



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



BAGONG PILIPINAS

NOTICE OF MEETING

TO : **THE ASSISTANT SECRETARY**
Field Operations – Mindanao
IN CONCURRENT CAPACITY AS DIRECTOR
Forest Management Bureau

THE REGIONAL EXECUTIVE DIRECTOR
DENR CALABARZON

OTHER CONCERNED OFFICES/STAFF from
FMB and DENR CALABARZON

FROM : **THE UNDERSECRETARY**
Policy, Planning and International Affairs

AGENDA : 1. Discuss on the clarification relative to the clearance to enter
into a MOA between DENR and various NGP stakeholders
and partners
2. Other matters

DATE AND TIME : **19 December 2024 (Thursday)**
10:00 AM onwards

VENUE : OUPPIA Conference Room
2nd Floor, DENR Main Building
Visayas Avenue, Quezon City

YOUR ATTENDANCE IS HIGHLY ENCOURAGED.

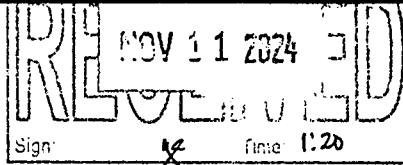

ATTY. JONAS R. LEONES

MEMO NO. 2024 - 1036



Republic of the Philippines
Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU
Visayas Avenue, Diliman, 1100 Quezon City
Tel. No.: (632) 8925-2141 / (632) 8927-4788
E-mail Address: fmb@denr.gov.ph Website: <https://www.forestry.denr.gov.ph>

NOV 08 2024



MEMORANDUM

FOR : Undersecretary for Policy, Planning and International Affairs
Undersecretary for Field Operations – Luzon, Visayas and
Supervising Undersecretary for Mines and Geosciences
Bureau-Luzon and Visayas, Environmental Management
Bureau-Luzon and Visayas

FROM : The OIC- Assistant Secretary for Field Operations-
Mindanao, and Director, in concurrent capacity

SUBJECT : **CLARIFICATION RELATIVE TO THE CLEARANCE TO
ENTER INTO MOA BETWEEN DENR AND VARIOUS NGP
STAKEHOLDERS AND PARTNERS**

DATE : **NOV 08 2024**

This refers to a Memorandum dated 04 September 2024, from the Regional Executive Director of DENR CALABARZON, expressing a concern regarding the lengthy process of MOA Approval between the DENR and People's Organizations which are the ENGP partner implementers and stakeholders. This is in line with the Memorandum dated 26 July 2024 from the Undersecretary for Field Operations – Luzon, Visayas and Supervising Undersecretary for Mines and Geosciences Bureau-Luzon and Visayas, Environmental Management Bureau-Luzon and Visayas, the Undersecretary for Field Operations-Mindanao and Supervising Undersecretary for Mines and Geosciences Bureau-Mindanao, Environmental Management Bureau-Mindanao and the Undersecretary for Policy, Planning and International Affairs, requiring that all the MOA between the DENR, and People's Organizations, private sector and other NGA that are ENGP partners, must have prior clearance from the Office of the Secretary.

The Regional Executive Director of DENR Calabarzon expressed his concern that seeking such clearance from the Office of the Secretary will lengthen the processing time of the documents, which will delay the implementation of the ENGP activities by the partners, and may lower the interest and engagement of the stakeholders from participating in other projects that aim towards environmental conservation and protection. The Office of the DENR CALABARZON Regional Executive Director has kindly requested for consideration to allow for the processing of the MOA and other related documents at the regional level. This will promote engagement and partnerships between the government, private sectors, and other NGA in environmental projects.

This Office shares this concern, and is also respectfully requesting that this proposal for the processing of documents and MOA at the region level be kindly considered.

Attached herewith is the aforementioned Memorandum from the Regional Executive Director of DENR Calabarzon, a copy of the Regional Memorandum Circular No. 2021-002 on the "Guidelines on the Approval of Memorandums of Agreement (MOA) and Understanding (MOU), and a copy of the Memorandum from the Undersecretary for Field Operations – Luzon, Visayas and Supervising Undersecretary for Mines and Geosciences Bureau-Luzon and Visayas, Environmental Management Bureau-Luzon and Visayas, the Undersecretary for Field Operations-Mindanao and Supervising Undersecretary for Mines and Geosciences Bureau-Mindanao, Environmental Management Bureau-Mindanao and the Undersecretary for Policy, Planning and International Affairs for your reference.

FOR YOUR CONSIDERATION AND FURTHER INSTRUCTIONS.


ARLEIGH J. ADORABLE, CESO III

cc: The Regional Executive Director, DENR Region IV, DENR Compound, Mayapa-Canlubang Cadre Road, Calamba City, Laguna



OD Records Unit <records@fmb.denr.gov.ph>

D-54336- Clarification relative to the clearance to enter into MOA between DENR and various NGP Stakeholders and Partners

1 message

OD Records Unit <records@fmb.denr.gov.ph>

Sat, Nov 9, 2024 at 1:26 PM

To: "Undersecretary for Policy, Planning and International Affairs" <ouppia@denr.gov.ph>, Records Management Division <rmdd@denr.gov.ph>

Cc: DENR CALABARZON <r4a@denr.gov.ph>, FRCD Forest Resources Conservation Division <frcd@fmb.denr.gov.ph>, FRCD-RFRS Reforestation and Forest Rehabilitation Section <frcd.rfrs@fmb.denr.gov.ph>, "Ma. Teresa Aquino" <mtaquino@fmb.denr.gov.ph>, Percival Cardona <pcardona@fmb.denr.gov.ph>

Sir/Ma'am

Good day

Attached file is a Memorandum for Usec for PPIA dated November 8, 2024 RE: Clarification relative to the clearance to enter into MOA between DENR and various NGP Stakeholders and Partners

Thank you



Records Unit

Forest Management Bureau

Phone : (63-2) 8925-2141

Email Address : fmb@denr.gov.ph

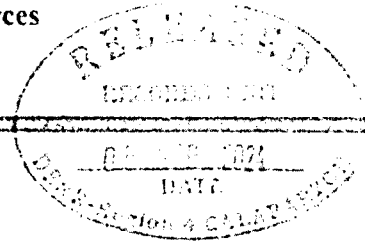


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11-08-24- OUPPIA- D-54336- Clarification relative to the clearance to enter into MOA between DENR and various NGP Stakeholders and Partners.pdf
3254K



Republic of the Philippines
Department of Environment and Natural Resources
Regional Office No. IV-A (CALABARZON)



MEMORANDUM

FOR : The OIC-Assistant Secretary for Field Operations – Western Mindanao and Director in concurrent capacity, Forest Management Bureau

FROM : The Regional Executive Director

SUBJECT : **CLARIFICATION RELATIVE TO THE CLEARANCE TO ENTER INTO MOA BETWEEN DENR AND VARIOUS NGP STAKEHOLDERS AND PARTNERS**

DATE : SEP 04 2024

This refers to the Memorandum dated 26 July 2024 regarding the clarification relative to the clearance to enter into Memorandum of Agreement (MOA) between DENR Region IX and partners in the implementation of the Enhanced National Greening Program.

Since 2015, the DENR CALABARZON through the implementation of Tayo Ang Kalikasan (TAK) platform during the time of then Secretary Roy A. Cimatu, has been very active in terms of involving the private sector and other NGA in the effort for continuous rehabilitation of established NGP plantations within the Region without any added expense on the part of the government. Even after the term of Secretary Cimatu, the Region continued this initiative as more stakeholders became interested in this engagement.

This was possible by entering into a MOA between the DENR, People's Organization, and private sector and other NGA. Not only that the stakeholders are able to fulfill their duties as stewards of nature, at the same time, they are helping the local communities through provision of livelihood opportunities. To date, the Regional Office has already forged a total of 86 MOA, 71 of which are still effective, covering a total area of 7,432.07 hectares, in addition to several ongoing requests for this year.

One of the major issues that this Office has encountered in the processing of these requests for adoption is the lengthy process of MOA approval. Nonetheless, this issue was easily resolved on the level of this Office. Following the Memorandum from the Undersecretaries for Policy, Planning, and International Affairs, Field Operations – Luzon, Visayas, and Environment, and Field Operations – Mindanao, if all these MOA will be routed to the Office of the Secretary for further review and approval, this Office believes that the processing of the documents will take much longer time, thus hampering the immediate implementation of the rehabilitation activities by the partners. This will eventually result to the decrease in the interest of other stakeholders to engage in long-term efforts toward environmental conservation and protection.

*Memorandum
9/16/24
2:11 PM*

D-54336

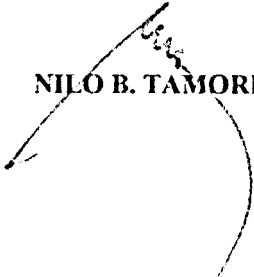


Republic of the Philippines
Department of Environment and Natural Resources
Regional Office No. IV-A (CALABARZON)

Given this scenario, this Office respectfully requests for your utmost consideration to allow the processing of the MOA and other related documents within the regional level relative to this and other environmental engagement. This shall help in enriching the partnership of the government, private sectors, and other NGA, towards promoting a common goal for the environment.

Attached herewith is a copy of the Regional Memorandum Circular No. 2021-002 on the "Guidelines on the Approval of Memorandums of Agreement (MOA) and Understanding (MOU)," for your reference.

For your information and consideration.


NILO B. TAMORIA, CESO III



Republic of the Philippines
Department of Environment and Natural Resources
Regional Office No. IV-A (CALABARZON)

REGIONAL MEMORANDUM CIRCULAR
NO. 2021 - _____

TO: All Offices and Divisions of DENR IV-A CALABARZON
All PENROS and CENROS

SUBJECT: **GUIDELINES ON THE APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) AND UNDERSTANDING (MOU)**

Pursuant to Executive Order No. 292¹ and DENR Department Administrative Order (DAO) No. 2014-03² or the *Manual of Authorities on Human Resources Development and Administrative Matters*, the following rules are hereby promulgated and adopted:

Chapter 1
GENERAL PRINCIPLES

Section 1. Statement of policy. It shall be the policy of the DENR IV-A CALABARZON to further strengthen partnerships with private and other public sectors through executing negotiated memorandums of agreement and/or understanding.

Section 2. Scope and applicability. These guidelines shall apply to and cover all memorandums of agreement (MOA) and/or understanding (MOU) to be entered into by the DENR IV-A CALABARZON through the Regional Executive Director (RED). These MOAs or MOUs may involve various projects and activities, including but not limited to:

- a. Tree-planting activities within public lands managed by the DENR
- b. Adoption and enhancement of National Greening Program (NGP) sites
- c. Formulation and implementation of forest land use plans (FLUP) with LGUs
- d. Conduct of rapid land tenure activities
- e. Installation and maintenance of trash traps/nets with LGUs
- f. Tayo ang Kalikasan (TAK) projects, programs and activities

Section 3. Objective. These guidelines seek to streamline and improve the process of approval of MOAs and MOUs in the DENR IV-A CALABARZON.

Chapter 2
REQUIREMENTS

Section 4. List of requirements. The following are substantial and formal requisites that must be complied with before a draft MOA/MOU is recommended for approval and endorsed for signature of the RED:

¹ Administrative Code of 1987 (June 25, 1987)

² Adopted on March 26, 2014



Republic of the Philippines
Department of Environment and Natural Resources
Regional Office No. IV-A (CALABARZON)

| REQUIREMENTS | |
|--------------------------|--|
| SUBSTANTIAL | |
| <input type="checkbox"/> | Is there a proof of legal personality and capacity of the other contracting party/parties? |
| <input type="checkbox"/> | Is there a completed staff work or CSW of the proposed activity/program under the MOA/MOU? |
| <input type="checkbox"/> | Is the MOA/MOU approved by the other contracting party/parties? Did they have the opportunity to review the draft MOA/MOU? |
| <input type="checkbox"/> | Does the MOA involve funding? If yes, does the draft MOA include a Certification of Availability of Funds (CAF)? |
| FORMAL | |
| <input type="checkbox"/> | Did the MOA follow the prepared template, if any? |
| <input type="checkbox"/> | Were grammatical rules followed? |
| <input type="checkbox"/> | Were all words spelled correctly? |
| <input type="checkbox"/> | Were the pages numbered correctly and consecutively? |
| <input type="checkbox"/> | Was the document formatted properly for easy reading? |

Section 5. Legal personality and capacity. In order to execute valid agreements and to avoid potentially defective contracts, the parties must have full legal personality and capacity under the law, contracts entered into in the name of another person by one who has been given no authority or legal representation, or who has acted beyond his powers, are considered unenforceable. To ensure that the parties entering into agreements with the DENR IV-A CALABARZON have the legal personality, capacity and authority, the following documents have to be secured:

- a. LGU - Resolution of the concerned Sanggunian authorizing the local chief executive (barangay captain, mayor, governor) to enter/sign the agreement/MOA/MOU with the DENR IV-A CALABARZON
- b. Private Corporation/Company - SEC Registration of the Company and/or Board Resolution and/or Secretary Certification proving that the officer or representative of the corporation is authorized to enter/sign the agreement/MOA/MOU with the DENR IV-A CALABARZON
- c. Indigenous Peoples/Communities - NCIP Certification that the signatory of the agreement/MOA/MOU is the registered authorized elder or leader of the indigenous group
- d. Private Individual - Valid government-issued identification (ID) card

Section 6. Completed Staff Work (CSW). All MOAs/MOUs endorsed must be supported by a completed staff work or CSW prepared by responsible personnel of the office or division seeking approval of the MOA/MOU. A CSW shall contain legal, factual, and scientific bases supporting the activity, program, or project proposed under the MOA/MOU. The preparation of a CSW is in line with the principle of management which provides that subordinates are responsible for submitting written recommendations to superiors in such a manner that the latter need do nothing more in the process than review the submitted document and indicate approval or disapproval.

Section 7. Input of the Other Contracting Party or Parties. The other party or parties to the MOA/MOU shall be given the opportunity to review the draft instrument in order to suggest, delete or amend certain provisions. These shall be done before the draft MOA/MOU is endorsed to the management of the DENR IV-A CALABARZON for approval. The other contracting party/parties shall endorse their approved version of the draft MOA/MOU.

Section 8. Certificate as to the Availability of Funds (CAF). For MOAs involving funding by the DENR, the concerned accountant shall issue a certification as to the availability of funds pursuant to DAO No. 2014-03. The CAF shall be reflected on the draft MOA, after the names of the signatories, and before the names of the witnesses.



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Department of Environment and Natural Resources
Regional Office No. IV-A (CALABARZON)

Chapter 4
ENDORSEMENT OF THE MOA/MOU

Section 9. Endorsement to the Legal Division (LD). Should the requirements discussed herein be completed and satisfied, the unsigned draft MOA/MOU shall be endorsed to the LD for review, pursuant to DAO No. 2014-03. The endorsement memorandum to the LD shall have the signature, proof of authority of the other contracting party, and other pertinent documents as attachment. The LD shall determine whether or not the MOA/MOU is substantially in order, not contrary to law and other regulations, and not grossly disadvantageous to the government.

Section 10. Endorsement to the Office of the Assistant Regional Director for Management Services (OARDMS). After determination of the LD that the MOA/MOU is substantially in order, not contrary to law and other regulations, and not grossly disadvantageous to the government, the Chief of LD shall sign his/her initials on each page of the approved MOA/MOU. The LD shall then endorse the MOA/MOU to the OARDMS. Pursuant to DAO No. 2014-03, the OARDMS shall recommend approval of the MOA/MOU to the RED who shall approve and sign the same.

Section 11. Endorsement to the Office of the Assistant Regional Director for Technical Services (OARDTS). MOAs/MOUs that will originate from a technical division may also be endorsed to the OARDTS for input and subsequent endorsement. This may be done simultaneous to the review being conducted by the Legal Division.

Chapter 5
SIGNING AND NOTARIZATION

Section 12. Signing. The signing of the MOA/MOU shall be facilitated by the office of the division where the same originated. The signing of the MOA/MOU may also be held in a ceremony where the other contracting parties are invited as guests.

Section 13. Notarization. Arrangements must be done to have a notary public in the MOA/MOU signing ceremony or program for the immediate notarization or acknowledgment of the agreement. Pursuant to the 2004 Rules on Notarial Practice, the notary public must have jurisdiction over the place where the agreement is to be executed. If there is no available notary public to witness the signing, the signatories to the instrument must present the same to a notary public at a later date. The signatory must appear in person before a notary public and present the integrally complete instrument and represent that the signature on the same was voluntarily affixed by him/her and declare that he or she has executed the instrument or document as his free and voluntary act and deed, that he/she acts in a particular representative capacity, that he/she has the authority to sign in that capacity. As proof of identity of the signatory, the notary public usually requires a valid government-issued identification (ID) card.

Section 14. Expenses. The fees payable to the notary public shall be borne by the office of the division where the MOA/MOU originated. The other contracting parties may also share in the same expense.

Section 15. Witnesses to the Agreement. The incumbent OARDMS and/or the incumbent OARD for Technical Services (OARDTS), and/or the concerned Provincial/Community Environment and Natural Resources Officer (P/CENRO) may sign the MOA/MOU as witnesses.

Chapter 6
COPIES OF THE AGREEMENT



Republic of the Philippines
Department of Environment and Natural Resources
Regional Office No. IV-A (CALABARZON)

Section 16. Original copies. All parties to the agreement shall have an original and no less than two copies of the MOA/MOU. Three additional original copies of the MOA/MOU shall also be prepared, two (2) for the notary public, and one (1) for the originating office/division for recording and databasing purposes.

Section 17. Printing. The approved MOA/MOU shall be printed on clean sheets of paper with 8.5 x 13 inches dimension. The paper shall have a 1 inch margin on the right side and at the bottom and a 1.25 margin on the left side and at the top. The font style shall be Times New Roman, size 12.

Section 18. Language. The MOA/MOU shall be written in any official language of the Philippines—Filipino or English. If the other contracting party is an Indigenous Group/Community, the agreement must be written in their language, with accompanying Filipino and English versions.

Chapter 7
FINAL PROVISIONS

Section 19. Application. These guidelines shall be applied in a suppletory character to pertinent laws, rules and regulations.

Section 20. Separability Clause. If for any reason, any section or provision of this Circular is declared void, no other section, provision or part hereof shall be affected and the same shall remain in full force and effect.

Section 21. Repealing Clause. All orders, circulars, memoranda and other issuances inconsistent herewith are hereby repealed and/or modified accordingly.

Section 22. Effectivity Clause. This Circular shall take effect immediately.

For guidance and strict compliance.

NILO B. TAMORIA, CESO III
Regional Executive Director



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



MEMORANDUM

TO : ALL REGIONAL EXECUTIVE DIRECTORS

FROM : THE UNDERSECRETARIES
Policy, Planning and International Affairs
Field Operations – Luzon, Visayas and Environment
Field Operations - Mindanao

SUBJECT : CLARIFICATION RELATIVE TO THE CLEARANCE TO ENTER INTO MOA BETWEEN DENR REGION IX AND PARTNERS IN THE IMPLEMENTATION OF ENHANCED NATIONAL GREENING PROGRAM (ENGP)

DATE : JUL 26 2024

This has reference to the Memorandum from the OIC Regional Executive Director of DENR Region 9 dated 29 May 2024, reiterating the request for clarification on whether all contracts/MOAs to be entered into by DENR Region 9 and NGP Partners (POs and LGUs) in the implementation of the ENGP need to be cleared by the Central Office, as initially queried in a Memorandum dated 06 March 2024.

In this regard, please be informed that as per the directive of the Office of the Secretary, all MOAs, including those related to the implementation of the ENGP, must have prior clearance from the Office of the Secretary.

FOR COMPLIANCE.


ATTY. JUAN MIGUEL T. CUNA, CESO I


JOSELIN MARCUS E. FRAGADA, CESO III


ATTY. JONAS R. LEONES, CESO I

MEMO NO. 2024 - 704

cc: The OIC Assistant Secretary
Field Operations - Western Mindanao and Director,
Forest Management Bureau, in concurrent capacity



Republic of the Philippines
Department of Environment and Natural Resources
 Regional Office No. IX
 PCCA Regional Government Center, Balintawak, Pagadian City
 ☎ (092) 945-0870
 E-mail add: r9@denr.gov.ph Website: www.denr.gov.ph



LAGOONG PALIPANAS

29 May 2024

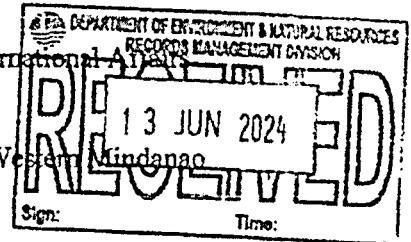
MEMORANDUM

FOR : ~~The Undersecretary for Policy and Planning and International Affairs~~
 The Undersecretary for Field Operations- Mindanao

THRU : The OIC, Assistant Secretary for Field Operations- Western Mindanao
 and FMB Director, in concurrent capacity

FROM : The OIC, Regional Executive Director

SUBJECT : **REITERATION ON THE CLARIFICATION RELATIVE TO THE CLEARANCE TO ENTER INTO MOA BETWEEN DENR9 AND PARTNERS IN THE IMPLEMENTATION OF ENHANCED NATIONAL GREENING PROGRAM (ENGP)**



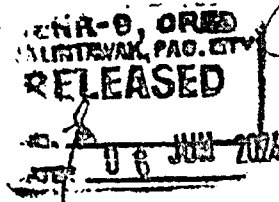
This is to reiterate hereto attached Memorandum from this end dated 06 March 2024 re: clarification relative to the clearance to enter into MOA between DENR 9 and partners in the implementation of enhanced National Greening Program (eNGP).

This office seeks to clarify if all contracts/MOAs to be entered by DENR 9 and NGP partners (POs & LGUs) in the implementation of enhanced National Greening Program (eNGP) must be forwarded to Central Office for approval prior to the execution.

For your information, consideration and immediate response, please.

"For the Regional Executive Director:"

CHRISTOPHER B. FABARAN
 OIC- Assistant Regional Director
 for Technical Services



DENR 2058
 R-9, Records Unit
 RELEASED Pagadian City
 Date: JUN 06 2024
 Signature:

Fwd: MEMO-2024-704: CLARIFICATION RELATIVE TO THE CLEARANCE TO ENTER INTO MOA BETWEEN DENR REGION IX AND PARTNERS IN THE IMPLEMENTATION OF ENHANCED NATIONAL GREENING PROGRAM (ENGP)

1 message

DENR CALABARZON <r4a@denr.gov.ph> Mon, Aug 12, 2024 at 12:00 PM
To: CALABARZON Office of the ARD Technical Services <ardts.r4a@denr.gov.ph>, R4A Conservation and Development Division <cdd.r4a@denr.gov.ph>, CALABARZON National Greening Program <ngp.r4a@denr.gov.ph>
Cc: "(DATS) Data Action Tracking Sys" <r43rdats2021@gmail.com>, CALABARZON Office of the ARD Management Services <ardms.r4a@denr.gov.ph>, R4A Legal Division <legal.r4a@denr.gov.ph>

Dear Sir/Madam:

Good day!

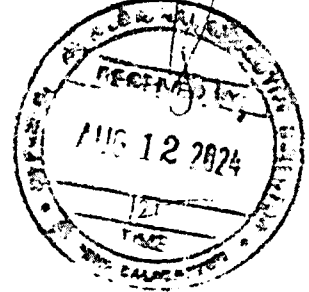
Respectfully forwarded herein is the attached Memorandum relative to the above stated subject. For information and guidance, please.

Thank you and Best Regards.

—ORED Staff

OFFICE OF THE REGIONAL EXECUTIVE DIRECTOR

DENR Region IV-A (CALABARZON)
Mayapa Main Road (along SLEX),
Barangay Mayapa, Calamba City, Laguna
Trunkline No. (049) 540- DENR (3367)
Mobile Nos. 09561825774/ 09198744369



----- Forwarded message -----

From: Records Management Division <rdm@denr.gov.ph>
Date: Mon, Aug 12, 2024 at 11:32 AM
Subject: MEMO-2024-704: CLARIFICATION RELATIVE TO THE CLEARANCE TO ENTER INTO MOA BETWEEN DENR REGION IX AND PARTNERS IN THE IMPLEMENTATION OF ENHANCED NATIONAL GREENING PROGRAM (ENGP)
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Sr/Madam:

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Very truly yours,

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