



MEMORANDUM

FOR : The Regional Executive Directors
CALABARZON, MIMAROPA, Region X

FROM : The Director

SUBJECT : **REQUEST FOR ASSISTANCE IN THE CONDUCT OF ASSESSMENT ON THE RESULTS OF DEVOLUTION OF FORESTRY FUNCTIONS TO LOCAL GOVERNMENT UNITS (LGUs)**

DATE : **AUG 03 2022**

This has reference to the conduct of study on the results of the devolution of functions to the Local Government Units (LGUs) in relation to the implementation of the DENR Devolution Transition Plan (DTP), particularly for the Forestry Sector.

Pursuant to the ruling of the Supreme Court in *Mandanas-Garcia vs Executive Secretary* (2018), the LGUs are entitled to receive a share from the national taxes such as tariff and customs duties, excise taxes, franchise taxes, among others, and not just from the taxes collected by the BIR. As such, the LGUs would have a greater amount of resources in implementing devolved functions starting in 2022.

Section 17 of the Local Government Code of 1991 mandates the Local Government Units (LGUs) to discharge certain functions and responsibilities and deliver basic services and facilities devolved to them by the national agencies. Specifically for the DENR, devolved functions to the municipal and provincial levels of the LGUs involve the implementation of community-based forestry projects which include integrated social forestry programs and similar projects; management of communal forests with an area not exceeding fifty (50) square kilometers, establishment of tree parks, greenbelts, and similar forest development projects; enforcement of forestry laws limited to community-based forestry projects, pollution control law, small-scale mining law, and other laws on the protection of the environment; and mini-hydroelectric projects for local purposes.

Relative to this, the Forest Management Bureau (FMB) and the Philippine Tropical Forest Conservation Foundation, Inc. (PTFCF) are jointly conducting a policy review to strengthen implementation of Mandanas-Garcia Ruling vis-a-vis the forestry functions devolved to the LGUs.

The target respondents of the said survey and consultations are (a) Provincial Environment and Natural Resources Officer (PENRO) and Community Environment and Natural Resources Officer (CENRO) for DENR; (b) Municipal Environment and Natural Resource Officer (MENRO) for LGUs; and (c) Certificate of Stewardship Contract (CSC) holders within the selected municipalities.

For the CSC holders, the consultation will be face to face in an area to be designated by their respective CENROs. After the consultation, site visit to the selected areas with stewardship contracts and communal forests will be undertaken.

For the other stakeholders, the data gathering shall be conducted through an online survey using the link: <https://bit.ly/DENRSurveyLink>. Answers in the online survey will be elaborated by the respondents in an online consultation via Zoom, in which the time and meeting link will be determined after all the target respondents are done answering the survey form.

In this regard, may we request your good office to extend assistance to the research team, especially in providing available data at your Office and in coordinating with the selected LGUs within your jurisdictions for the conduct of the survey and consultations meetings (online or face to face). A preliminary online meeting will be conducted to be able to level off with the aforesaid activity.

Should you have any queries on the matter, you may contact Forester Ma. Carmina M. Canua, Officer-In-Charge of Forest Plans and Standards Section at (02) 8927-6217 and Atty. Ma. Ronely Bisquera-Sheen (0977 801 2608) at mrbisquerasheen@tanggolkalikasan.org.

FOR INFORMATION AND CONSIDERATION, PLEASE.



TIRSO P. PARIAN, JR., *CESO IV*