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SENATE
S.B. No. 1355

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to ensure the sufficient greenery in the urban and countryside by making it mandatory to plant trees in urban and countryside parks as well as in school grounds, vacant lots and other urbanized sites all over the country.

The Department of Environment and Natural Resources (DENR) has 293 nurseries distributed all over the country. Other national and local agencies have 802 nurseries, which provide seedlings nationwide. Despite the efforts of the various government institutions, the number of trees and forest areas in our country is fast depleting.

The Philippines was once known for its vast and lush forests. Over the last 15 years, the environmental situation of the country has undergone a transformation. In 1990, forests covered 35.5 percent of the country's land area. By 2005, the number dropped to 24 percent. The Philippines' rate of deforestation from 2000-2005 is 2.1 percent, the highest in the Southeast Asian region.

This bill aims to improve the country's environmental conditions by building, developing and maintaining forests parks in local areas, educational institutions and public roads; promoting environmental consciousness among the Filipinos; and protecting the existing trees from further harm.

This proposed measure will establish a National Greening Committee to be headed by the Secretary of the Department of Environment and National Resources. To guarantee the proper nationwide implementation of the programs, the respective secretaries of the other departments such as the Department of Tourism (DOT), Department of Interior and Local Government (DILG), and Department of Agriculture will serve as the committee's members. Among the dealings the committee has to undertake are the strict implementation of the requirements of the

tree planting along national roads and mandatory planting of trees in urban and countryside parks, public vacant lots and other permissible areas.

Finally, this bill protects existing trees and plants by prohibiting cutting and destroying without the necessary permit. The penalties against violators have been included and specified.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



LOREN LEGARDA
Senator

10 JUL 13 AM 11:16

SENATE

S.B. No. 1355

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**AN ACT PROVIDING FOR
THE URBAN AND COUNTRYSIDE GREENING IN THE PHILIPPINES**

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

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

2

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

7

8 **SECTION 3. Scope.** - This Act shall apply to all barangays, municipalities,
9 cities and provinces.

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11 **SECTION 4. Objectives.** - Pursuant to the policy declared herein, it is the
12 objective of this Act:

13 (a) To build, develop and maintain forest parks in provincial, city and municipal
14 plazas, elementary school grounds and by the planting of trees in national,
15 provincial, municipal or barangay roads and other public open spaces where
16 appropriate;

17 (b) To require from the national agencies and local government units the
18 planting of trees and shrubbery in specified areas;

19 (c) To promote environmental consciousness among the community members,
20 i.e. students, youth, other civic action groups, by encouraging active
21 participation in tree-planting activities; and

22 (d) To protect trees from various human activities.

1 **SECTION 5. *Creation of National Greening Committee.*** A National Greening
2 Committee is hereby created with the Secretary of the Department of Environment
3 and Natural Resources (DENR) as Chairman and the respective secretaries of the
4 Department of Public Works and Highways (DPWH), Department of Tourism
5 (DOT), Department of Interior and Local Government (DILG), Department of
6 Education (DepEd) and the Department of Agriculture (DA) as members.

7 The National Greening Committee shall have the power to promulgate the
8 pertinent rules and regulations as may be necessary to fully implement the
9 objectives and purposes of this Act within a period not later than ninety (90) days
10 after the approval of this Act.

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

14 The National Greening Committee shall convene every quarter to hear the
15 reports or performance from the Regional Committees.

16

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

21 The Regional Director representing the Secretary of the Department of
22 Environment and Natural Resources (DENR) and the lead official of the concerned
23 local government unit (LGU) shall both serve as Co-Chairmen of the Committee.
24 Members of the Committee, representing the respective secretaries, will be the
25 regional directors of the Department of Tourism (DOT), Department of Interior and
26 Local Government (DILG), Department of Education (DepEd) and the Department
27 of Agriculture (DA) and at most three (3) representatives from civic action groups
28 appointed by the Chairman.

29 The Regional Greening Committee shall coordinate with all the concerned
30 government agencies, non-governmental organization (NGOs), people's
31 organizations (POs), and other civic action groups for assistance and cooperation in
32 the implementation of this Act.

33

34 **SECTION 7. *Specific Functions of the Executive Departments.*** Aside from the
35 Committee responsibilities:

36

- 1 (a) The DENR shall determine the suitable species of trees and provide seeds or
2 saplings to be planted along or on major thoroughfares, suited to the kind,
3 classification, and condition of the area and shall provide technical support
4 involving tree-planting activities;
- 5 (b) The LGU shall:
- 6 (1) Mobilize all local concerned agencies and communities to ensure
7 prompt and effective implementation of this Act in every barangay,
8 municipality, city and province;
- 9 (2) Provide for effective measures and ways for the optimum maintenance
10 and sustainability of trees and shrubbery;
- 11 (3) Effect the apprehension and the prosecution of all persons violating
12 Sections 8 and 9 of this Act;
- 13 (c) The DPWH and the DA shall provide the technical support i.e. the necessary
14 tools, equipment, and manpower to effect the implementation of this Act;
- 15 (d) The DOT shall assist in the conceptualization and site-evaluation and
16 cooperate in the maintenance of parks and specified areas and provide
17 additional funding from its resources;
- 18 (e) The DILG shall coordinate the local government units to ensure prompt and
19 effective implementation of this Act; and
- 20 (f) The DepEd shall integrate the tree-planting activities into the school
21 curriculum to raise awareness and to promote environmental consciousness.
- 22

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

- 28 (a) The Trees that will be planted along the national roads shall be of the
29 varieties of the root systems which grow downward rather than sideward to
30 avoid road and sidewalk slabs destruction;
- 31 (b) Trees shall be planted in a neat row, within the road right-of-way (ROW) and
32 as close as possible to the ROW limit, with sufficient allowance so that fully
33 grown trees will not encroach on the adjoining property or touch electric and
34 other overhead utility lines;
- 35 (c) The center-to-center spacing between trees shall be 10-20 meters (m). For road
36 sections with a generally north-south alignment, the trees on one side of the

- 1 road shall be planted alternately with the trees on the other side, thus
2 ensuring adequate sunlight needed for drying the road;
- 3 (d) For roads without curbs, the trees shall be planted with minimum clear
4 distance of 0.60 meters beyond the edge of the shoulder, but in no case less
5 than 0.30 meters from the edge of the pavement;
- 6 (e) For roads with curbs, particularly in urban areas, the trees shall be planted
7 with a minimum setback of 1.00 meters beyond the face of the curb;
- 8 (f) Where there are longitudinal drainage canals, the trees shall be planted on the
9 outer side of such canals;
- 10 (g) On roadway curves and intersections, the pertinent design standards on sight
11 distance shall be concerned;
- 12 (h) Non-traversable hazards (ravine, waiting shed, and the like) along the line of
13 trees shall be provided with appropriate clearly marked barriers so that these
14 do not pose hazards to motorists;
- 15 (i) The Department of Public Works and Highways (DPWH) shall, within ninety
16 (90) days after the approval of the Act and every one hundred eighty (180)
17 days thereafter, submit periodic reports to the National Greening Committee.
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19 **SECTION 9. *Tree Planting in Urban and Countryside Parks, Public Vacant***
20 ***Lots, and Other Permissible Areas.*** Planting of trees shall be mandatory in urban
21 and countryside parks as well as in school grounds, vacant lots, and other unutilized
22 sites identified with the quality of soil where different or certain species of trees can
23 thrive. This shall apply to all publicly-owned lands, without exempting the
24 properties of interested private individuals or institutions.
25

- 26 (a) ***Scope.*** The areas covered by this provision shall include:
- 27 (1) All public parks in urban and rural areas;
- 28 (2) All public school grounds in the city and in the provinces;
- 29 (3) All idle public lands in urban and rural areas, unless otherwise
30 identified to soon be used for other purposes such as agriculture,
31 infrastructure-building, and others;
- 32 (4) Parks, schools and other pieces of land owned by private individuals,
33 organizations, or institutions whose proprietor/s voluntarily and
34 willingly subject their properties to the provisions of this Act.
- 35 (b) ***General Guidelines.*** Tree planting in duly qualified areas shall comply with
36 the following general guidelines:

- 1 (1) Considering the classification and condition of the soil and the total
2 land area of the site, suited species of forest trees or fast-growing trees
3 shall be planted in the identified areas;
- 4 (2) In cases wherein multiple trees can be planted, the trees should be
5 planted in clusters wherein one is not more than four (4) meters apart
6 from one another;
- 7 (3) The Regional Greening Committee shall facilitate and supervise all the
8 tree-planting activities in its jurisdiction. The government agencies
9 concerned shall perform their duties and responsibilities as indicated
10 in Section 7, *Specific Functions of the Executive Department*, of this Act;
- 11 (4) The Regional Greening Committee shall, within ninety (90) days after
12 the approval of this Act and every one hundred eighty (180) days,
13 thereafter, submit periodic reports to the National Greening
14 Committee.

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16 **SECTION 10. *Issuance of Permits.*** The issuance of a permit allowing a
17 person or company to cut, uproot and in any way disturb the planted trees given by
18 the DENR should also be approved and co-signed by the Regional Committee
19 following public consultations done by and the consensus of the Regional
20 Committee.

21
22 **SECTION 11. *Prohibited Acts.*** No cutting and destroying of trees and plants
23 shall be permitted, except when the cutting and destroying of the same is necessary
24 for public safety, and subject to the issuance of permits.

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26 **SECTION 12. *Persons Liable and Penalties Therefore.*** Any person who
27 violates Sections 9 and 10 hereof shall be punished with imprisonment of not less
28 than six (6) months to not more than one (1) year or a fine of not less than Three
29 Thousand Pesos (P3,000.00) to not more than Ten Thousand Pesos (P10,000.00), or
30 both imprisonment and fine, at the discretion of the court.

31
32 **SECTION 13. *Submission of Reports.*** The National Committee shall, within
33 ninety (90) days after the approval of this Act and every one hundred eighty (180)
34 days thereafter, submit periodic reports to both houses of Congress of the
35 Philippines for evaluation and consideration.

1 **SECTION 14. *Funding.*** The fund needed for the implementation of this Act
2 shall be taken from any available appropriation in the General Appropriations Act
3 (GAA) of the year of its implementation; *Provided*, that funds for this purpose shall
4 also be included in every annual GAA; *Provided further*, that there shall be equitable
5 and proportionate appropriations of funds annually for this purpose for all
6 barangays, municipalities, cities and provinces. In addition, adequate portions of
7 financial grants and concessional loans extended to Philippines by foreign
8 governments and multilateral agencies every year, the amount to be determined by
9 the President, shall be allocated to augment the annual appropriations until this Act
10 is fully implemented.

11

12 **SECTION 15. *Separability Clause.*** All laws, decrees, rules and regulations,
13 or parts thereof, inconsistent with this Act are hereby repealed or modified
14 accordingly.

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

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19 Approved,