A. EBERAN, LL.M.
Director, Legal Affairs Service

✓ Atty. Marcelo, please draft
opinion. xx. f.

Email sent on: 1 Sept. 2021.
(output)

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FASPS

w/encl

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Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
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Website: <http://www.denr.gov.ph> / Email: web@denr.gov.ph

SEP 14 2021
MEMORANDUM

FOR : **The Undersecretary**
Legal, Administration, Human Resources, and Legislative Affairs

THROUGH : **The Assistant Secretary**
Legal Affairs 

FROM : **The Director**
Legal Affairs Service

SUBJECT : **DRAFT LEGAL OPINION REGARDING THE REQUEST FOR
ISSUANCE OF PRESIDENTIAL PROCLAMATION REPEALING
PRESIDENTIAL PROCLAMATION NO. 663 SERIES OF 2013 AND
TRANSFERRING THE ADMINISTRATION OF BUSUANGA
PASTURE RESERVE TO THE DENR MIMAROPA REGION OF
THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES**

This pertains to the Memorandum dated 14 April 2021 for the Secretary requesting the consideration of the Secretary and subsequent endorsement to the Office of the President of the draft Presidential Proclamation transferring the administration of Busuanga Pasture Reserve (BPR) from the Forest Management Bureau (FMB) to the DENR-Region IVB (MIMAROPA Region), amending Presidential Proclamation No. 663, series of 2013.

Attached hereto is the draft legal opinion regarding the said subject matter for your consideration and signature.


NORLITO A. ENERAN, LL.M., CESO III



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
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SEP 14 2021

MEMORANDUM

FOR : **The Undersecretary**
Legal, Administration, Human Resources, and Legislative Affairs

THROUGH : **The Assistant Secretary**
Legal Affairs

FROM : **The Director**
Legal Affairs Service

SUBJECT : **DRAFT LEGAL OPINION REGARDING THE REQUEST FOR
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NORLITO A. ENERAN, LL.M., CESO III 



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Visayas Avenue, Diliman, Quezon City
Tel. Nos. (632) 929-66-26 to 29 (632) 929-62-52
Website: <http://www.denr.gov.ph> / Email: web@denr.gov.ph

MEMORANDUM

TO : **The Assistant Secretary**
Policy, Planning and Foreign Assisted and Special Projects in his
concurrent capacity as the OIC Director

FROM : **The Undersecretary**
Legal, Administration, Human Resources, and Legislative Affairs

SUBJECT : **LEGAL OPINION REGARDING THE REQUEST FOR ISSUANCE
OF PRESIDENTIAL PROCLAMATION REPEALING
PRESIDENTIAL PROCLAMATION NO. 663 SERIES OF 2013 AND
TRANSFERRING THE ADMINISTRATION OF BUSUANGA
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This pertains to the Memorandum dated 14 April 2021 for the Secretary requesting his consideration and subsequent endorsement to the Office of the President of the draft Presidential Proclamation transferring the administration of Busuanga Pasture Reserve (BPR) from the Forest Management Bureau (FMB) to the DENR-Region IVB (MIMAROPA Region), amending Presidential Proclamation No. 663, series of 2013.

After a careful evaluation of the draft presidential proclamation, this Office suggests that the 7th paragraph be revised as follows:

NOW, THEREFORE, I, RODRIGO R. DUTERTE, President of the Philippines, by virtue of the powers vested in me by law, do hereby repeal Presidential Proclamation No. 663, series of 2013, and transfer the administration of the area covered by the Busuanga Pasture Reserve from the Forest Management Bureau to the DENR MIMAROPA Region of the Department of Environment and Natural Resources.

Further, this Office noticed that a draft DENR Memorandum Order (DMO) is also attached in the Memorandum for the Secretary, providing for the functions of DENR MIMAROPA Region and the FMB in relation with the management and administration of the BPR. This Office would like to clarify whether this draft DMO will be issued together with the draft Proclamation, or will the former serve as an alternative issuance in case the latter gets rejected.

If it is the first case, the draft DMO contradicts the draft Proclamation as it provides for the respective duties and responsibilities of FMB and DENR MIMAROPA Region in managing and administering the BPR area. Since the draft Proclamation transfers the administration of BPR to the DENR MIMAROPA Region, the FMB should

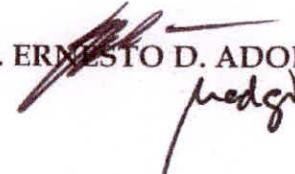
not be vested with the duties and responsibilities in the management and administration of BPR, apart from those that are generally covered by their mandate. /

Otherwise, if the draft DMO will be issued instead of the draft Proclamation, this Office suggests a provision be inserted to include that the DENR MIMAROPA Region be given the duty and responsibility to file, litigate and prosecute cases against violators of pertinent environmental laws, rules and regulations within the Busuanga Pasture Reserve. //

Other than the above comments and suggestions, this Office finds the same to be in accordance with and not contrary to existing laws, policies, rules, and regulations. //

It is to be understood, however, that this review is limited to the legal examination and evaluation of the proposed MOA, and does not pass upon the technical arrangements including the propriety of its execution, as these are matters best left to the sound judgment of the DENR management. /

For your information and consideration.

ATTY. ERNESTO D. ADOBO, JR., CESO I
EAD  JED 8



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DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
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MEMORANDUM

TO : **The Assistant Secretary**
Policy, Planning and Foreign Assisted and Special Projects in his
concurrent capacity as the OIC Director

FROM : **The Undersecretary**
Legal, Administration, Human Resources, and Legislative Affairs

SUBJECT : **LEGAL OPINION REGARDING THE REQUEST FOR ISSUANCE
OF PRESIDENTIAL PROCLAMATION REPEALING
PRESIDENTIAL PROCLAMATION NO. 663 SERIES OF 2013 AND
TRANSFERRING THE ADMINISTRATION OF BUSUANGA
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If it is the first case, the draft DMO contradicts the draft Proclamation as it provides for the respective duties and responsibilities of FMB and DENR MIMAROPA Region in managing and administering the BPR area. Since the draft Proclamation transfers the administration of BPR to the DENR MIMAROPA Region, the FMB should

not be vested with the duties and responsibilities in the management and administration of BPR, apart from those that are generally covered by their mandate.

Otherwise, if the draft DMO will be issued instead of the draft Proclamation, this Office suggests a provision be inserted to include that the DENR MIMAROPA Region be given the duty and responsibility to file, litigate and prosecute cases against violators of pertinent environmental laws, rules and regulations within the Busuanga Pasture Reserve.

Other than the above comments and suggestions, this Office finds the same to be in accordance with and not contrary to existing laws, policies, rules, and regulations.

It is to be understood, however, that this review is limited to the legal examination and evaluation of the proposed MOA, and does not pass upon the technical arrangements including the propriety of its execution, as these are matters best left to the sound judgment of the DENR management.

For your information and consideration.

ATTY.  D. ADOBO, JR., CESO I



Republic of the Philippines
Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU
Visayas, Avenue, ...
Tel. No.: (632) ...
E-mail Address: ...
9904

RECEIVED
APR 16 2021
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DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
RECORDS MANAGEMENT DIVISION

APR 16 2021
TIME: ... SIG: ...

MEMORANDUM FOR THE SECRETARY

THRU : The Undersecretary for Legal, Administration, Human Resources, and Legislative Affairs

FROM : The Assistant Secretary for Policy, Planning and Foreign- Assisted and Special Projects and Director, in concurrent capacity

SUBJECT : **REQUEST FOR ISSUANCE OF PRESIDENTIAL PROCLAMATION REPEALING PRESIDENTIAL PROCLAMATION NO. 663 SERIES OF 2013 AND TRANSFERRING THE ADMINISTRATION OF BUSUANGA PASTURE RESERVE TO THE DENR MIMAROPA REGION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)**

DATE : **APR 14 2021**

Respectfully forwarded herewith for consideration and subsequent endorsement to the Office of the President is the draft Presidential Proclamation amending Presidential Proclamation No. 663 Series of 2013, thereby transferring the administration of Busuanga Pasture Reserve to the DENR MIMAROPA Region of the Department of Environment and Natural Resources (DENR).

Attached records show that:

1. Busuanga Pasture Reserve, a parcel of public domain situated in the island of Busuanga, Province of Palawan, was withdrawn from "sale, settlement or any other form of disposition, exploration or exploitation, and reserved as such pursuant to Presidential Proclamation No. 1387, Series of 1975;
2. The area is currently being administered by the Forest Management Bureau (FMB) pursuant to Presidential Proclamation No. 663, citing Section 3 of Commonwealth Act No. 452 that the Bureau of Forestry (presently the FMB of DENR) shall have jurisdiction and authority over the administration, protection, and management of pasture lands;
3. The reorganization of the Department of Energy, Environment and Natural Resources, renaming it as the Department of Environment and Natural Resources (DENR) and creating the Forest Management Bureau as staff bureau, henceforth absorbing the powers and functions of the Bureau of Forest Development (formerly Bureau of

05/07/21
PD17-182-3

Harnessing forestry science for sustainable development

Forestry) and the Wood Industry Development Authority, except those line functions and powers which was transferred to the regional field offices of the DENR;

FOR CONSIDERATION AND APPROVAL, PLEASE.



MARCIAL C. AMARO, JR., *CESO III*

DENR Memorandum Order

No. _____

**SUBJECT: DEFINING THE FUNCTIONS OF DENR-MIMAROPA AND
 THE FOREST MANAGEMENT BUREAU IN THE
 MANAGEMENT AND ADMINISTRATION OF THE
 BUSUANGA PASTURE RESERVE**

Pursuant to Presidential Proclamation No. 1387, Presidential Decree No. 705, as amended, Presidential Proclamation No. 663, and Executive Order No. 192 s. 1987, the following guidelines pertaining to the duties and responsibilities in managing and administering the Busuanga Pasture Reserve (BPR) are hereby issued for the compliance of all concerned:

A.) DENR MIMAROPA Region

The DENR MIMAROPA Region (Region 4B) shall have the following functions in the management of the Busuanga Pasture Reserve:

1. Assume supervision of the DENR field offices concerned on the management of the Busuanga Pasture Reserve;
2. Integrate the functions of the Busuanga Pasture Reserve Management Office (BPRMO) to that of the Community Environment and Natural Resources Office in Calamianes Islands, Coron, Palawan;
3. Develop management plan for the BPR to effectively manage and promote forest investments in the area;
4. Ensure the integration of the program activities based on the management plan with that of the local government's program of work and Forest Land Use Plan;
5. Facilitate involvement of private sector in the development and protection of BPR thru applicable tenure instruments and/or other management arrangements;
6. Coordinate with concerned LGUs and other stakeholders to ensure their participation in the planning and implementation of programs and projects within BPR;
7. Implement existing laws, policies, rules and regulations on the conservation and protection of the BPR and file appropriate charges in Court for violation thereof;
8. Review, and evaluate applications for permits, tenure instruments and/or agreements within BPR in accordance with existing laws, rules and regulations;
9. Participate in joint ventures and other management arrangements with Peoples Organizations, NGOs and private sector for the projects related to the protection and conservation of the areas covered by BPR;
10. Conduct periodic monitoring of activities within BPR; Include the development, forest protection and law enforcement activities, among others, in the annual budgeting for BPR; and
11. Submit periodic reports to the undersigned, through the Office of the Undersecretary for Field Operations, copy furnished the Director of the Forest Management Bureau.

B.) The Forest Management Bureau

The Forest Management Bureau shall have the following functions in the administration of the Busuanga Pasture Reserve:

1. Exercise oversight function on the implementation of plans, programs and projects within BPR;
2. Oversee the enforcement of environmental and forestry laws, rules and regulations in the pasture reserve;
3. Recommend policies, plans, and programs/projects for the protection, development, management and conservation of the BPR and in furtherance of forestry investments in the area;
4. Review, facilitate and endorse to the DENR Secretary, through the Undersecretary for Field Operations, of any possible management arrangements with other government entities in the BPR;
5. Provide technical assistance, as necessary, in the management and administration of the pasture reserve;
6. Generate additional funding support for the implementation of forestry-related plans, projects, and programs in the pasture reserve, if necessary;
7. Create a Busuanga Pasture Reserve Management Unit under the Office of the Director to act and facilitate on matters relevant to BPR; and
8. Assist in the monitoring of the BPR operations and activities.

This Order supersedes, amends and/or revokes all Orders, Circulars which are inconsistent herewith and shall take effect immediately.

ROY A. CIMATU
Secretary

MALACAÑANG PALACE
BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. ____

**REPEALING PROCLAMATION NO. 663 SERIES OF 2013 AND TRANSFERRING
THE ADMINISTRATION OF BUSUANGA PASTURE RESERVE TO THE DENR
MIMAROPA REGION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES (DENR)**

WHEREAS, Presidential Proclamation No. 1387 (s. 1975) was issued reserving and establishing as pasture reserve a more or less 40,000 hectares parcel of land of the public domain situated in the Island of Busuanga, Province of Palawan;

WHEREAS, Proclamation No. 2057 (s. 2010) authorized the Philippine Forest Corporation (PFC) to administer the development of the area covered by the Busuanga Pasture Reserve (BPR);

WHEREAS, Presidential Proclamation No. 663 (s. 2013) transferred the administration of the Busuanga Pasture Reserve from the Philippine Forest Corporation to the Forest Management Bureau (FMB) of the Department of Environment and Natural Resources (DENR);

WHEREAS, the Forest Management Bureau is a staff bureau under the Department of Environment and Natural Resources by virtue of Executive Order No. 192 (s. 1987) whose line functions were transferred to the Regional Field Offices of DENR;

WHEREAS, the administration of the Busuanga Pasture Reserve is suitably a line function that should be carried out by the DENR field offices in accordance with its mandate;

WHEREAS, the Administrative Code of 1987 grants the President residual powers and continuing authority to reorganize the administrative structure of the Executive Branch;

NOW, THEREFORE, I, RODRIGO R. DUTERTE, President of the Philippines, by virtue of the powers vested in me by law, do hereby transfer the administration of the Busuanga Pasture Reserve from the Forest Management Bureau to the DENR MIMAROPA Regional Office of the Department of Environment and Natural Resources.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE, in the City of Manila, this ____ of ____, in the year of our Lord, Two Thousand and Twenty-One.

By the President:

SALVADOR C. MEDIALDEA

Ctrl No.	Input Date	Document title/ subject	Urgency Critical/High Normal/Regular	Action Officer	Date Submitted	TO COMPLETE SUBMISSION Mark Action Done	FOCAL's NOTES	OAD Action
C-6468	7-Jan	Draft Memorandum Order re: Administration of the Busuanga Pasture Reserve under Presidential Proclamation No. 1387	Critical	BPRMO	7-Jan	DONE	<p>Indorsement Memo: https://drive.google.com/file/d/1KN47jL6WumdIFIP2loaGqskCEYcRGeMG/view?usp=sharing</p> <p>Draft Memo Order: https://drive.google.com/file/d/1leSCuaCarx6lciBgc4RVgKlcVC7e71n2/view?usp=sharing</p>	WITH FURTHER INSTRUCTION/CLARIFICATION



Republic of the Philippines
Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU
Visayas Avenue, Diliman, 1100 Quezon City
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E-mail Address: fmb@denr.gov.ph Website: forestry.denr.gov.ph

MEMORANDUM FOR THE SECRETARY

THRU : The Undersecretary
Field Operations and Environment

FROM : The Director
Forest Management Bureau

SUBJECT : **PROPOSED DENR MEMORANDUM ORDER ON DEFINING
THE FUNCTIONS, DUTIES AND RESPONSIBILITIES OF
DENR-MIMAROPA AND FOREST MANAGEMENT BUREAU
FOR THE ADMINISTRATION OF THE BUSUANGA PASTURE
RESERVE**

DATE :

This has reference to the proposed functions, duties and responsibilities of DENR-MIMAROPA and Forest Management Bureau concerning the administration of the Busuanga Pasture Reserve.

In order to effectively manage and facilitate to the fullest potential the development of the pasture reserve, it is hereby proposed that certain functions, duties and responsibilities as prescribed under Presidential Proclamation No. 663 (*Repealing Proclamation No. 2057 and Transferring the Administration of the Busuanga Pasture Reserve to the Forest Management Bureau*) be transferred to DENR-MIMAROPA accordingly. Under Executive Order No. 192 s. 1987, the Forest Management Bureau was created as a staff bureau, the line functions of which were transferred to the regional field offices of the DENR. For a more efficient and strategic management of the Busuanga Pasture Reserve, it is deemed necessary that certain duties and responsibilities be transferred to DENR MIMAROPA with FMB maintaining its oversight function as the administrator thereof.

In view of the foregoing, please find attached draft Memorandum Order defining functions, duties and responsibilities of DENR-MIMAROPA and the Forest Management Bureau on the management of the Busuanga Pasture Reserve.

FOR THE SECRETARY'S CONSIDERATION AND APPROVAL.

LOURDES C. WAGAN, CESO IV

cc: The Undersecretary
Enforcement, Mining & Muslim Affairs
Supervising Undersecretary for Forest Management Bureau

The Assistant Secretary
Field Operations- Luzon

Harnessing forestry science for sustainable development

File Copy

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Field Operations and Environment

FROM : The Director
Forest Management Bureau

SUBJECT : **PROPOSED DENR MEMORANDUM ORDER ON DEFINING
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In view of the foregoing, please find attached draft Memorandum Order defining functions, duties and responsibilities of DENR-MIMAROPA and the Forest Management Bureau on the management of the Busuanga Pasture Reserve.

FOR THE SECRETARY'S CONSIDERATION AND APPROVAL.

LOURDES C. WAGAN, CESO IV



cc: The Undersecretary
Enforcement, Mining & Muslim Affairs
Supervising Undersecretary for Forest Management Bureau

The Assistant Secretary
Field Operations- Luzon

DENR Memorandum Order

No. _____

SUBJECT: Administration of the Busuanga Pasture Reserve (BPR) under Presidential Proclamation No. 1387

Pursuant to Presidential Proclamation No. 1387 dated February 13, 1975, Presidential Decree No. 705, as amended, Executive Order No. 192 s. 1987 and Presidential Proclamation No. 663 dated 14 October 2013, "Transferring the Administration of the Busuanga Pasture Reserve (BPR) to the Forest Management Bureau of the Department of Environment and Natural Resources", and considering the current structure of the Office, the following guidelines pertaining to duties and responsibilities on the management of the pasture reserve are hereby issued for the compliance of all concerned:

A) DENR MIMAROPA Region

The DENR MIMAROPA Region (Region 4B) shall have the following functions in the management of the Busuanga Pasture Reserve:

1. Assume through the field offices, supervision and integrate the functions of the Busuanga Pasture Reserve Management Office (BPRMO) at the Community Environment and Natural Resources Office, Calamianes Islands, Coron, Palawan;
2. Develop management plan for the BPR to effectively manage and promote forest investments in the area;
3. Ensure the integration of the program activities based on the developed management plan to the local government's program of work, and Forest Land Use Plan;
4. Facilitate involvement of private sector in the development and protection of BPR thru applicable tenure instruments and/or other management arrangements;
5. Coordinate with concerned LGUs and other stakeholders to ensure their participation in the planning and implementation of programs and projects within BPR;
6. Implement/enforce existing laws, policies, rules and regulations in the conservation and protection of the BPR and filing of appropriate cases in Court to violators/offenders;
7. Review, and evaluate applications for permits, tenure instruments and/or agreements of areas covered by the BPR in line with existing laws, rules and regulations;
8. Participate in joint ventures and other management arrangements with Peoples Organizations, NGOs and private sector for the projects related to protection and conservation of the areas covered by BPR;
9. Conduct periodic monitoring of activities within the BPR; and
10. Include in the annual budgeting the development, forest protection and law enforcement activities and other activities in the BPR; and
11. Submit periodic report to the undersigned through the Office of the Undersecretary for Field Operations, copy furnished the Director of the Forest Management Bureau.

B) The Forest Management Bureau

The Forest Management Bureau shall have the following functions in the administration of the Busuanga Pasture Reserve:

1. Oversee the implementation of plans, programs and projects in the BPR;
2. Oversee the enforcement of environmental and forestry laws, rules and regulations in the pasture reserve;
3. Recommend policies, plans, and programs/projects in the protection, development, management and conservation of the BPR to steer forestry investments in the area;
4. Review, facilitate and endorse to the DENR Secretary through the Undersecretary for Field Operations of any possible management arrangements with other government entities in the BPR;
5. Provide technical assistance, as necessary and support in the management and administration of the pasture reserve;
6. Generate additional funding support in the implementation of forestry related plans, projects, and programs in the pasture reserve, if necessary;
7. Shall create a Busuanga Pasture Reserve Management Unit under the Office of the Director to act and facilitate on matters relevant to BPR; and
8. Assist in the monitoring of the BPR operations and activities.

This Order supersedes, amends and/or revokes all Orders, Circulars which are inconsistent herewith and shall take effect immediately.

ROY A. CIMATU
Secretary

MALACAÑANG PALACE
BY THE PRESIDENT OF THE PHILIPPINES

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE, in the City of Manila, this ____ of ____, in the year of our Lord, Two Thousand and Twenty-One.

By the President:

SALVADOR C. MEDIALDEA