

**[DENR ADMINISTRATIVE ORDER NO. 99-53,
December 23, 1999]**

**REGULATIONS GOVERNING THE INTEGRATED FOREST
MANAGEMENT PROGRAM (IFMP)**

Pursuant to PD 705 of 1975, as amended, EO 725 dated September 9, 1981, EO 278 dated July 25, 1987, EO 192 dated June 10, 1987 and EO 292 dated July 25, 1987 and Sec. 2, Art. XII of the 1987 Constitution, the following regulations governing the Integrated Forest Management Program (IFMP), are hereby promulgated.

CHAPTER I

TITLE, POLICIES, OBJECTIVES AND DEFINITION OF TERMS

Section 1. Title . — This Administrative Order shall be known as the "Regulation on the Integrated Forest Management Program".

Sec. 2. Policies and Objectives . — These regulations are in pursuance of the policies of the State which are:

- (a) The protection and advancement of the right of people to a balanced and healthful environment;
- (b) The equitable distribution of opportunities, income and wealth, sustained increase in the amount of goods and services produced by the nation for the benefit of the people, and an expanding productivity from natural resources as keys to uplift the quality of life; and
- (c) The promotion of industrialization and creation of employment opportunities based on sound resource development through industries that make full and efficient use of human and natural resources.

The objectives of these regulations are:

- (a) To attain a balanced, productive, and efficiently functioning forest ecosystem through the sustainable management of forests and the rehabilitation of degraded forestlands;
- (b) To ensure a continuous supply of wood and non-wood products for the country by encouraging all sectors to engage in the development of industrial forest plantations; and
- (c) To improve the economic well-being of upland people and communities dependent on forest resources by ensuring equitable opportunities and access to forest resources.

Sec. 3. Definition of Terms . — The following terms are to be understood and interpreted, as follows:

(a) *Ancestral Domain* — subject to property rights existing and/or vested upon effectivity of the Indigenous Peoples Rights Act of 1997, refers to areas generally belonging to indigenous cultural communities/indigenous peoples comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by them, by themselves or through their ancestors, communally or individually, since time immemorial, continuously to the present except when interrupted by war, force majeure, or displaced by force, deceit or stealth or as a consequence of government projects or any other voluntary dealings between the government and private individuals/corporations.

(b) *Annual Allowable Harvest* — refers to the amount or volume of materials, whether of timber, non-timber or other forest products, authorized by the government to be harvested within each year from the forests.

(c) *Basal Area* — the sum of the outside bark cross-sectional area at breast height or above buttress, as the case may be, of all trees in a given forest area.

(d) *Brushlands* — refer to areas characterized by discontinuous cover of shrubby and non-wood vegetation including grasses usually as a result of repeated clearing and burning of the then forest cover.

(e) *Buffer Strips* — refer to areas with a specified width usually of natural vegetation serving as protective borders of streams or bodies of water or as boundaries between management units (blocks or compartments) of the forest plantations.

(f) *CENRO* — refers to Community Environment and Natural Resources Office.

(g) *Commercial Species* — refer to all tree species in the categories of Premium, Common, Construction and Furniture and Light Hardwoods, and Softwoods.

(h) *Comprehensive Development and Management Plan (CDMP)* — a long-term plan prepared and submitted by an IFMA holder to, and for the approval by, the DENR which, among others, indicates the series of sequential or simultaneous undertakings and their schedules, in developing and managing the IFMA area, including the harvesting and utilization of the products thereof.

(i) *Degraded Residual Natural Forest* — refers to a severely disturbed natural forest of whatever cause with a basal area of less than five (5) square meters per hectare of all commercial tree species, with dbh/dab of less than 65 centimeters.

(j) *DENR* — refers to the Department of Environment and Natural Resources.

(k) *Ecosystem or ecological system* — refers to the community of living organisms and the non-living environment dynamically and harmoniously functioning together in a given area.

(l) *Environmental Compliance Certificate (ECC)* — refers to the document issued by the Department certifying that a proposed project or undertaking in an environmentally critical or non-critical area, as evaluated through the processes of an EIA or IEE, will not bring about an unacceptable environmental impact and that the proponent has complied with the requirements of the environmental impact statement (EIS) system.

(m) *Environmental Impact Assessment (EIA)* — refers to the process of predicting the likely environmental consequences of implementing a project or undertaking and designing the appropriate preventive, mitigating or enhancement measures.

(n) *FMB* — refers to the Forest Management Bureau

(o) *Forest* — refers to either natural vegetation or plantation of crops mainly of trees, or both, occupying a definable, uninterrupted or contiguous area exceeding but not less than one hectare with tree crown covering at least ten percent (10%) of the area, exclusive of the associated seedlings, saplings, palms, bamboos and other undercover vegetation. A natural forest is a stand dominated by trees whose structure, functions and dynamics have been largely the result of natural succession process. A natural forest is classified as either 1) primary or virgin forest which has not never been subjected to significant human disturbance, or has not been significantly affected by the gathering of forest products such that its natural structure, functions and dynamics have not undergone any major ecological change; or 2) secondary or residual forest that may be classified into either degraded or productive type.

(p) *Forestlands* — refer to lands of the public domain which have been classified as such and all unclassified lands of public domain.

(q) *IFMA Area* — refers to a specified and delineated area of forestland subject of or covered by an IFMA.

(r) *Indigenous Cultural Communities (ICC)/Indigenous People (IP)* — refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as an organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from majority of the Filipinos. Indigenous cultural community (ICC) is synonymous with indigenous people (IP).

(s) *Industrial Forest Plantation (IFP)* — refers to any tract of land planted mainly to timber producing tree species, including rubber, and/or non-timber species such as rattan and bamboo, primarily to supply the raw material requirements of forest-based industries, among others.

(t) *Initial Environment Examination (IEE)* — refers to the document required of a proponent describing the environmental impact of, and mitigation and enhancement measures for, a project or undertaking located in an Environmentally Critical Area.

(u) *Integrated Forest Management Agreement (IFMA)* — a production-sharing contract entered into by and between the DENR and a qualified applicant wherein the DENR grants to the latter the exclusive right to develop, manage, protect and utilize a specified area of forestland and forest resource therein for a period of 25 years and may be renewed for another 25-year period, consistent with the principle of sustainable development and in accordance with an approved CDMP, and under which both parties share in its produce.

(v) *LGU* — refers to the local government unit, such as province, city, municipality and barangay.

(w) *Managed Forest* — refers to a forest under a deliberate system of protection, rehabilitation and development which may include utilization of resources, to ensure the sustainable production of desired products and services, and the conservation of soil, water, wildlife and other natural resources therein for the benefit of present and future generations.

(x) *National Integrated Protected Area Systems (NIPAS)* — refer to the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein and to maintain their natural conditions to the greatest extent possible.

(y) *Open and Denuded Lands* — refer to the lands that has been depleted of its natural forest cover and is predominantly covered by grasses, herbs, or otherwise bare of any soil cover.

(z) *Operations Plan* — In accordance with the approved CDMP, a one year written plan detailing the activities in the natural productive residual forest, if any, or a five (5) year written plan detailing the developmental activities in the open, denuded, brushed and degraded residual natural forest.

(aa) *PENRO* — refers to Provincial Environment and Natural Resources Office.

(bb) *Production Forest* — refers to forestlands designated as such for the sustainable production of timber and/or non-wood forest products.

(cc) *Production Residual Natural Forest* — refers to a natural forest with a basal area of five (5) square meters per hectare or more and to be properly managed as a sustainable and economic source of natural-grown timber.

(dd) *Protection Forest* — refers to forestlands not the subject of commercial or industrial activities that include all areas under NIPAS and such other areas the Secretary may designate.

(ee) *RED* — refers to Regional Executive Director.

(ff) *RENRO* — refers to the Regional Environment and Natural Resources Officer.

(gg) *Rotation* — refers to the number of years between the initial establishment of a plantation and the time when it is considered ready for harvesting.

(hh) *Secretary* — refers to the Secretary of the Department of Environment and Natural Resources.

(ii) *Sustainable Development* — means meeting the needs of the present generation without compromising the ability of the future generation to meet their own needs.

(jj) *Timber License Agreement (TLA)* — refers to a privilege granted by the State to a person to utilize forest resources within a forestland with the right of possession and occupation thereof, to the exclusion of others, except the Government, but with the corresponding obligation to develop, protect and rehabilitate the same in accordance with the terms and conditions set forth in the said agreement.

CHAPTER II

IFMP AREAS

Sec. 4. Areas Available for IFMP. — Except areas enumerated in Sec. 5 herein, IFMAs may cover all lands of the public domain under the jurisdiction of the DENR, such as:

- (a) Open and denuded lands, brushlands, degraded residual natural forests;
- (b) Areas covered by cancelled/expired Forest Land Grazing Agreement or pasture permits or leases;
- (c) Government reforestation projects or portions thereof found to be more suitable or can be better developed as IFP in terms of public interest and benefits to surrounding communities;
- (d) Production residual natural forest that may be best included in any of the aforementioned areas and be a part of the managed forest under the IFMA;
- (e) Areas under cancelled and expired TLAs; provided, areas under existing TLAs may be allowed for conversion to IFMA by the holder thereof pursuant to Sections 6, 9 and 12 herein.

Sec. 5. Areas Prohibited for IFMA . — In no case shall IFMAs be awarded in the following:

- (a) Areas or lands of the public domain established under the NIPAS within the classification of national park as provided for in the Constitution and/or those proclaimed, designated or set aside pursuant to a law, presidential decree, presidential proclamation or executive order as well as those the Secretary shall propose for inclusion in the initial component of the System except when such areas fall within the buffer zone;
- (b) Areas or lands subject of Certificates of Ancestral Domain/Certificate of Land Claims (CADC/CALC) or of any other tenurial instruments issued by the DENR under the Integrated Social Forestry Program, Community Forest Program, and other people-oriented forestry programs and other licenses, permits or lease unless with prior informed consent of the holder.
- (c) Those areas with pending applications CADC/CALC or those areas verified by the DENR to be actually occupied by indigenous cultural communities under a claim of immemorial possession unless after due notice and hearing in accordance with existing rules and regulations same shall be denied or rejected.

Sec. 6 . Size of IFMA Area. — The minimum size of the area that may be covered by an IFMA shall be five hundred (500) hectares and the maximum size may depend upon the capability of the applicant to develop and manage into productive condition as well as the requirements of his processing plant(s) existing or to be installed in the area/region; provided, that it shall not exceed forty thousand (40,000) hectares, preferably but not necessarily of one single block of an area; provided, however, that where a TLA is converted into IFMA, the size of the IFMA area may extend up to the size of the TLA area at the time of the conversion.