



AUG 31 2004

**ADMINISTRATIVE ORDER**

No. 2004 - 35

**SUBJECT: AMENDING CERTAIN SECTIONS OF DAO 99-36 ENTITLED "REVISED RULES AND REGULATIONS GOVERNING THE ADMINISTRATION, MANAGEMENT, DEVELOPMENT AND DISPOSITION OF FOREST LANDS USED FOR GRAZING PURPOSES."**

Pursuant to PD 705, as amended and Executive Order 192 and in line with the policy of the government to promote transparency and facilitate the processing and issuance of all Forest Land Grazing Management Agreements, the following sections of DAO 99-36 are hereby amended/modified:

**Section 1.0** Sec. 11 is hereby amended to read as follows:

**Sec. 11 Application Requirements**

The following requirements shall be submitted by applicants for Forest Land Grazing Management Agreements.

1. Requirements:
  - a) Duly accomplished application form
  - b) Application fee of Php 10.00 per hectare
  - c) Sketch map of the area
  - d) LGU endorsement
  - e) IEE/EIS
  - f) Proof of financial capability either in the form of credit lines or cattle ownership as certified by the Municipal Treasurer concerned of one (1) head of cattle for every five (5) hectares

2. Additional Requirements

2.1 Corporation/Cooperative/Association

- a) Certificate of Registration from SEC/CDA
- b) Articles of Incorporation and By Laws
- c) Board Resolution authorizing any of the Officers to file the application

**Section 2.0** Sec. 15 is hereby amended to read as follows:

**Sec. 15 Processing Procedures**

1. Filing of application

The applicant shall file the duly filled-up application form with the CENRO which has jurisdiction over the area applied for, together with all the requirements.

**2. Evaluation of application**

The receiving clerk of the CENRO shall check the completeness of the submitted requirements. If the requirements are complete, the application shall be stamped received and recorded in the logbook. In case of incomplete requirements, the application shall be returned immediately informing the applicant of the lacking requirement/s. For mailed application, it shall be returned within five (5) working days.

All perfected applications shall be pooled together and reviewed/evaluated in the CENRO according to the criteria set forth to determine the most qualified applicant. The review and evaluation shall be conducted not to exceed fifteen (15) working days. All applicants shall be informed immediately of the result of the evaluation.

**3. Conduct of survey and assessment of the area**

The qualified applicant shall be required to pay the survey fee which is equivalent to the actual transportation cost and per diems of the team who will conduct the survey and assessment.

A composite team headed by the Range Management Officer (RMO) of the Regional Office with the representatives from the CENRO, PENRO, LGU and Central Office as the case maybe, shall conduct survey and assessment of the area. The team shall submit report with specific recommendations to the RED within fifteen (15) days after completion of the field work.

**4. En Banc Evaluation**

The RED shall create an en banc evaluation group to be headed by RTD for Forestry composed of representatives from the CENRO, PENRO concerned, EMB, officially designated by EMB Regional Director, which shall convene at least every fifteen (15) days to evaluate and decide on the merits of all applications for FLGMA forwarded to it by the various CENROs within the Region. Other relevant offices of the DENR, including from the Forest Management Bureau may be called upon to participate in the proceedings of the en banc evaluation group when the RED determines the need for the participation of those offices.

The en banc group shall officially endorse the processed application to the RED.

The Office of the RED shall refer the processed application to the National Commission on Indigenous Peoples (NCIP) for issuance of certification precondition and/or free and prior informed consent (FPIC). Upon receipt of the necessary certification from NCIP, the RED shall approve the FLGMA (for areas 50-500 hectares) and/or endorsed to the Secretary for approval (for areas 501-2,000 hectares). Copies of the approved FLGMA shall be furnished the FMB, PENRO, CENRO, and the LGU concerned.

**Section 3.0** Sec. 21 is hereby amended to read as follows:

**Sec. 21 Approving Authority**

Grazing Lease Agreement shall be granted according to the levels of delegated authority, as follows:

50 – 500 hectares - Regional Executive Director  
501 – 2000 hectares - Secretary

**Section 4.0** Sec. 24 (1<sup>st</sup> paragraph) is hereby amended to read as follows:

**Sec. 24 Submission and Evaluation of Forest Land Grazing Management Plan**

Within six (6) months after the approval of the Forest Land Management Land Agreement, the holder shall submit a Twenty Five (25) Year Forest Land Grazing Management Plan

The said plan shall be evaluated/deliberated by the en-banc group composed of representatives from CENRO, PENRO, Regional Office, EMB, and Central Office as the case may be. If found in order, the same shall be forwarded to the Central Office for approval by the Secretary.

**Section 5.0** Sec. 21 (2nd paragraph) is hereby amended to read as follows:

**Sec. 21 Bond Deposit**

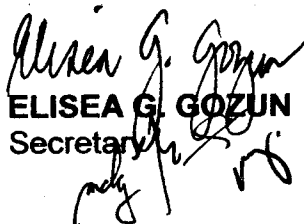
Within six (6) months after the approval of the agreement, the holder shall pay cash bond deposit in the amount of Php 500.00 per hectare, 50% of which shall be in cash and the remaining balance can be in the form of surety bond to be posted in a reputable bonding company for a period of five(5) years, renewable every 5 years, as a guarantee for faithful compliance of the terms and conditions of the agreement.

**Section 6.0 Repealing Clause**

This Order supersedes, modifies or amends in part or in whole all Orders, Circulars, Memoranda and other issuances inconsistent herewith.

**Section 7.0 Effectivity**

This Order takes effect immediately fifteen (15) days after publication in newspapers of general circulation and submission to the Office of the National Administrative Registry.

  
ELISEA G. GOZUN  
Secretary

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