



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN



FEB 26 2024

DENR MEMORANDUM ORDER
NO. 2024 - 01

**SUBJECT : IMMEDIATE ASSESSMENT OF ABANDONED,
UNDEVELOPED (UNUSED) AND UNDERUTILIZED (AUU)
AREAS RELEASED BY THE DENR TO DA-BFAR FOR
FISHPOND PURPOSES IN SELECTED REGIONS**

Pursuant to Presidential Directive No. 2023-296 regarding the Review of Areas with Fishpond Lease Agreements that are Abandoned, Unused, and Underdeveloped (AUU), the immediate assessment of said areas shall be undertaken initially in selected provinces within the following DENR Regional Office Nos. 5, 6 and 9.

The Regions shall be guided by the following procedure:

- I. The DENR Regional Office shall mobilize a DENR Regional Field Assessment Team to be composed of the following Offices:
 - Conservation and Development Division
 - Survey and Mapping Division
 - License, Patents and Deeds Division
 - PENR Office/Implementing PENR Office
 - CENR Office
- II. The team shall gather the following data:
 1. National Mapping and Resource Information Authority (NAMRIA) data (topographic maps, fishpond maps, mangrove swamp zonification, and land classification map, 2020 land cover map),
 2. Total forestlands released to DA-BFAR for fishpond purposes;
 3. Fishpond Suitability for Mangrove Rehabilitation, Vulnerable Areas to Sea level rise and flooding maps from DENR Geospatial Database Office;
 4. DA-BFAR data [issued Fishpond Lease Agreements (FLAs), active, cancelled, expired, terminated and AUU, including maps and technical descriptions (bearing and distance format), illegal fishponds];
 5. List and details (e.g. location, etc.) of AUU- FLAs already reverted to DENR;
 6. Property Identification maps and List of Fishpond Lots, lot numbers and tenurial status from Municipal Assessor's Office;
 7. Mangrove area released to DA-BFAR but no FLAs issued;

8. Mangrove areas not included in the areas released to DA-BFAR by DENR but issued with FLAs/fishponds;
9. FLAs with Certificate of Land Ownership Award (CLOA) or with title;
10. Forestlands with CLOA with Fishponds but no FLA;
11. Fishponds within mangrove swamps, forest reserves (Presidential Proclamation Nos. 2151 and 2152) and other protected areas; and
12. Fishponds in areas with other management arrangements.

Data gathering may be done simultaneously with ground validation.

- III. **Data Consolidation and Initial Deskwork Validation.** The Assessment Team shall consolidate and harmonize the gathered data as listed above and shall validate the same with DA-BFAR data.
- IV. **Desktop Mapping.** The Assessment Team shall overlay the FLA area on the control maps, as listed above, and cross check the current land use of the area. They shall create a base map to serve as reference for the ground validation. The DENR One Control Map may also be utilized for this activity. The Assessment Team will also determine if the FLAs complied with other relevant rules and regulations, such as but not limited to the provisions in the Presidential Decree No. 1067 or the "Water Code" on easements and PD No. 1586 or the "Philippine Environmental Impact Statement System" on securing an Environmental Compliance Certificate.
- V. **Ground Validation.** Members of the Assessment Team shall conduct ground truthing and validation to assess the status and existing land use of the identified areas released by DENR to DA-BFAR for fishpond purposes. The assessment team may request assistance from the Philippine National Police and the concerned Local Government Unit in the conduct of the ground truthing/validation. The template for field validation is provided herein as **Annex A**.
- VI. **Analysis of Data and Report Writing.** The Assessment Team shall analyze the consolidated data and maps, and the results of the ground validation. They shall prepare a report, to include identified AUU areas with the attached maps. The Assessment Team shall conduct consultations with concerned stakeholders such as CSOs, Academe and LGUs. The Assessment Team shall submit the report to the Regional Technical Working Group (RTWG) created under Special Order (SO) No. 2021-274¹.
- VII. **Recommendation of Areas for Administrative and Biophysical Reversion.** The RTWG shall review the report. Based on the findings, the RTWG shall recommend areas for administrative and biophysical reversion in accordance with the criteria listed under **Annex A-III**

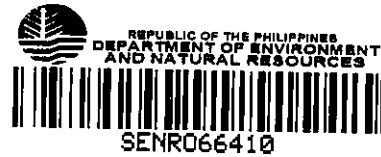
¹ Creation of the DENR Technical Working Group for the Reversion of the Abandoned, Undeveloped and Underutilized (AUU) fishponds and Other Related Mangrove Conservation and Rehabilitation Policies

Category, and endorse it to the National Technical Working Group (NTWG) created under SO No. 2021-274.

- VIII. **Submission of Recommendation.** The NTWG shall review the reports and recommendations of the Regions and submit its recommendations to the Secretary on the administrative and biophysical reversion, as may be appropriate.

This Order takes effect immediately.


MARIA ANTONIA YULO LOYZAGA
Secretary



ANNEX A. FIELD ASSESSMENT TEMPLATE

I. Area Profile

Table - If with FLA

Name of Lessee	
Name of Present Occupant	
FLA Issuance No.	
Area (in hectares)	
Location (coordinates)	
Barangay	
Municipality	
Date Issued	
Date of Expiration	
Other Tenurial Instrument	
Area Profile	
Mortgaged or Not (if mortgaged, include name of Bank)	
With ECC or Not	

Table - if without FLA

Area (in hectares)	
Location	
Barangay	
Municipality	
Area Profile	

II. Biophysical Status

Coordinates (corners)	
Remaining Cover (has)	
Mangrove species composition	
Adjacent/Adjoining Habitats	
Current Land Use	
Establishments and infrastructure within/near the area	
Tidal Hydrology	
Elevation	
Substrate	

III. Category

	The area is enclosed by dikes with functional water control structures and not vegetated with mangrove species	Developed
	Not producing in commercial scale within three (3) years from the approval of the ASC or FLA	Underutilized
	At least 50% of the area is not utilized/developed	
	Not fully developed and producing in commercial scale within five (5) years as reflected in annual report submitted by lessee and verified by concerned Regional Office on fishpond development, operation	

	and production	
	No occupation, possession or operational activity by the lessee or any of his or her lawful representative	Abandoned
	Lessee's failure to submit report on the area's fishpond activity	
	Subleasing	
	Absence of clear indication of fish production operations in the area	

IV. Issues, Concerns and Challenges

V. Recommendation/s:

VI. Evaluation:

The composite team shall profile the FLA and collect information, such as but not limited to the following:

- A. Name of the Lessee;
- B. Name of the present occupant;
- C. Area (in hectares);
- D. Location such as barangay and municipality;
- E. FLA Number
- F. Coordinates of the fishpond area
- G. Date of issuance of the FLA;
- H. Date of Expiration; and
- I. Other tenurial instruments.

The information on biophysical status of the FLA shall also be collected, such as but not limited to the following:

- A. Remaining mangrove Cover (in hectares),
- B. Mangrove Species composition,
- C. Adjacent/adjoining habitats,
- D. Current land use, and establishments within/near the area.

They will also note the issues, concerns and challenges and provide recommendations or needed actions on the area.