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NCI-SRD JOINT RESOLUTION NO. 06 Series of 2020

CREATION OF THE INTER-AGENCY TECHNICAL WORKING GROUP UNDER SECTION 14 OF THE JOINT DA-DENR-DILG ADMINISTRATIVE ORDER (JAO) NO. 01, SERIES OF 2008 TO ADDRESS POLICY ISSUES ON THE ABANDONED, UNDEVELOPED, AND UNDERUTILIZED FISHPONDS (AUUF) IN RELATION TO FISHPOND LEASE AGREEMENT (FLA)

WHEREAS, the Philippine Development Plan (PDP) 2017-2022 directs the government to complement strategic efforts with environmental and governance strategies through the national convergence initiative using the ridge-to-reef approach and the sustainable integrated area development (SIAD) for the sustainable management of natural resources and rural development;


WHEREAS, the NCI-SRD is a strategy to develop and operationalize a common framework for Sustainable Rural Development that will facilitate the convergence of the resources of the different agencies;

WHEREAS, the DA-DAR-DENR-DILG Joint Administrative Order (JAO) No. 1, series of 2020 (Revised DA-DAR-DENR-DILG JAO No. 01, Series of 2015: Strengthening the Implementation Framework for the DA-DAR-DENR-DILG National Convergence Initiative for Sustainable Rural Development) provides for the mechanisms and operationalization of the NCI-SRD strategy from the national, regional, provincial to the municipal/city levels where the NCI-SRD strategy is implemented;

WHEREAS, the DA-DAR-DENR-DILG JAO No. 01, series of 2020 states that the Policy and Advocacy Component Working Group (PA CWG) shall be responsible for the review and audit of conflicting and overlapping policies that hamper the implementation of the programs, activities, and projects (P/A/Ps) of the NCI-SRD agencies across all ecosystems. It shall also recommend and draft relevant policy instruments that shall harmonize or improve existing policies;

WHEREAS, the DA-DAR-DENR-DILG Joint Memorandum Order No. 01, series of 2019 (Guidelines on the Identification, Review, and Audit of Apparent Conflicting and Overlapping Laws, Policies, and Programs of the NCI-SRD) provides guidance on the systematic identification, review and audit of apparent conflicting and overlapping laws, policies and programs affecting the NCI-SRD operations wherein the main output of the entire process shall be policy a recommendation and a corresponding NCI-SRD joint policy resolution for approval of the NCI-SRD National Steering Committee (NSC);

WHEREAS, a call for proposals to the four (4) NCI-SRD Agencies and the Regional Convergence Initiative Technical Working Groups (RCI TWGs) was issued on 27 August 2019 and the

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consolidated list of apparent conflicting and overlapping laws, policies and programs affecting the NCI-SRD operations was endorsed to the PA CWG for prioritization;

WHEREAS, on 22 November 2019, the PA CWG during its meeting agreed to review and audit for FY 2020 the issue on Abandoned, Undeveloped, and Underutilized Fishponds (AUUF) under Fishpond Lease Agreement (FLA), based on the Review and Audit Fact Sheet submitted by DENR-Biodiversity Management Bureau (BMB) in 2018 through the Coastal and Marine Resource Management Ecosystem Technical Working Group (CMRM ETWG);

WHEREAS, Section 44 of Presidential Decree No.705 states that mangrove and other swamps released to the Bureau of Fisheries and Aquatic Resources (BFAR) for fishpond purposes which are not utilized, or which have been abandoned for five years (5) years from the date of such release shall revert to the category of forest land;


WHEREAS, Section 14, para. 2 of DA-DENR-DILG Joint Administrative Order, series of 2008 (Defining/Identifying the Areas of Cooperation Among DA, DENR and DILG in the Planning, Management, and Control of Aquaculture Development to Mitigate Impacts on the Environment) provides that an inter-agency technical working group to be chaired by the DENR, with members from DA-BFAR, Local Government Units (LGUs) concerned and Fisheries and Aquatic Resources Management Councils (FARMCs), shall likewise be created to identify FLA areas which have been abandoned for five (5) years from the date of approval of the lease contract. These areas, upon proper notice to the respective lease holders, shall automatically revert to the mass of the public domain for eventual reforestation under the administration of DENR;

WHEREAS, on 10 January 2020, the PA CWG during its meeting agreed on the annual work plan, identified possible resource persons and offices, and listed major references in relation to the proposed review and audit of the AUUF in relation to FLA;

WHEREAS, on 14 January 2020, the National Technical Working Group (NTWG), composed of the Chairpersons of the CWGs and the ETWGs, agreed during its meeting to endorse to the NSC the proposal of the PA CWG to review and audit the AUUF policy issue in relation to FLA for FY 2020 after its final technical review;

WHEREAS, on 28 January 2020, the NSC, composed of the DA-DAR-DENR-DILG Secretaries or their permanent alternate Undersecretaries, approved during its meeting the proposal of the PA CWG to proceed with the review and audit of the AUUF policy issue in relation to FLA for FY 2020;

WHEREAS, the NCI-SRD National Secretariat conducted consultations with the DA-BFAR on 11 February 2020 and the DENR-Forest Management Bureau (FMB), DENR-Ecosystems Research and Development Bureau (ERDB), and DENR-BMB on 12 February 2020 to gather data in the drafting of the policy brief on the AUUF in relation to FLA ;

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WHEREAS, on 06 March and 08 May 2020, the PA CWG during its meetings discussed and agreed to endorse the final draft policy brief (attached as **Annex A**) indicating the following policy recommendations for final technical review of the NTWG, to wit:

“Creation of the inter-agency TWG as stipulated in Section 14, para. 2 of the DA-DENR-DILG JAO No. 01, series of 2008 (Defining/Identifying the Areas of Cooperation Among DA, DENR and DILG in the Planning, Management, and Control of Aquaculture Development to Mitigate Impacts on the Environment) to address the issues affecting areas covered by FLAs which have been abandoned, unutilized and underdeveloped. The activated TWG should undertake the following tasks:


1. Consolidate maps of areas covered by FLAs from DA-BFAR and DENR-FMB;
2. Consolidate List of FLAs which have been abandoned for five (5) years from the date of approval of the lease contract from DA-BFAR;
3. Consolidate List of FLAs under DENR’s National Greening Program (NGP) and other mangrove rehabilitation projects;
4. Validate/verify cancelled and abandoned areas under FLAs by DENR; and
5. Intensify coordination efforts between DA-BFAR and DENR on fishponds with FLAs and NGP areas.

WHEREAS, on 02 June 2020, the NTWG during its meeting agreed to endorse the abovementioned policy recommendation of the PA CWG on the AUUF in relation to FLA to the NSC for approval after its final technical review;

WHEREAS, on 30 June 2020, the NSC during its meeting approved the policy recommendation of the PA CWG on the AUUF in relation to FLA as stated above;

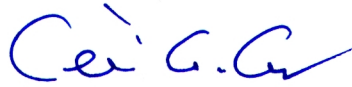
NOW, THEREFORE, for and in view of the foregoing, we, the NSC hereby RESOLVES to direct the creation of the inter-agency TWG, to be chaired by DENR, with members from DA-BFAR, DILG, LGUs concerned, FARMCs, and other relevant stakeholders to discuss major issues on AUUF in relation to FLA as specified above, effective immediately.

Done in Quezon City, Philippines this 30 day of June, 2020.

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APPROVED AND SIGNED BY THE NSC AND ITS PERMANENT ALTERNATE REPRESENTATIVES:

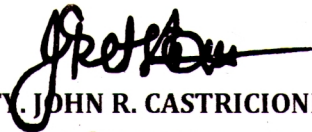
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WILLIAM D. DAR, PhD

Secretary

Department of Agriculture (DA)

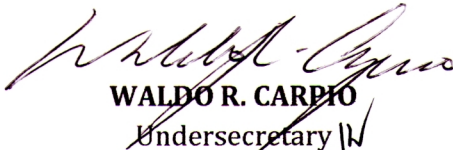


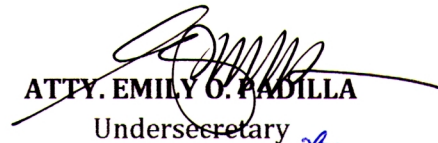
ATTY. JOHN R. CASTRICIONES

Secretary

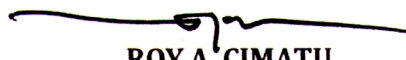
Department of Agrarian Reform (DAR)

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Office of the Secretary
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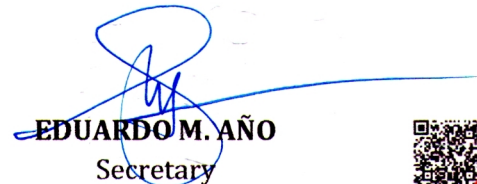

WALDO R. CARPIO
Undersecretary
DA


ATTY. EMILY O. PADILLA
Undersecretary
DAR

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AND NATURAL RESOURCES
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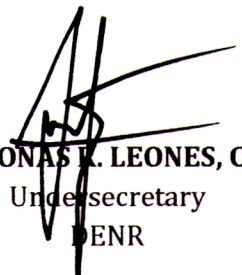

ROY A. CIMATU
Secretary

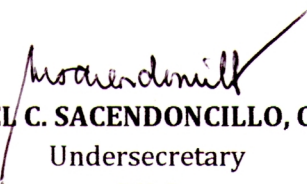
Department of Environment and Natural Resources (DENR)


EDUARDO M. AÑO
Secretary

Department of the Interior and Local Government (DILG)




ATTY. JONAS R. LEONES, CESO I
Undersecretary
DENR


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DILG