



DENR Administrative Order
No. 2009-16

NOV 25 2009

SUBJECT: AMENDING CERTAIN PROVISIONS OF DENR ADMINISTRATIVE ORDER NO. 2004-28 RE: RULES AND REGULATIONS GOVERNING THE USE OF FORESTLANDS FOR TOURISM PURPOSES (FLagT)

In the interest of the service and in view of the clamor of public clientele for more equitable distribution and access to forestlands for tourism purposes, DENR Administrative Order No. 2004-28 dated August 25, 2004 is hereby amended as follows:

Section 7, Chapter II shall read, as follows:

Section 7. Mode of Award of FLagT Areas. Areas suitable for FLagT shall be awarded principally thru competitive bidding. Exempted from bidding, provided they pay other incidental fees, (i.e., administrative fee, cash performance bond and government share), are the following:

- 7.1 Those holding existing Forest Land Use Permits / Lessees who opt to have their permits / lessees converted to FLagT;
- 7.2 Those existing permittees / lessees applying for the expansion of existing projects:
- 7.3 Those with pending applications for a DENR permit / lease for tourism-related special uses prior to the effectivity of this order; and
- 7.4 Those bonafide occupants of forestland areas with existing tourism-related facilities, structures or developments prior to effectivity of this Order.

Section 13 of said DAO pertaining to the conversion of existing Special Land Use Permits (SLUPs) into FLagT is hereby amended to include the following:

Provided further, that the whole area under the existing SLUP shall be converted into FLagT. Provided finally, that all existing SLUPs for bathing establishment, hotel site (including resort facilities) and other special uses for eco-tourism purposes shall no longer be renewed. Instead, they shall be converted into 25-year agreement (FLagT) during the last year of their existence or six (6) months before they expire, subject to existing rules and regulations on the matter. Henceforth, Special Land Use Permits (SLUPs) for tourism purposes shall no longer be issued.

Section 14.2, Chapter V of said DAO is likewise, amended as follows:

Section 14.2 The holder shall submit within six (6) months from the issuance of the FLAgT a Comprehensive Development and Management Plan (CDMP) for the FLAgT Area. The CDMP shall provide, among others, for appropriate schemes, arrangements, or activities that will maximize the use of the FLAgT Area, which are compatible with the Tourism Project and shall benefit the host community. The CDMP shall be submitted to, and approved by, the Regional Executive Director concerned, after review and deliberation by a Review Committee composed mainly of technical staff of the Forest Management Sector. The approved CDMP shall form part of the FLAgT.

Thus, the Site Management Plan referred to under Section 15 of the said DAO shall be replaced with "Comprehensive Development and Management Plan" (CDMP).

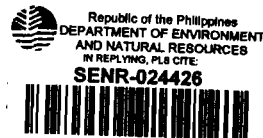
Section 19, Chapter VIII of the said DAO is hereby amended to read as follows:

"Section 19. Transitory Provisions. All FLAgT applicants qualified under Section 7 hereof who are exempted from the bidding process are hereby given ninety (90) calendar days from the time of the effectivity of this Order within which to apply for FLAgT with complete application requirements including payment of incidental fees."

All other provisions of DAO No. 2004-28 remain valid.

This Order takes effect thirty (30) days after its publication in a newspaper of national circulation.


JOSE L. ATIENZA, JR.
Secretary



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