

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 JUL -1 A8:39

SENATE

S.B. No. 6

RECEIVED BY

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

With the recognition of the vulnerability of the Philippine archipelago and its local communities to potential dangerous consequences of climate change such as increasing frequency and/or severity of droughts, fires, floods and storms, damage to ecosystems, and biodiversity loss that affect the country's environment, culture, and economy, it has become the policy of the State to enjoin the participation of national and local governments, businesses, nongovernment organizations, local communities and the public to prevent and reduce the adverse impacts of climate change.

As witnessed in the *Ondoy* tragedy last September 2008, occurrence of extreme weather events, a clear manifestation of climate change, is no longer a vague threat but a real problem that must be confronted with urgency. Another realization is that massive deforestation and degradation of forests brought about by persistent logging in the Sierra Madre compounded the onslaught of *Ondoy*. Thus, environmental challenges that exacerbate the scale of destruction of climate-related hazards must be seriously dealt with to effectively address climate change.

This bill seeks to address one of the drivers of our vulnerability to disasters and climate change -- ecosystems decline. Over the last century, the proportion of land area covered by forest has fallen from 22 percent in 1990 to just 19.4 percent in 2000. As recorded, large area of forestlands were already converted to tree plantation, mining and marginal upland agriculture which gave a 1.4 per cent average deforestation rate from 1990 to 2000, the highest among Asian countries. Since 2004, the area of Philippine forests has been registering a small but steady rise. However, reforestation initiatives must be accelerated as a way to adapt to a changing climate.

The bill recognizes role of local governments as frontline agencies in the formulation and implementation of climate change action, as it empowers local officials to advance greening and rehabilitation and protection of forest lands as a priority adaptation strategy from the provincial to the *barangay* level.

In view of the foregoing, immediate passage of this bill is earnestly sought.

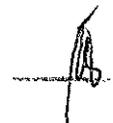

LOREN LEGARDA
Senator

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

DEPUTY
OFFICE OF THE SECRETARY

10 JUL -1 08:40

SENATE
S.B. No. 6

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Introduced by Senator Loren Legarda

AN ACT
TO PROMOTE GREENING AND FORESTLAND REHABILITATION AND
PROTECTION IN THE BARANGAY LEVEL, SPURRING LOCAL CLIMATE
CHANGE ACTION, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

1 **SECTION 1. Title.** - This Act shall be known as the "*Barangay Greening and*
2 *Forest Land Rehabilitation and Protection Act of 2010.*"

3

4 **SEC. 2. Declaration of Policy.** - Recognizing the vulnerability of local
5 communities to climate change impact and the role of local governments as frontline
6 agencies in the formulation and implementation of climate change action, it is
7 hereby declared the policy of the State to advance climate change adaptation
8 strategies from the national to the barangay level and promote the right of people to
9 enjoy the benefits of a balanced and healthy ecology.

10

11 Further recognizing that environmental degradation aggravates the impact of
12 climate change, it is the policy of the State to advance greening and rehabilitation
13 and protection of forest lands as a priority adaptation strategy.

14

15 **SEC. 3. Definition of Terms.** - For purposes of this Act, the following shall
16 have the corresponding meanings:

17

18 a. "*Adaptation*" refers to the adjustment in natural or human systems in
19 response to actual or expected climatic stimuli or their effects, which
20 moderates harm or exploits beneficial opportunities;

21

1 b. *“Climate Change”* refers to a change in climate identified by changes in the
2 mean and/or variability of its properties that persists for an extended period,
3 typically decades or longer, whether due to natural variability or as a result of
4 human activity; and

5
6 c. *“Forest lands”* include the public forest, the permanent forest or forest
7 reserves, and forest reservations.

8
9 **SEC. 4. *Barangay Greening and Forest Land Rehabilitation and Protection.* -**

10 Pursuant to the pertinent provisions of Republic Act. No. 7160 or the Local
11 Government Code, local government units (LGUs) shall share the responsibility in
12 sustainable management and utilization of forest resources within their territorial
13 jurisdiction, including those assigned by law to other government agencies.

14
15 Subject to vested rights, the Department of Environment and Natural
16 Resources (DENR) and LGUs - provincial, city, municipal and *barangay* - in
17 consultation with other government agencies, local communities, non-government
18 organizations, academic and research institutions, and other sectors, shall jointly
19 undertake the planning, formulation and implementation of local greening and
20 forest land rehabilitation and protection programs.

21
22 Forest land rehabilitation programs shall include the conservation,
23 management and development of forest resources and biodiversity.

24
25 Local greening programs shall aim to build, develop and maintain forest
26 parks in provincial, city, municipal, *barangay* parks, roads, elementary school
27 grounds and other public open spaces where appropriate.

28
29 **SEC. 5. *Institutional Arrangements.* -** Each province, city and municipality
30 shall integrate the objectives of this Act in its policies, plans and programs. Each city
31 and municipality shall mobilize all concerned local agencies and communities to
32 ensure prompt and effective implementation of this Act in every *barangay*. The LGUs
33 shall conduct information and advocacy drives to promote local greening and forest
34 land rehabilitation and protection programs.

35

1 The Department of Interior and Local Government (DILG) shall coordinate
2 the local government units to ensure prompt and effective implementation of this
3 Act.

4
5 The Climate Change Commission, as the sole government agency tasked to
6 coordinate, monitor and evaluate government programs and action plans relating to
7 climate change, shall coordinate and synchronize programs on forest land
8 rehabilitation to ensure harmonization with national plans and programs and to
9 facilitate the provision of resources.

10
11 The DENR shall, in consultation with the Commission and the DILG,
12 promulgate the pertinent rules and regulations as may be necessary to fully
13 implement the objectives and purposes of this Act within a period not later than
14 ninety (90) days after the approval of this Act.

15
16 The DENR shall provide assistance to LGUs in the identification, selection,
17 and allocation of sites for rehabilitation and local greening and in enhancing LGU
18 capability for the planting of the right species especially in critical watersheds,
19 natural forests, and mangrove areas, the use of efficient reforestation technologies,
20 and the necessary steps to protect the remaining natural forests and national parks.

21
22 All concerned agencies shall undertake information and advocacy drives.

23
24 **SEC. 6. *Coordination with Forestry, Natural Resources, Agricultural and***
25 ***Fisheries Schools.*** - Subject to such rules and regulations as the DENR, in
26 consultation with the Department of Education and the Commission on Higher
27 Education, may promulgate, forestry, natural resources, agricultural and fisheries
28 schools, both public and private, shall participate in the national and local
29 implementation and monitoring of this Act. The concerned national agencies shall
30 facilitate government or other financial assistance for such participation. The DENR
31 shall provide technical assistance for capacity building of participating educational
32 institutions, not only to ensure adequate, quality supply of planting materials, but
33 also to transfer and propagate appropriate technologies for local greening and forest
34 land rehabilitation and protection. Fiscal and non-fiscal incentives shall be granted
35 to participating institutions.

36

1 **SEC. 7. Appropriations.** - The amount necessary to initially implement the
2 provisions of this Act shall be taken out of any funds in the National Treasury not
3 otherwise appropriated: *Provided*, That subsequent annual funding for the
4 implementation of this Act shall be included in the General Appropriations Act:
5 *Provided, further*, That there shall be an equitable and proportionate annual
6 appropriation of funds, and access thereto, for this purpose for all *barangays*.

7

8 **SEC. 8. Separability Clause.** - Should any part or provision of this Act be
9 declared unconstitutional or invalid, other parts or provisions hereof not otherwise
10 affected thereby shall remain in full force and effect.

11

12 **SEC. 9. Repealing Clause.** - All laws, ordinances, rules and regulations, and
13 other issuances or parts thereof which are inconsistent with this Act, are hereby
14 repealed or modified accordingly.

15

16 **SEC. 10. Effectivity.** - This Act shall take effect following its complete
17 publication in at least two (2) national newspapers of general circulation.

18

19 Approved,