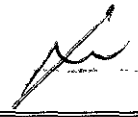


15 JUN 20 2017

SENATE

Senate Bill No. 491

RECEIVED BY



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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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EXPLANATORY NOTE

Unregulated human activities have contributed to the deterioration of the community's quality of life and the degradation of the environment. Urbanization and modernization have rationalized the cutting of trees that otherwise give food, shelter, security and beauty of the surroundings.

Efforts to prevent deforestation and promote afforestation of forest areas have failed. This proposed measure does not seek to amend much less repeal existing tree-planting laws; instead it will serve to complement the former in the hope that it will succeed and therefore, serve to buttress the implementation of said existing laws. It proposed to underwire tree-planting in the urban and countryside areas with the concerted effort of both the government and private sector.

Indeed, there is a need for a collaborative effort between the State and its citizenry to fulfill the constitutional mandate of that "the State shall protect and advance the right if the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

In view thereof, the proposed measure to establish a national committee which will oversee the implementation of the greening effort of the government.

The passage of the bill is earnestly urged.



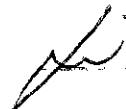
JINGGOY EJERCITO ESTRADA  
Senator

10 JUL - 2 2017

SENATE

Senate Bill No. 491

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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AN ACT  
TO PROMOTE THE URBAN AND COUNTRYSIDE GREENING IN THE  
PHILIPPINES

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

**SECTION 1. Title.** This act shall be known and cited as the "**Greening Act of 2010**".

**SEC. 2. Declaration of Policy.** Recognizing the vital role of trees in ecological stability, it is hereby declared the national policy to ensure sufficient greenery in urban and countryside and to promote the right of the people to enjoy the benefits of a balanced and healthful ecology.

**SEC. 3. Scope.** This Act shall apply to all barangays, municipalities, cities and provinces.

**SEC. 4. Objectives.** Pursuant to the policy declared herein, it is the objective of this Act:

- (a) to build, develop and maintain forest parks in provincial, city and municipal plazas, elementary school grounds and by the planting of trees in national, provincial, municipal or barangay roads and other public open spaces where appropriate;
- (b) to require from the national agencies and local government units the planting of trees and shrubbery in specified areas;
- (c) to promote environmental consciousness among the community members, i.e. students, youth, other civic action groups, by encouraging active participation in tree-planting activities;
- (d) to protect trees from various human activities.

**SEC. 5. National Committee.** A National Greening Committee is hereby created with the Secretary of the Department of Natural Resources (DENR) as Chairman and the respective secretaries of the Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Interior and Local Government (DILG), Department of Education (Dept. Ed.) and the Department of Agriculture (DA) as members.

purposes of this Act within a period not later than ninety (90) days after the approval of this Act.

It shall have the power to rule on disputes involving the Regional Greening Committee and to appoint or form an ad-hoc committee when the Regional Committee is unable to perform its duties.

The National Committee also convenes every quarter to hear the reports or performance from the Regional Committee.

**SEC. 6. Regional Committee.** A Greening Committee for every region in the country. In cooperation with the various local government offices, is hereby created to initiate and oversee all the tree-planting activities to be done in barangays, municipalities, cities and provinces in the respective regions.

The Regional Director representing the Secretary of the Department of Environment and Natural Resources (DENR) and the lead official of the concerned local government unit (LGU) shall both serve as Co-Chairman of the Committee. Members of the Committee, representing the respective secretaries, will be the regional directors of the Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Education (Dept. Ed.), and the Department of Agriculture (DA) and at most three (3) representatives from civic action groups appointed by the Chairman.

The Regional Greening Committee shall coordinate with all the concerned government agencies, non-governmental organizations (NGOs), peoples organizations (Pos) and other civic action groups for assistance and cooperation in the implementation of this Act.

**SEC. 7. Specific functions of the Executive Department.** Aside from the Committee responsibilities,

- (a) the DENR shall determine the suitable species of tree and provide seeds or saplings to be planted along or on major thoroughfares, suited to the kind, classifications, and condition of the area and shall provide technical support involving tree-planting activities;
- (b) the LGU shall:
  - (1) mobilize all local concerned agencies and communities to ensure prompt and effective implementation of this Act in every barangay, municipality, city and province;
  - (2) provide for effective measures and ways for the optimum maintenance and sustainability of trees and shrubbery;
  - (3) effect the apprehension, and the prosecution of all persons violating Section 8 and 9 of this Act;
- (c) the DPWH and the DA shall provide the technical support, i.e. the necessary tools, equipment, and manpower to effect the implementation of this Act;
- (d) the DOT shall assist in the conceptualization and site-evaluation and cooperate in the maintenance of parks and specified areas and provide additional funding from its resources;
- (e) the DILG shall coordinate the local government units to ensure prompt and effective implementation of this Act; and
- (f) the Dept. Ed. Shall integrate the tree-planting activities into the school curriculum to raise awareness and to promote environmental consciousness.

**SEC. 8. Requirements for Tree Planting along National Roads.** In consonance with the Department Order No. 15 of the Department of Public Works and Highways issued on the 24<sup>th</sup> January 2000, all projects concerning to the construction and development of national roads shall comply with the following standard requirements:

- (a) the trees that will be planted along the national roads shall be of varieties of the root system which grow downward rather than sideward to avoid road and sidewalk slabs destruction;
- (b) trees shall be planted in a neat row, within the road right-of-way (ROW) and as close as possible to the ROW limit, with sufficient allowance so that fully grown trees will not encroach on the adjoining property or touch electric and other overhead utility lines;
- (c) the center-to-center spacing between trees shall be 10-20 meters (m). for road sections with a generally north-south alignment, the trees in one side of the road shall be planted alternately with the trees on the other side, thus ensuring adequate sunlight needed for drying the road;
- (d) for roads without curbs, the trees shall be planted with a minimum clear distance of 0.62 meters beyond the edge of the Shoulder, but in no case less than 0.30 meters from the edge of the pavement;
- (e) for roads with curbs, particularly in urban areas, the trees shall be planted with a minimum setback of 1.00 meters beyond the face of the curb;
- (f) where there are longitudinal drainage canals, the trees shall be planted on the outer side of such canals;
- (g) on roadway curve and intersections, the pertinent design standards on sight distance shall be observed;
- (h) non-traversable hazards (ravine, waiting shed, and the like) along the line of trees shall be provided with appropriate clearly marked barriers so that these do not pose hazard to motorists;
- (i) the Department of Public Works and Highways shall be principally responsible for the watering and maintenance of the planted trees, wherein it may utilize its available resources, effect its existing policies and formulate new ones as may be necessary; provided, however, that the newly formulated policies and guidelines are consistent with provisions contained herein.
- (j) The Department of Public Works and Highways (DPWH) shall, within ninety (90) days after the approval of the Act and every one hundred eighty (180) days thereafter, submit periodic reports to the National Greening Committee.

**SEC. 9. Tree Planting in Urban and Country Parks, Public Vacant Lots, and Other Permissible Areas.** Planting of trees shall be mandatory in urban and countryside parks as well in school grounds, vacant lots, and other unutilized sites identified with quality of soil where different or certain species of trees can thrive. This shall apply to all publicly-owned lands, without exempting the properties of interested private individuals or institutions.

- (a) Scope. The areas covered by this provision shall include:
  - i. All public parks in urban and rural areas;
  - ii. All public school grounds in the city and in the provinces;

- iii. All idle public lands in urban and rural areas, unless otherwise identified to soon be used for other purposes such as agriculture, infrastructure-building, and others;
  - iv. Parks, schools and other pieces of land owned by private individuals, organizations, or institutions whose proprietor/s voluntarily and willingly subject their properties in this Act.
- (b) General Guidelines. Tree planting in the duly qualified areas shall comply with the following general guidelines:
- i. Considering the classification and condition of the soil and the total land area of the site, suited species of forest trees of fast growing trees shall be planted in the identified areas;
  - ii. In case wherein multiple one is not more than four (4) meters apart from another;
  - iii. The Regional Greening Committee shall facilitate and supervise all the tree-planting activities in its jurisdiction. The government agencies concerned shall perform their duties and responsibilities as indicated in Section 7, Specific Functions of the Executive Department, of this Act;
  - iv. The Regional Greening Committee shall, within ninety (90) days after the approval of the Act and every one hundred eight (180) days, thereafter submit periodic reports to the National Greening Committee.

**SEC. 10. Issuing of Permits.** The Issuance of Permit allowing a person or company to cut, uproot and in any way disturb the planted trees given by the DENR should also be approved and co-signed by the Regional Committee following public consultation done by and the consensus of the Regional Committee.

**SEC. 11. Prohibited Act.** No cutting and destroying of trees and plants shall be permitted, except when the cutting and destroying of the same is necessary for public safety, and the subject to the issuance of permits.

**SEC. 12. Persons Liable and Penalties therefore.** Any person who violated section 9 and 10 shall be punished with imprisonment of not less that six (6) months to not more that one (1) year or a fine of not less than Three Thousand Pesos to not more than Ten Thousand Pesos, or with both imprisonment and fine, at the discretion of the court.

**SEC. 13. Submission of Reports.** The National Committee shall within ninety (90) days after the approval of this Act and every one hundred eighty (180) days thereafter submit periodic reports to both Houses of Congress of the Philippines for evaluation and consideration.

**SEC. 14. Funding.** The fund needed for the implementation of this Act shall be taken from any available appropriation in the General Appropriation Act (GAA) for 2001; provided, that funds for this finally, that there shall be equitable and proportionate appropriations of funds annually for this purpose for all barangays, municipalities, cities, and provinces. In addition, adequate portion of financial grants and concessional loans extended to Philippines by foreign governments and multilateral agencies every year, the amount to be determined

by the President, shall be allocated to augment the annual appropriations until this Act is fully implemented.

**SEC. 15. *Separability Clause.*** All laws, decrees, rules and regulations, or parts thereof, consistent with this Act Are hereby repealed or modified accordingly.

**SEC. 16. *Effectivity Clause.*** This Act shall take effect upon its publication in at least two (2) newspapers of general circulation.

*Approved,*