

**Administrative Order  
No. 30  
June 30, 1992**

**SUBJECT : Guidelines for the Transfer and  
Implementation of DENR Functions  
Devolved to the Local Government Units**

Pursuant to Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and Executive Order Nos. 192 and 503, defining the mandates, organization and functions of the Department of Environment and Natural Resources (DENR) and the rules and regulations implementing the transfer to concerned Local Government Units (LGUs) of personnel, assets and records pertaining to the devolved functions of national government agencies, respectively, the following guidelines governing the devolution of certain DENR functions, programs and projects to the LGUs are hereby promulgated.

**Sec. 1 Policies Governing the Devolution of Functions -**  
The transfer and implementation of certain DENR functions devolved to the LGUs, as enumerated under Section 17 of the Code, shall be governed by the following policies:

- 1.1 The DENR shall remain as the primary government agency responsible for the conservation, management, protection, development and proper use of the country's environment and natural resources and the promotion of sustainable development;
- 1.2 The LGUs shall share with the national government, particularly the DENR, the responsibility in the sustainable management and development of the environment and natural resources within their territorial jurisdiction;
- 1.3 The implementation of the devolved functions by the municipalities and cities and the enforcement of laws, rules and regulations pertaining to the devolved functions as provided for in the Code, by the provinces and cities shall be pursuant to national policies and subject to supervision, control and review of the DENR. Provided, that when necessary the concerned provinces, cities and municipalities shall enter into administrative arrangements to effectively and efficiently enforce the laws, rules and regulations pertaining to the devolved functions;
- 1.4 Pursuant to the Code's mandate for National Government Agencies (NGAs) to deconcentrate its power and authority to appropriate field offices, the DENR shall

retain and strengthen its regional offices and provincial and community environment and natural resources offices (PENROs and CENROs);

- 1.5 Programs, projects or activities which are wholly or partially funded from foreign sources, or those included as agency budgetary program, project, or item under the annual General Appropriations Act, pertinent Executive Orders and other special laws, including the Comprehensive Agrarian Reform Program (CARP), shall be exempt from devolution, thus retained by the DENR.

**Sec. 2 Definition of Terms** - As used in this Administrative Order (hereinafter referred to as Order) the terms enumerated below shall be defined as follows:

- 2.1 **Cadastral Survey** - Refers to all surveys made of extensive areas consisting of several lots for cadastral registration proceedings, agricultural development, or for any purpose pursuant to the provision of pertinent land laws.
- 2.2 **Cease and Desist Order** - Refers to an Order issued by the Pollution Adjudication Board requiring respondents to refrain from further operating their establishment, machines, equipment or other facilities generating or causing pollution.
- 2.3 **Communal Forest** - Refers to a tract of forest land set aside by the Secretary of the DENR for the use of the residents of a municipality from which said residents may cut, collect and remove forest products for their personal use in accordance with existing laws and regulations.
- 2.4 **Community Environment and Natural Resources Office (CENRO)** - Refers to the DENR office headed by a Community Environment and Natural Resources Officer which is responsible for the implementation of DENR policies/regulations, programs, projects and activities in the community level.
- 2.5 **Community-based Forestry Project** - Refers to DENR developmental projects involving local communities which include the Integrated Social Forestry Project, family and community contract reforestation, Forest Land Management Agreement (FLMA), Community Forestry Program and other similar projects.
- 2.6 **Community Forestry Program (CFP)** - Refers to the DENR projects launched through DENR Administrative Order No. 123, series of 1989, that are geared towards the protection and sustainable management of forest lands

predominantly consisting of residual forests by training and organizing upland communities for their participation in said activities for their benefits.

- 2.7 **Contract Reforestation** - The implementation of reforestation activities, including establishment, maintenance and protection of forest plantations and nursery preparations, through written agreements with the private sector such as families, communities and corporations and/or with the public sector like local government units (LGUs) and other government agencies (OGAs). It shall also include contracts for surveying, mapping and planning, comprehensive site development, and monitoring and evaluation and other activities involved in or related to reforestation.
- 2.8 **Deconcentration** - Refers to increased and further delegation of functions, responsibilities and authority by the DENR central office to its appropriate regional and field offices. This also involves the deployment of personnel from the Central office and bureaus to the field offices in order to perform the increased functions and responsibilities.
- 2.9 **Devolution** - Refers to the act by which the national government confers and transfers power and authority, heretofore performed by national agencies, together with the corresponding personnel, equipment, assets, liabilities, records and other appurtenances, to the various LGUs to perform specific functions and responsibilities.
- 2.10 **Environment and Natural Resources Officer (ENRO)** - Refers to the LGU official who may be appointed by the concerned Local Chief Executives and who shall be directly responsible for the planning and implementation of the devolved DENR functions to the LGUs, pursuant to Section 484 of the Code.
- 2.11 **Environment Compliance Certificate (ECC)** - Refers to license/permit/authorization which DENR issues in favor of proponents, projects of which have been duly reviewed, evaluated and finally approved by DENR pursuant to PD 1586 as well as Proclamation 2146 otherwise known as Environmental Impact Assessment System.
- 2.12 **Foreign-assisted Projects** - Refers to DENR projects which are wholly or partially funded from foreign sources.
- 2.13 **Forest Land Management Agreement (FLMA)** - A contract issued by the government to duly-organized, bonafide residents of the community where the FLMA area is located, among others, granting them the sole and exclusive privilege to develop said area, harvest and utilize its products for 25 years,

renewable for another 25-years, with the obligation to pay production share to the government equivalent to the cost invested in reforesting such area, pursuant to DENR Administrative Order No. 71, Series of 1990.

- 2.14 **Integrated Social Forestry (ISF)** - Refers to an inter-agency national program created by Letter of Instruction No. 1260, dated July 28, 1982, designed to promote the socio-economic conditions of forest occupants and communities dependent on forest land for their livelihood, provide land tenure and at the same time protect and improve the quality of the environment.
- 2.15 **Isolated Survey** - Refers to all classes of surveys of isolated parcel of land use for agricultural, residential, industrial, commercial, resettlement or for any other purposes.
- 2.16 **Lot Survey** - Refers to the survey of specific lots, particularly private lands.
- 2.17 **Provincial Environment and Natural Resources Office (PENRO)** - Refers to the DENR office, headed by a Provincial Environment and Natural Resources Officer appointed by the Secretary of the DENR, which is responsible for the implementation of the DENR policies, regulations, programs, projects and activities in the province.
- 2.18 **Protected Areas** - Refers to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation, as provided for in RA 7586, the National Integrated Protected Areas System (NIPAS) Act of 1992.
- 2.19 **Regional Environment and Natural Resources Office (RENRO)** - Refers to the DENR office headed by the Regional Executive Director (RED) which is responsible for the coordination and implementation of all policies, regulations, programs and projects on environmental and natural resources development and conservation of the DENR in the region.
- 2.20 **Regular Reforestation** - Refers to reforestation activities funded through regular appropriations and implemented by DENR field offices by administration or by contracts or both, as distinguished from reforestation activities funded through foreign-sourced funds.
- 2.21 **Small-scale mining** - Refers to small scale mining activities as defined by RA 7076, the People's Small Scale Mining Act of 1991.

**2.22 Small Watershed Areas** - refer to forest lands identified and delineated by the DENR as sources of water supply for specific local communities.

**Sec. 3 Devolved Functions, Programs and Projects** - Pursuant to Section 17 of the Code and subject to the provisions herein, particularly the policies enunciated in Sec. 1, above, the following functions, programs and projects of the DENR are hereby devolved to the concerned LGUs:

**3.1 Forest Management**

- a) Implementation of the following community-based forestry projects:
  - i. Integrated Social Forestry Projects, currently funded out of regular appropriations, except at least one project per province that shall serve as research and training laboratory, as identified by the DENR, and those areas located in protected areas and critical watersheds;
  - ii. Establishment of new regular reforestation projects, except those areas located in protected areas and critical watersheds;
  - iii. Completed family and community-based contract reforestation projects, subject to policies and procedures prescribed by the DENR;
  - iv. Forest Land Management Agreements, in accordance with DENR Administrative Order No. 71, Series of 1990 and other guidelines that the DENR may adopt; and
  - v. Community Forestry Projects, subject to concurrence of financing institution(s), if foreign assisted.
- b) Management and control of communal forests with an area not exceeding fifty (50) square kilometers or five thousand (5,000) hectares, as defined in Section 2, above. **Provided**, That the concerned LGUs shall endeavor to convert said areas into community forestry projects;
- c) Management, protection, rehabilitation and maintenance of small watershed areas which are sources of local water supply as identified or to be identified by the DENR; and

- d) Enforcement of forest laws in community-based forestry project areas, small watershed areas and communal forests, as defined in Section 2 above, such as but not limited to:
- i. Prevention of forest fire, illegal cutting and kaingin;
  - ii. Apprehension of violators of forest laws, rules and regulations;
  - iii. Confiscation of illegally extracted forest products on site;
  - iv. Imposition of appropriate penalties for illegal logging, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming and other unlawful activities; and
  - v. Confiscation, forfeiture and disposition of conveyances, equipment and other implements used in the commission of offenses penalized under P.D. 705 as amended by E.O 277, series of 1987 and other forestry laws, rules and regulations.

**Provided,** That the implementation of the foregoing activities outside the devolved areas abovementioned, shall remain with the DENR.

### **3.2 Protected Areas and Wildlife**

- a) Establishment, protection and maintenance of tree parks, greenbelts and other tourist attractions in areas identified and delineated by the DENR, except those covered by the Integrated Protected Areas System, as defined by law, and the collection of fees for their services and the use of facilities established therein;
- b) Except export and import, regulation of flora outside protected areas including industries and businesses engaged in their propagation and development, such as orchidaria and nurseries. **Provided,** That such businesses and industries are registered with the DENR for monitoring purposes.
- c) Implementation of the Rehabilitation in Conservation Hotspots (RICH) and the Conservation of Rare and Endangered Species (CARE) activities in areas identified and delineated by the DENR.

### **3.3 Environmental Management**

- a) **Enforcement of the following pollution control and environmental protection laws, rules and regulations:**
  - i. **Issuance of Environmental Compliance Certificate (ECC) for projects and businesses, under the Kalakalan 20;**
  - ii. **Adjudication of cases involving complaints against businesses under the Kalakalan 20; and**
  - iii. **Apprehension and testing of smoke belching vehicles and collection of appropriate fees and charges.**
- b) **Implementation of solid waste disposal and other environmental management systems and services related to general hygiene and sanitation, such as sewage and household wastes disposal;**
- c) **Abatement of noise and other forms of nuisance as defined by law; and**
- d) **Implementation of Cease and Desist Orders issued by the Pollution and Adjudication Board.**

#### **3.4 Mines and Geo-Sciences Development**

- a) **Enforcement of the small-scale mining law, subject to the policies, standards and guidelines of the DENR;**
- b) **Issuance of permit for guano collection and to extract sand, gravel and other quarry resources; and**
- c) **Verification and adjudication of conflicts on and collection of fees and charges for guano collection and the extraction of sand, gravel and other quarry resources.**

#### **3.5 Land Management**

- a) **Conduct of cadastral surveys;**
- b) **Conduct of lot surveys; and**
- c) **Conduct of isolated and special surveys.**

**Provided,** That the issuance of survey authority and the verification of survey returns, record keeping, issuance of patents and other post-survey activities shall be done by the DENR. **Provided further,** That the DENR shall extend the necessary administrative and technical assistance to the LGUs for the actual conduct of surveys, and the preliminary activities attendant to the surveys.

**Sec. 4 Role of the LGUs** - In coordination with the DENR and subject to the provisions of this Order, the LGUs shall adopt adequate measures to protect the environment and conserve land, mineral, marine, forest and other resources within their territorial jurisdiction. Furthermore, the LGUs shall:

- 4.1 Provide the necessary financial, technical, manpower and other resources to ensure efficient and effective implementation of the devolved functions as enumerated in Section 3 above;
- 4.2 In addition to the Internal Revenue Allotment, allot amounts from their share of forty percent (40%) of the gross collection derived by the national government from mining taxes, royalties, forestry charges and other taxes, fees, or charges enumerated in the Code, to finance local development and livelihood projects, in accordance with Sec. 294 of the Code and for the protection and development of the environment and natural resources;
- 4.3 Whenever necessary, call any DENR official or employee assigned to them to make recommendation or advice on environment and natural resources-related matters affecting them. Provided, That said DENR official shall not leave his station without giving prior written notice to the local chief executive concerned.

**Sec. 5. LGUs' ENROs** - Notwithstanding the provision of Sec. 484 of the Code prescribing for the optional appointment of Environment and Natural Resources Officers (ENROs), LGUs with substantial natural resources or which are identified by the DENR as environmentally critical areas, shall endeavor to appoint an ENRO, who shall take the responsibility for the planning and implementation of the devolved functions.

**Sec. 6 Role of the DENR** - The DENR, subject to the provisions of Executive Order No. 503, shall transfer to the concerned LGUs the personnel and assets including pertinent records and equipment corresponding to the devolved functions. Provided, That those personnel performing inter-municipal functions like the Community Development Officers/ Assistants (CDOs and CDAs) of the Integrated Social Forestry Projects, pursuant to Sec. 2 (b) of E.O. No. 503, shall be devolved to the provinces wherein the municipalities concerned are located. Provided Further, That the Community Development Officers/Assistants assigned to the ISF

projects in the cities of Davao, Zamboanga and Puerto Princesa shall be transferred to these cities and that at least one Community Development Officer and Assistant shall be devolved to each of the other cities which have at least three (3) ISF projects in their geographic jurisdiction. Moreover, the DENR shall:

- 6.1 Strengthen its policy-making, planning, monitoring and evaluation capabilities at the central and regional levels and monitoring, evaluation, investigation and prosecution capabilities at the regional, provincial and community environment and natural resources offices, to ensure efficient and effective enforcement of pertinent rules and regulations and delivery of services, including the implementation of the devolved functions, programs and projects;
- 6.2 Pursuant to national policies and its supervision, control and review functions over the devolved functions as provided for in the Code:
  - a) Conduct periodic monitoring and evaluation of the implementation of the devolved functions by the LGUs;
  - b) Alter or modify or nullify or set aside certain decisions or actions of the LGUs or their Chief Executives which, in the implementation of the devolved functions, are inconsistent with national policies;
  - c) Conduct investigation, and when necessary, cause the prosecution of erring parties in the implementation/enforcement of the devolved functions.
- 6.3 Through its regional, provincial and community environment and natural resources offices, provide the LGUs technical assistance packages for the development of technical capabilities related but not limited to the following:
  - a) Enforcement of forest laws, small-scale mining law, pollution and other environmental laws, rules and regulations;
  - b) Implementation of reforestation, ISF and other community-based forestry projects and small-scale mining projects;
  - c) Protected areas and wildlife;
  - d) Ecosystems research and related activities and other researches
  - e) Land surveys and delineation of boundaries;

- f) Establishment of greenbelts, urban forests and forest-based recreation projects; and
  - g) Other activities related to the devolved function;
- 6.4 Provide opportunities for scholarships/training to LGU personnel working on environment and natural resources-related programs and activities, whenever possible, subject to the recommendations and/or approval of the Chief Executives of the LGUs concerned;
- 6.5 Establish and maintain one research and training laboratory for upland/forest management per province to be identified from among the present ISF project sites.
- 6.6 Make available its upland/forest management laboratories for training of farmers and upland/forestry workers of concerned LGUs; and
- 6.7 In coordination with the LGUs and concerned non-governmental organization (NGOs), formulate effective consultation mechanisms to facilitate project planning and implementation.

**Sec. 7 Manual of Operations** - Within six (6) months from the approval of this Order, the DENR shall develop a manual of operations which shall guide the LGUs in the implementation of the devolved functions, and the monitoring and evaluation of projects by the DENR.

**Sec. 8 Environment and Natural Resources Council (ENRC)** - The DENR and the concerned LGUs, shall organize within six months from the approval of this Order, an Environment and Natural Resources Council (ENRC) consisting of appropriate LGU and DENR officials and representatives from concerned agencies, professional and civic groups and other NGOs as may be determined by the DENR and the concerned LGU. The ENRC shall review and recommend the implementation of programs and projects and perform oversight functions on matters pertaining to environment and natural resources. Provided, That for municipalities and cities, the Vice Mayor shall act as Chairman of said Council.

**Sec. 9 Linkage/Support to NGOs** - The DENR and concerned LGUs shall extend assistance to and enhance the participation of NGOs in the environment and natural resources-related activities, such as but not limited to contract reforestation and the ISF projects. Provided, That said NGOs are accredited with both the DENR and the concerned LGUs.

**Sec. 10 Deconcentration of Authority and Responsibility** - The DENR shall, within six (6) months after the effectivity of RA 7160, effect the deconcentration of authorities and responsibilities not devolved to LGUs, to its appropriate regional, provincial and community environment and natural resources offices.

**Sec. 11 Reorganization** - The DENR may, on a case to case basis, reorganize its regional and field offices, and/or create new community offices, depending on the available natural resources and retained functions in their respective jurisdictions, and other criteria that may be set by the DENR. Provided, That in cases where new provinces are created, the DENR shall establish its necessary provincial offices in said provinces, subject to the rules and regulations of the Department of Budget and Management (DBM) on the provision of the necessary staffing and funds for said purpose.

**Sec. 12 Functions Retained by DENR** - All functions, programs, projects and activities presently performed by the DENR which are not expressly devolved to LGUs in this Order, shall be retained by the DENR.

**Sec. 13 Continuing Devolution** - In support of local autonomy, the DENR, subject to the attainment of certain requisites and standards such as technical capability, implementation plans and other requirements as may be provided for in the national policies, shall further devolve other functions and responsibilities to the LGUs, not only through legislative enabling acts but also by administrative and organizational reforms, such as memorandum of agreements and deputation of local officials.

**Sec. 14 Repealing Clause** - Any provision of DENR Administrative Orders, Memorandum Circulars or other official issuances not consistent herewith are hereby repealed.

**Sec. 15 Effectivity** - This Order shall take effect 30 June 1992 and remain in force and effect unless otherwise revoked or amended in writing by the Oversight Committee created by the RA 7160 or by any other higher competent authority.

**VICTOR O. RAMOS**  
Acting Secretary