

**Memorandum Circular
No. 22
September 19, 1990**

**SUBJECT: Cutting, Transport and Disposition of
Premium Species Inside Private Lands**

Pursuant to Presidential Memorandum Circular No. 298 which directs DENR to adopt reasonable and necessary measures to regulate the utilization and exploitation of forest resources and in view of the conflicting interpretations of the provisions of DAO 78-87 which reserves the right to cut Narra and other premium species inside private lands only to those authorized by the DENR Secretary and DAO 121-89 which prohibits the cutting of the premium species inside private lands without exemptions, the following are hereby issued for the guidance of all concerned:

1. The DENR recognizes the right of landowners to the use of resources found within their private lands;
2. Section 3.4 of DAO 78-1987 which allows the cutting of premium species only upon authority of the Secretary is hereby amended to read as follows:

3.4 In case of private lands, the permit shall only be issued to the landowners themselves. Moreover, prior to the issuance of permit, the landowner shall comply to the following conditions, aside from the pertinent conditions specified in DAO 121-1989;

3.4.1 The species to be cut shall be certified by the CENRO concerned as not rare and endangered in the locality; and

3.4.2 There shall be collected an environmental fee equivalent to P250.00 for every cubic meter of timber cut.

3.4.3 The permittees shall plant at least five (5) trees, which may be forest trees or fruit trees or a combination of both, for every tree authorized to be cut. If additional area is needed for such, the Regional Office, thru its CENRO concerned, should look for an area where tree planting activities can be conducted.

3. For purposes of clarification, Section 3 of DAO 121-1989 stating that its coverage does not include the cutting, transport and disposition of Almaciga as well as Narra and other premium species listed under DAO 78-87 is hereby amended, in so far as the permit to be issued shall be called Special Private Land Timber Permit (SPLTP).
4. It is further clarified that the prohibition on the issuance of license or permits of any kind within mangrove areas pursuant to DAO No. 15, Series of 1990 applies only to areas within public lands. The cutting, transport and disposition of mangroves found in private or titled lands may be allowed under a PLTP pursuant to DAO No. 121-1989, as amended.

Please be guided accordingly.

FULGENCIO S. FACTORAN JR.
Secretary