

**[DENR ADMINISTRATIVE ORDER NO. 2010-07,
March 12, 2010]**

**GUIDELINES ON THE CONTINUING/PHASED DEVOLUTION OF
ENVIRONMENT AND NATURAL RESOURCES (ENR) FUNCTIONS TO
LOCAL GOVERNMENT UNITS (LGUS)**

Pursuant to Republic Act 7160, otherwise known as the Local Government Code of 1991, and Executive Order 444 ("Directing A Strategic Review of the Operations and Organization of the Executive Branch and Providing Options and Incentives for Government Employees Who May Be Affected by the Rationalization of the Functions and Agencies of the Executive Branch"), the following guidelines are issued.

SECTION 1. Statement of Policy. It is the policy of the State to ensure the autonomy of local governments. It is also the policy of the State to see to it that decentralization/ devolution contributes to the improvement of the performance of local government units and the quality of community life. In pursuit of these policies, the DENR shall undertake continuous delegation of powers to the local government units based on their absorptive capacity.

SECTION 2. Objectives:

1. To assess the progress of implementation by the local government units of the devolved environment and natural resources (ENR) functions pursuant to the Local Government Code and pertinent DENR implementing rules and regulations;
2. To develop a program/plan for the continuing devolution of other ENR functions in addition to those already devolved; and,
3. To develop an enabling environment through institutional capacity building and organizational development programs for the LGUs on devolved ENR functions.

SECTION 3. Components to support the continuing devolution of ENR functions.

3.1 Assessment of ENR devolved functions to LGUs. This component consists of the following activities:

- a. conduct an assessment of ENR services and functions devolved to the LGUs using a set of criteria and indicators;
- b. establish a baseline data on ENR services and functions devolved to the LGUs which shall serve as input in identifying other ENR services and functions intended for devolution; and

- c. develop a program for institutional strengthening of LGUs to implement devolved functions.

The assessment shall be conducted by the Ecosystems Research and Development Service of the regional offices under the supervision of the Ecosystems Research and Development Bureau (ERDB). A report shall be submitted within three (3) months after the issuance of this Administrative Order.

The program for institutional strengthening shall be developed by the Human Resource Development Service (HRDS) in coordination with DENR bureaus and attached agencies as well as those of the local government associations (e.g. League of Provinces/ Cities/Municipalities of the Philippines), whenever applicable.

3.2 Development of Criteria and Indicators for Devolutions. Criteria and indicators shall be developed to measure the existing capacity of LGUs in implementing the devolved ENR functions specifically but not limited to the following:

- a. effectiveness of the LGUs in implementing the ENR functions which have been devolved;
- b. readiness of the LGUs in implementing the devolve functions and the additional ENR functions for devolution; and
- c. adherence to national laws, policies, and rules and regulations

The criteria and indicators shall also be used to define and characterize the essential elements, as well as a set of conditions or processes by which ENR functions and services may be devolved to the LGUs.

The Office of the Undersecretary for Field Operations shall develop the criteria/indicators for devolution within one (1) year upon signing hereof. It may seek the assistance of the members of the Committee on Devolution created under DENR Special Order No. 2007-644, other DENR personnel and offices that may have the expertise in this field and the DILG and the Leagues of Provinces/Cities/Municipalities.

The criteria and indicators developed shall be jointly approved by DENR, DILG and the Leagues of Cities/Municipalities/Provinces. The indicators shall be reviewed periodically to ensure the appropriateness and relevance.

3.3 Identifying relevant ENR functions for phased devolution. In harmony with the principle of phased devolution, the DENR shall supervise, control and review and together with the LGUs shall identify and schedule within the period of ten (10) years, other ENR functions that may be devolved to LGUs subject to existing laws, rules and regulations.

3.4 Development of an Institutional Strengthening Program for LGUs. An Institutional Strengthening Program (ISP), based on a training/capacity needs assessment, shall be developed within one (1) year upon signing hereof. This shall include, among others, a Capacitation Program/Five (5)-Year Human Resource