



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



MEMORANDUM

TO : All Regional Executive Directors
DENR IX, X, XI, XII, and XIII

FROM : The Undersecretary
Field Operations, MGB and EMB – Mindanao

SUBJECT : **REQUEST FOR CLARIFICATION REGARDING
MEMORANDUM NO. 2023-933 DATED OCTOBER 26,
2023**

DATE : **04 MAR 2024**

This is in reference to the Memorandum No. 2023-933 dated 26 October 2023, Suspending the Implementation of Certain Provisions of DAO No. 2022-10, series of 2022 dated May 30, 2022¹, suspending the authority delegated to the Regional Executive Directors (REDs) to accept and approve tenurial instruments.

In a Memorandum dated 14 November 2023 addressed to the undersigned, the Regional Executive Director of DENR IX sought clarification and guidance on said Memorandum particularly the “application for tenurial instruments for special land uses or projects that are non-profit and of national interest as well as the infrastructures for public service and use to be implemented and/or being managed by national and local government units (DAO No. 2022-01 dated January 11, 2022), the National Grid Corporation of the Philippines (NGCP), and the National Power Corporation (NPC) which are considered Energy Project of National Significance (EPNS) and are required to apply for Forest Land Use Agreement (FLAg) for the long-term use of certain forestlands.”

In a Memorandum dated 01 December 2023, the undersigned endorsed said Memorandum to the Office of the Undersecretary for Legal and Administration for review and evaluation.

In a Memorandum dated 25 January 2024, the Office of the Undersecretary for Legal and Administration submitted its comments on the subject matter and explained that the authority delegated to REDs is in accordance with the power of the Secretary to delegate authority for the

¹ Revised DENR Manual of Authorities on Technical Matters
MEMO NO. 2024-213

performance of any administrative or substantive function to subordinate officials of the Department. Therefore, it is within the discretion of the DENR Secretary to withdraw the authority delegated to the REDs.

Thus, the issuance of the Memorandum No. 2023-933 explicitly states that the authority is with the DENR Secretary, through the respective offices of the Undersecretaries of Field Operations, in approving all applications for tenurial instruments for National and Local projects upon endorsement by the Regional Executive Director who shall continue to accept and process said applications, including FLAg and GSUP.

For information and guidance.



JOSELIN MARCUS E. FRAGADA, CESO III

Copy furnished:

The Assistant Secretary
Field Operations – Eastern Mindanao

The Assistant Secretary
Field Operations – Western Mindanao



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



MEMORANDUM FROM THE SECRETARY

TO : Undersecretary for Field Operations
Luzon, Visayas and Environment

Undersecretary for Field Operations
Mindanao

All Regional Executive Directors

SUBJECT : **SUSPENDING THE IMPLEMENTATION OF CERTAIN
PROVISIONS OF DAO NO. 2022-10, SERIES OF 2022 DATED
MAY 30, 2022**

DATE : OCT 26 2023

In order to conduct an inventory and assessment of all issued tenurial instruments issued under DAO No. 2022-10, Series of 2022 dated May 30, 2022 or the Revised DENR Manual of Authorities on Technical Matters, and pending review of existing policies, the authority delegated to the Regional Executive Directors to accept and approve tenurial instruments is hereby suspended.

In the meantime, all applications for tenurial instruments for National and Local projects shall continue to be accepted and processed by the Office of the Regional Executive Director for endorsement, if warranted, to Office of the Secretary through respective offices of the Undersecretaries for Field Operations.

For strict compliance.

MARIA ANTONIA YUKO LOYZAGA



MEMO NO. 2023 - 933