



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4284



Introduced by Representative Jose Manuel F. Alba

AN ACT
MANDATING THE PERMANENT APPOINTMENT OF
PROVINCIAL/CITY/MUNICIPAL ENVIRONMENT AND NATURAL
RESOURCES OFFICER AMENDING SECTION 484 OF REPUBLIC ACT NO.
7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

EXPLANATORY NOTE

Section 16 of the 1987 Philippine Constitution declares it as policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Unfortunately, the State has not been able to realize this policy with the resulting loss of lives and property from floods whenever there is a typhoon or heavy rainfall.

By and large, the root cause of recent floods is attributed to the failure/collapse of flood control infrastructures such as dams and dikes. But there is an element behind these floods that is often not given much importance – the status and nature of the watersheds upstream of the dikes and dams. Much of the watersheds of river systems of the country are degraded, deteriorated, and lack vegetative cover. This is the result of conversion of forestlands into agriculture, illegal logging and poaching of timber and other forest products of kaingin-making and the cutting of trees/sapling for charcoal production. Moreover, it is also caused by the lack or ineffective implementation of forestry and natural resources laws, rules and regulations.

The rainwater as it drops into the ground infiltrates into the soil or evaporates, and what is left make up the runoff which causes floods. The amount of infiltration depends upon the nature and composition of the soil. Clayey soils are resistant to infiltration. During a rainfall episode, there is little evaporation of the rainwater. Studies have shown that more than 67% of the rainwater forms the runoff causing floods¹. Vegetative cover of the watersheds such as forests improves the infiltration of rainwater, reduces erosion, and slows down the flow of rainwater thus reduces the occurrence of floods. Flood prevention/mitigation can be achieved through flood infrastructures in tandem with the rehabilitation/restoration of watershed.

Local Government Units (LGUs) are mandated to rehabilitate and undertake in the restoration of watersheds within their jurisdiction. Under Section 447, (5)(i) of the Local Government Code, LGUs through its Provincial/City/Municipal Environment and Natural Resources Officers (P/C/MENRO) are mandated to establish, maintain, protect and preserve communal forests, watersheds, tree parks, mangroves, greenbelts and similar forest projects and commercial forest, like industrial tree farms and agro-forestry projects.

Unfortunately, the mandatory nature of Section 447 is diluted by Section 484, Article XIV of the same code, which states that “*appointment of the environment and natural resources officer is optional for provincial, city, and municipal governments*” (emphasis supplied). Not all provincial, city, and municipal governments have an appointed ENRO, and where such officer have been appointed, they are not occupying a permanent position, replaced when a new Governor, City/Municipal Mayor is elected. This results to a lack of continuity of rehabilitation projects involving watersheds.

This is a timely legislation which seeks to promote flood prevention/mitigation through the maintenance, protection, and preservation of watersheds by amending Section 484 of the RA No. 7160, the Local Government Code making mandatory the appointment of an Environment and Natural Resources Officer at the province, city, or municipality, and a regular and permanent position.



JOSE MANUEL F. ALBA

Representative, 1st District, Bukidnon

¹ Integrated River Basin Management and Development Master Plan for Cagayan de Oro River Basin - based on NWRB 2012 as cited in Watershed Characterization 2015.



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

Section 1. This Act shall be known and referred to as the "Mandatory Permanent Appointment of Provincial/City/Municipal Environment and Natural Resources Officer Act."

Section 2. Sec. 484 (a) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

- (a) No person shall be appointed environment and natural resources officer unless he is a citizen of the Philippines, of good moral character, a holder of a college degree preferably in forestry, environment, agriculture, or agro-forestry from a recognized college or university, with first-grade civil service eligibility or its equivalent, and **preferably** a resident of the local government unit concerned. The Provincial and City ENRO shall at least have a masteral degree in forestry, environment, agriculture, or agro-forestry and must at least

have five (5) years-experience in environmental and natural resources management, conservation, and utilization and three (3) years-experience in the case of the Municipal ENRO. **The Provincial and City ENRO shall have a salary grade of 24 and the Municipal ENRO shall have a salary grade of 22.**

The appointment of Provincial/City/Municipal Environment and Natural Resources Officer (P/C/MENRO) **shall be mandatory and shall be a regular and permanent position in the local government units.**

Section 3. All laws, acts, decrees, executive orders, administrative regulations, or part or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Section 4. This Act shall take effect upon publication in the Official Gazette or in at least two (2) newspapers of national circulation.