

**A Compilation of DENR
Policy Issuances, CY 1987**

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FOREWORD

This is the third in the series of compilations on the policy and administrative issuances of the Department of Environment and Natural Resources (DENR) on forestry, lands; mines, ecosystems research, protected areas and wildlife, and environment concerns.

A very strong clamor for the printing of the 1987 compilation has long been received by the Department from its various clientele as well as its own officials as a ready reference. Its printing has become even more urgent with the imminent enactment into laws of the Local Government Code which provided for the devolution of some DENR powers to the local government units. Under the Code, national policies will continue to guide the implementation of environment and natural resources programs and projects.

The Department will continue this endeavor including the printing of the 1988 issuances and other relevant materials.

A handwritten signature in black ink, appearing to read 'F. Factoran, Jr.', with a long, sweeping underline.

FULGENCIO S. FACTORAN, JR.
Secretary

FORESTRY SECTOR

Administrative Order

No. 1

January 2, 1987

**SUBJECT: Transfer of Administrative Supervision of
Some TLA's to BFD, Region 10, Cagayan
de Oro City**

1. In the interest of the service and to effect closer administrative supervision, due to proximity, the following timber license agreements/logging operations are hereby transferred as indicated below:
 1. NAREDICO - NRDX-12, Maramag, Bukidnon
 2. KALINAN TIMBER - do -
 3. TIMBER INDUSTRIES
OF THE PHILIPPINES - do -
 4. VICMAR DEVELOPMENT
CORPORATION - NRDX-6, Cagayan de Oro City
2. All Regional Director/District Forester concerned are hereby directed to turn-over the records appertaining the aforestated timber license agreements to the Regional Director, BFD, Region 10, Cagayan de Oro City.
3. This Order takes effect immediately and cancels/revoke all Orders inconsistent herewith.

"By Authority of the Minister:"

DANTE P. SARRAGA
Deputy Minister

Administrative Order

No. 2

January 12, 1987

SUBJECT: Establishment of Administrative/ Political Boundaries of BFD District Offices in the Province of Bukidnon

1. In the interest of the service and in line with the strengthening of the BFD operations, the administrative and political boundaries of the following BFD District Offices are hereby delineated/established:

Municipalities

- | | | |
|----------------------------|---|----------------------------------------------------------------------------------------------------------|
| a. NRDX-9, Talakag | - | Talakag, Bukidnon |
| b. NRDX-10, Manolo Fortich | - | Pangantucan, Kalilangan
Manolo Fortich, |
| c. NRDX-11, Malaybalay | - | Libona, Sumilao, Malitbog
Malaybalay, Impasugong,
Lantapan, Cabanglasan,
Valencia, San Fernando |
| d. NRDX-12, Maramag | - | Maramag, Quezon, Don
Carlos, Kitaotao, Dangoagan,
Kibawe Kadingilan, Damulog |

2. All District Foresters concerned are hereby directed to turn-over the records/documents appertaining the aforestated municipalities to the District Forester now having jurisdiction over them and shall inform this Office of his compliance with this Order.
3. This Order takes effect immediately and cancels/revokes all Orders inconsistent herewith.

"By Authority of the Minister:"

DANTE P. SARRAGA
Deputy Minister

Recommending Approval

MACORRO L. MACUMBAL
Regional Director

Administrative Order
No. 3
January 12, 1987

SUBJECT: Establishment of a BFD Forest Station at Pangantucan, Bukidnon which shall be Administered/Supervised Under NRDX-9, Talakag, Bukidnon

1. In the interest of the service and for effective/ efficient delivery of services to our clientele within the municipalities of Pangantucan and Kalilangan, province of Bukidnon, a BFD Forest Station is hereby created/established at Pangantucan, Bukidnon which shall be administered/supervised under NRDX-9, Talakag, Bukidnon.
2. The District Forester of NRDX-9, Talakag, Bukidnon is hereby directed to effect the creation/establishment of the aforementioned BFD Forest Station at Pangantucan, Bukidnon.
3. This Order takes effect immediately and cancels/revokes all Orders inconsistent herewith.

"By Authority of the Minister:"

DANTE P. SARRAGA
Deputy Minister

Recommending Approval:

MACORRO L. MACUMBAL
Regional Director

**Administrative Order
No. 4
January 19, 1987**

**SUBJECT: Deregulation of the Harvesting,
Transporting and Sale of Firewood,
Pulpwood or Timber Planted in Private
Lands**

In consonance with the National Forestation Program and in order to promote the planting of trees by owners of private lands, the restrictions on the harvesting, transporting and sale of firewood, pulpwood or timber produced from Ipil-ipil (*Leucaena* spp.) and falcata (*Albizzia falcata*) planted in private lands are hereby lifted. The ban on the cutting of bamboos in Laguna and Rizal under Ministry Order No. 37, series of 1986, insofar as private lands are concerned, is likewise lifted.

All MNR/BFD administrative orders, memoranda, or circulars inconsistent with this Order are hereby revoked or modified accordingly.

This Order shall take effect immediately.

CARLOS G. DOMINGUEZ
Minister

Recommended by:

CIRILO B. SERNA
OIC, Director

Administrative Order
No. 6
January 12, 1987

SUBJECT: Establishment of a BFD Forest Station at Kibawe, Bukidnon which shall be Administered/Supervised Under NRDX-12, Maramag, Bukidnon

1. In the interest of the service and for effective/ efficient delivery of services to our clientele within the municipalities of Kibawe, Kadingilan and Damulog, province of Bukidnon, a BFD Forest Station is hereby created/established at Kibawe, Bukidnon which shall be administered/supervised under NRDX-12, Maramag, Bukidnon.
2. The District Forester of NRDX-12, Maramag, Bukidnon is hereby directed to effect the creation/establishment of the aforementioned BFD Forest Station at Kibawe, Bukidnon.
3. This Order takes effect immediately and cancels/revokes all Order inconsistent herewith.

"By Authority of the Minister:"

DANTE P. SARRAGA
Deputy Minister

Recommending Approval:

MACORRO L. MACUMBAL
Regional Director

Administrative Order

No. 7

February 23, 1987

**SUBJECT: Ban on the Exportation of Fitches or
Squared Logs**

Pursuant to the rationalization of the wood industry and in order to strengthen the log export ban, exportation of fitches or squared logs is hereby banned.

This Order takes effect immediately.

CARLOS G. DOMINGUEZ
Minister

Administrative Order
No. 8
February 24, 1987

SUBJECT: Implementation of the Provisions of Proclamation No. 2152 Declaring the Entire Province of Palawan and Certain Parcels of the Public Domain and/or Parts of the Country as Mangrove Swamp Forest Reserves

In accordance with the policies enunciated in Presidential Decree No. 705 dated 19 May 1975, Proclamation No. 2152 dated 29 December 1981 and BFD Circular No. 13, Series of 1986, the following regulations governing the prohibition from further exploitation and/or destruction of the remaining mangrove resources of the Philippines, specifically the entire province of Palawan and certain parcels of the public domain and/or parts of the country as defined under Proclamation 2152, are hereby promulgated for the information and guidance of all concerned.

1. Henceforth, applications for licenses, leases or permits of any kind involving mangrove swamps and other parcels of the public domain designated as Mangrove Swamp Forest Reserves, whether such applications are new, renewal or extension, shall not be entertained and/or processed.
2. All pending applications that fall under the aforecited category shall be immediately denied and the applicants informed accordingly.
3. All previous orders, circulars or memoranda inconsistent herewith are deemed revoked or amended accordingly.
4. This Order takes effect immediately.

CARLOS G. DOMINGUEZ
Minister

Administrative Order
No. 36
March 3, 1987

SUBJECT: Rules and Regulations Governing the Implementation of Community Based Contract Reforestation and the Issuance of Woodlot Lease Agreements in the Central Visayas (Region VII)

Pursuant to the Loan Agreement between the Republic of the Philippines and the International Bank for Reconstruction and Development dated February 7, 1984 covering the Central Visayas Regional Project; to the new contract reforestation initiatives launched by the Department of Natural Resources (DNR); and to Ministry Administrative Order No. 1, Series of 1986, dated 13, March 1986, the following rules and regulations are hereby promulgated for implementation of Community-Based Contract Reforestation and the issuance of Woodlot Lease Agreements in Region VII.

ARTICLE I
POLICY, OBJECTIVES AND DEFINITION OF TERMS

Section 1. Basic Policy - Consistent with the national objectives of social justice, economic equity and human resource development, it is the policy of government to democratize the disposition of forest resources and public forest lands; achieve equitable distribution of the benefits derived from forest resources; and develop the upland occupants and their communities into active and prosperous participants in the national economic recovery program.

Section 2. Program Concept - The scheme hereinafter referred to is a forest resources development program which, through Community-Based Contract Reforestation and the issuance of Woodlot Lease Agreements, will enable forest occupants to derive livelihood from the planting, maintenance, harvesting and utilization of forest trees, fruit trees and minor forest products planted by them in public forest lands.

Section 3. Objectives - The objectives of the program are to:

- 3.1 Improve the quality of life of that sector of the rural population living within or adjacent to public forest lands;
- 3.2 Develop the members of the sector identified in 3.1 above into effective forest resource managers by raising their level of understanding, skills and capabilities in forest resources management;

- 3.3 Attain a condition of balanced, optimum and sustainable productivity of agricultural and forest resources; and
- 3.4 Develop conditions under which man lives in productive and enjoyable harmony with his environment.

Section 4. Definition of Terms

- 4.1 **Community Based Contract Reforestation** - refers to a situation wherein a contract is entered into by and between (a) associations and/or individuals and (b) the government, in which the former agree to perform specific tasks related to forest establishment such as reforestation, enrichment planting and the like, while the latter pays the former for implementing such tasks.
- 4.2 **Contractor** - is the holder of a Community-Based Reforestation Contract.
- 4.3 **Community Protection Forests** - are forests of natural origin or established artificially in forest lands set aside by the government for the protection of water supply, wildlife, flora and fauna and are not subject to any form of unauthorized exploitation.
- 4.4 **Community Production Forests** - are forests established, developed and maintained in public forest lands for the production of commercial timber, fruit trees, short term crops and other minor forest products.
- 4.5 **Woodlots** - for purposes of this Order, are defined as areas of man-made forest established through a Community-Based Reforestation Contract and patches of natural forest, wherein the Government will grant utilization privileges to qualified lessees, subject to applicable BFD rules, regulations and procedures including this Order.
- 4.6 **Woodlot Lease Agreement** - is an instrument issued by the Government granting individuals and associations, security of tenure and utilization rights for 25 years, renewable for a similar period, over community production forests areas within a Woodlot; and which instrument may also include provisions whereby lessees agree to develop, manage and maintain community protection forests without payment from the Government.

- 4.7 **Project Participant** - is a forest occupant or any person occupying lands within the boundaries of a government-sponsored or government-approved rural development project and/or a community forest management association or cooperative duly recognized by the Bureau of Forest Development (BFD) Region VII.
- 4.8 **Project Areas** - are the sites of government-sponsored and/or government-approved development projects within the Central Visayas.
- 4.9 **On-Farm Areas** - are public lands under actual cultivation which are available for issuance of, or are already covered by, stewardship contracts.
- 4.10 **Off-Farm Areas** - are lands that are in need of reforestation but are not occupied and therefore not subject to the issuance of Stewardship Contracts (CSC).
- 4.11 **Areas Under Actual Cultivation** - as used in this Order, this applies to lands currently occupied by either CSC holders or non-CSC holders, specifically in reference to portions of their farm areas which are not under fallow.
- 4.12 **Project Manager** - is the senior officer based in the project area of a government-sponsored or government-approved rural development project, either directly employed by the project and/or designated by duly authorized officers (e.g. a District Forester given responsibility for management of an ISF project).

ARTICLE II COMMUNITY-BASED CONTRACT REFORESTATION

Section 5. Forest Lands Available for Community-Based Contract Reforestation - Community-Based Contract Reforestation may be conducted in any forest lands inside project areas except in on-farm areas, areas covered by permits, licenses and leases prior to the effectivity of this Order, and such areas as may hereinafter be closed to contract reforestation.

Section 6. Reforestation Contract - Reforestation in off-farm areas may be undertaken through a contract to be entered into by and between qualified project participants and the Department of Natural Resources (DNR) through the Bureau of Forest Development (BFD) upon recommendation of the Barangay Development Council with concurrence of the Project Manager.

A reforestation contract shall have a maximum duration of five (5) years, subject to the availability of government funds for Community-Based Contract Reforestation, after which any and all rights to improvements made in the area by the contractor shall automatically belong to the Government.

Section 7. Who May Apply - Any of the following project participants may apply for a reforestation contract:

- 7.1 Head of family
- 7.2 Duly recognized associations or cooperatives of project participants
- 7.3 Other civic or religious organizations in the project area
- 7.4 Barangay Development Councils in the project area

However, priority shall be given to individuals or associations who are already adopters of improved on-farm technologies such as soil and water conservation and agro-forestry.

Section 8. Size of Contract Areas - For individuals, the size of contract reforestation areas shall not exceed one hundred (100) per cent of the total area under actual cultivation for non-holders of CSC's, and shall not exceed fifty (50) per cent of the total area under stewardship contract for CSC holders, at the time of applications.

In the case of associations or cooperatives, the allowable size of contract reforestation areas shall be computed based on the following formula:

$$A = 50\% \text{ of } CA + 100\% \text{ AC}$$

where **A** = contract reforestation area

CA = total combined area occupied by association/ cooperative members under CSC

AC = total combined area of actual cultivation by association/cooperative members at the time of application not covered by CSC

However, the foregoing limitations shall not preclude the awarding of subsequent contracts for reforestation of additional lands after initial areas shall have been fully developed as certified by the BFD Region VII Regional Director.

Section 9. Application - The District Forester or his authorized representatives shall, upon request by applicants, assist in the preparation of applications and development plans for implementing Contract Reforestation. For an application to be given due course, the prescribed application forms shall be accomplished and filed with the BFD together with the following requirements:

9.1 For Individuals

9.1.1 Certificate from the District Forester that the applicant is a bona-fide project participant;

9.1.2 Certification from the District Forester that the applicant, has adopted soil and water conservation technologies in his on-farm area;

9.2 For duly organized associations, cooperatives, civic or religious groups -

9.2.1 Certification from the District Forester that not less than ninety percent (90%) of all members of the applicant association, cooperative, civic or religious group are bona-fide project participants;

9.2.2 Certification from the District Forester that majority of the members and all incumbent officers have adopted soil and water conservation technology in their on-farm areas;

9.2.3 Original copy of Resolution by the applicant identifying its duly-authorized representative or representatives to sign applications and other documents required for implementing Contract Reforestation.

9.3 For a Barangay Development Council (BDC)

9.3.1 Certification from the District Forester that all officers are bona fide project participants

9.3.2 Certification from the District Forester that all incumbent BDC Officers have adopted soil and water conservation technology in their on-farm areas;

9.3.3 Original copy of approved Minutes of BDC resolution identifying its duly-authorized representative or representatives to sign applications and other documents required for implementing Contract Reforestation.

Section 10. Privileges, Benefits and Incentives - A contract shall entitle the holder to the following privileges:

- 10.1 No filing fee and performance bond shall be imposed on applications for Community-Based Contractual Reforestation;
- 10.2 During the duration of the contract, secondary short term crops may be raised in the area under contract by the Contractor who shall have the right to harvest, transport, sell, convey or dispose of the said secondary crops in a manner he sees fit; **provided**, that no timber or forest products shall be cut and gathered other than thinning removed for silvicultural purposes, the extent of which shall not reduce planting density (i.e. trees/ha) to a number less than that prescribed in the Contract.
- 10.3 Free technical and legal assistance, educational materials, and training in forestation/agro reforestation and on-farm agroforestry technology.

Section 11. Obligations of the Contractor - The contractor shall strictly observe the following:

- 11.1 To be familiar with the boundaries of his area so that he does not encroach in the area of another nor allow anybody to encroach in his own;
- 11.2 To protect the area under contract against man-made, man-caused disturbances or destructions;
- 11.3 To do no timber cutting, unnecessary underbrushing, clearing, burning or other activities not consistent with the purposes of the contract;
- 11.4 To follow as closely as possible the appropriate schedule for planting, maintenance and improvement;
- 11.5 Not to sub-contract, convey or transfer to others the areas under his contract or any part thereof.

Section 12. Limitations Under a Community-Based Reforestation Contract -

- 12.1 A contract shall be non-transferable.

- 12.2 In fulfilling the terms of the contract, the contractor shall not conduct activities which are in violation of the prescribed management or operations plan as provided in the Contract, said plan is to be prepared with assistance from the District Forester or his authorized representatives upon request by the Contractor.

ARTICLE III ISSUANCE OF WOODLOT LEASE AGREEMENT

Section 13. Management of Woodlots - The management and improvement of woodlots reforested through Community-Based Contract Reforestation shall be the direct responsibility of Woodlot Lessees, with technical assistance provided by the District Forester or his authorized representative.

A reasonable amount of Lease Holders' income from woodlot operations shall be invested in the development and maintenance of forest/fruit tree plantations and community protection forests, this amount to be determined through consultation between Lease Holders and the BFD and included in the terms and conditions of Woodlot Lease Agreements or subsequent amendments thereto.

Section 14. Forest Lands Available for Woodlot Development - The following areas may be made available for Woodlot Lease Agreements;

- 14.1 Off-farm areas reforested through Community-Based Reforestation Contracts;
- 14.2 Isolated patches of natural forests, or stands of naturally growing trees surrounded by areas developed through Contract Reforestation or contiguous thereto; **provided**, that cutting, harvesting or utilization of the same shall be conducted in a manner consistent with the principles of sustained yield management as prescribed in BFD rules, regulations and procedures;
- 14.3 Specific areas in forest lands mentioned in Sec. 5 hereof.

Section 15. Woodlot Lease Agreement - The authorization to utilize and manage resources contained within a woodlot may be allowed under a lease issued by the BFD Region VII Regional Director, upon recommendation of the Project Manager, the Barangay Development Council or the District Forester, and in compliance with the requirements prescribed herein.

A Woodlot Lease Agreement shall have a duration of twenty five (25) years, renewable for a similar period; **provided**, that the terms and conditions stipulated in the lease and applicable laws and regulations are properly complied with.

Section 16. Who May Apply - The following persons may apply:

- 16.1 Interested and qualified holders of Community-Based Reforestation Contracts shall have priority to obtain a lease to utilize and manage woodlots in their respective reforested areas, excepting those holders of reforestation contracts in areas set aside exclusively for development and maintenance of community protection forests. The priority herein granted must however, be availed of within a period of two (2) years from the expiry of the reforestation contract, otherwise the area shall be declared open to any of the qualified project participants mentioned in Sec. 7 hereof.

Section 17. Application Requirements - The District Forester or his authorized representatives shall, upon request by applicants, assist in the preparation of applications and management plans for Woodlot Lease Agreements. For an application to be given due course, the prescribed application form shall be accomplished by the applicant and filed with the BFD together with the requirements mentioned in Sec. 9 hereof and the following additional requirements.

- 17.1 Certification of satisfactory performance as reforestation contractor attested by the District Forester;
- 17.2 Original copy of an approved resolution to apply for Woodlot Lease Agreement in the case of associations and civic/religious organizations;
- 17.3 Original copy of approved resolution (in the case of associations, cooperatives, civic/religious organizations) or duly notarized affidavit/commitment notice or Promissory Note (in the case of individuals), to set aside a certain reasonable amount of income derived from the Woodlot (in cash or its equivalent), for the development and maintenance of community protection forests and infrastructures, this amount to be specified to the extent this is feasible in the Woodlot Lease Agreement.
- 17.4 For associations, cooperatives and civic/religious organizations, a copy of a Certificate of Registration with a duly authorized government agency.

Section 18. Size of Woodlot - The extent of forest lands which may be the subject of a Woodlot Lease Agreement shall be limited to that which a lessee may effectively develop, as determined from time to time by the BFD Region VII Regional Director, upon the recommendation of the District Forester, considering the production cycle and the lessee's capacity to develop, protect and manage the area; **provided**, that in consonance with the policy of government to promote social equity by diffusing the benefits derivable from natural resources, manageable-sized woodlots shall be allocated to as many project participants as possible.

Section 19. Progressive Leasing - Subject to relevant legal limitations and to the provisions of Sec. 16 hereof, more than one lease may be issued to each qualified project participant.

Section 20. Obligations of the Lessee - The lessee shall strictly observe the following:

- 20.1 To be familiar with the boundaries of his woodlot area so that he does not encroach in the areas of another nor allow anybody to encroach in his area.
- 20.2 To protect his woodlot against man-made or man-caused destruction.
- 20.3 To implement the terms and conditions of the Woodlot Lease Agreement and management plan thereof, and to refrain from unauthorized cutting, underbrushing, clearing, burning or gathering of products.
- 20.4 To maintain books of accounts and records of activities pertinent to development, management and utilization of his woodlot.
- 20.5 Starting from the time of harvest, to set aside a certain amount of the income derived from the woodlot for the development and maintenance of community protection forests and of infrastructure established in the barangay in which the lessee resides.

Section 21. Privileges, Benefits and Incentives - A Woodlot Lease Agreement shall entitle the holder to the following privileges:

- 21.1 No filing fee or performance bond shall be imposed on applications for Woodlot Lease Agreement.

- 21.2 Forest tree, fruit tree, short term crop and minor forest products raised within the Woodlot shall belong to the lessee who shall have the right to sell, harvest, transport, convey or dispose of said products in a manner he sees fit, in accordance with existing laws, rules and regulations.

Section 22. Grounds for Cancellation or Suspension of Reforestation Contracts and/or Woodlot Lease Agreement - The BFD Region VII Regional Director, upon recommendation of the District Forester, may cancel or suspend a Community-Based Reforestation Contract/Woodlot Lease Agreement for any of the following grounds:

22.1 Grounds for Suspension

22.1.1 If the contract/lease was obtained through fraud, misrepresentation or omission of material facts at the time of application.

22.1.2 Failure of a contractor/lessee to settle any account embodied in the contract/lease agreement, within a reasonable period after demand, or violation of provisions in the National Internal Revenue Code pertinent to forest products.

22.1.3 Abandonment of the area, or failure to exercise the privileges granted under the contract/lease within four (4) months from the issuance of the contract/lease agreement after being notified in writing of its neglect by the BFD.

22.2 Grounds for Cancellation

22.2.1 Violation of any of the terms and conditions prescribed in the contract/lease agreement.

22.2.2 When direct management of the area covered by the contract/lease is transferred to the DNR/BFD for watershed management purposes, in which case the contractor/lessee shall be entitled to due process of law and just compensation.

**ARTICLE IV
REGULATORY FEES**

Section 23. Charges and Fees - All fees and charges relative to forest products which are presently being collected under existing laws and regulations shall continue to be imposed and collected until otherwise amended; **provided**, however, that timber for production tools, abode, burials and community infrastructure shall be exempt from the payment of forest charges.

**ARTICLE V
IMPLEMENTING RULES, REPEALING CLAUSE AND EFFECTIVITY**

Section 24. Implementing Rules and Regulations - The Regional Director of BFD Region VII, in coordination with the Project Managers and District Foresters of areas affected by this order shall promulgate the appropriate rules, procedures and regulations and design official forms to implement this Order.

Section 25. Repealing Clause - This Order supersedes all Orders, circulars, memoranda or agreements that are inconsistent herewith.

Section 26. Effectivity - This Order shall take effect immediately.

CARLOS G. DOMINGUEZ
Secretary

Recommending Approval:

CIRILO B. SERNA
Officer-in-Charge, BFD

Administrative Order
No. 38
March 10, 1987

**SUBJECT: Revocation of Ministry Administrative
Order No. 7, Series of 1986**

Pursuant to the provisions of Presidential Memorandum Order No. 17, revoking Proclamation No. 2282 and to provide maximum effectiveness in the delivery of services to the public, all kinds of applications for permits/licenses/ leases within the areas covered by said Proclamation shall henceforth be processed by the Wood Industry Development Authority (WIDA) Office.

This Order shall be effective immediately and revokes Ministry Administrative Order No. 7, Series of 1986. All other previous order and issuances inconsistent herewith are hereby superseded or amended accordingly.

CARLOS G. DOMINGUEZ
Secretary

Administrative Order

No. 39

March 18, 1987

**SUBJECT: Amending Ministry Administrative Order
No. 1 Dated January 2, 1987**

In the interest of the service and in view of the findings that majority of the logging operations of Kalinan Timber Corporation and VICMAR Development Corporation for CY 1987 fall within areas under the Administrative jurisdiction of BFD Region XI and BFD Region XII respectively and in view of the formal appeal of the respective Timber Licensees, Ministry Administrative Order No. 1 Series of 1987 is hereby amended to exclude aforesaid companies from among the Timber Licensees transferred to the Administrative Supervision of Region X, Cagayan de Oro City.

This Order takes effect immediately and cancels/revokes all orders inconsistent herewith.

DANTE P. SARRAGA
Undersecretary

Administrative Order

No. 41

April 20, 1987

**SUBJECT: Interim Rules Governing the Issuance of
Lease Agreement on Industrial Tree
Plantations, Tree Farms and Agro-Forest
Farms**

Pending the comprehensive review of existing rules and regulations governing the establishment and development of Industrial Tree Plantation (ITP), Tree Farms (TF) and Agro-Forest Farms (AFF) with the end in view of setting new set of rules directed towards encouraging more qualified person to engage in ITP, TF and AFF, the following interim rules are hereby promulgated for the information and guidance of all concerned:

1. The effectivity of Ministry Administrative Order No. 33, Series of 1986, prescribing areal limits to the grant of industrial tree plantation, tree farms and agro-forestry farms, is hereby deferred;
2. New ITP, TF, AFF applications of individual persons and other qualified applicants maybe considered provided that the area applied for had already been inspected/evaluated by personnel of the District Office concerned and the necessary lease agreement and related documents had been endorsed by the Regional Director prior to 15 March 1987 and if found in order shall be granted a tenure up to twenty five (25) years;
3. New application (without the required inspection of the area applied for) pending in the District Office, Regional Office or WIDA Central Office as of 15 March 1987 shall be held in abeyance until the revised guidelines are approved;
4. All other existing rules and regulations on the establishment and development of industrial tree plantation, tree farms and agro-forest farms which are not affected by this Order shall remain in force.

This Order takes effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary

Administrative Order

No. 42

June 23, 1987

SUBJECT: Experimental Forest Regulations

Pursuant to Sec. 18 of P.D. No. 705 and Ministry Administrative Orders reserving and establishing experimental forests, the following regulations are hereby promulgated governing the protection, development, scientific use, utilization and disposition of forest resources within the experimental forests of the Forest Research Institute.

Section 1. Experimental Forest - refers to those forest lands set aside by the Secretary exclusively for scientific, educational and research purposes.

Coverage

Section 2. The Forest Research Institute shall exercise jurisdiction over all the areas established as experimental forest including the protection, development, scientific use, utilization and disposition of forest resources as well as wildlife.

Protection

Section 3. Protection of the Experimental Forest. The experimental forest shall be protected from all forms of trespass and encroachments. To ensure effective protection, forest guards and all research personnel of FORI are hereby deputized as forest officers.

- a) Any illegal act committed therein shall be dealt with in accordance with the applicable provisions of P.D. 705 and other existing applicable laws.
- b) Illegally cut or gathered forest products found therein or coming therefrom shall be seized and forfeited for research activities.
- c) The experimental forest shall remain a reserve area for scientific purposes. The rights of Cultural Minorities that are indigenous to the experimental forest shall be respected by FORI. FORI shall develop programs for them that will promote the environment as well as their living condition.
- d) The boundaries of experimental forests shall be surveyed and marked by concrete monuments by competent licensed surveyor and the identity of the perimeter line shall be protected at all times.

Development

Section 4. Development of the Experimental Forest - The development of experimental forest to make them more suitable for research activities shall be the sole responsibility of the Forest Research Institute.

- a) Roads, trails and bridges may be constructed inside the experimental forest in accordance with standard, geared towards environmental protection by the Institute or by any company or entity contracted by it for the purpose of facilitating research protection and other related activities. Checkpoints shall be established on strategic places and manned by FORI security/forest guards. However, existing roads, trails, bridges and similar structures previously constructed by the concessionaire shall continue to be used by him for lawful purposes free of charge. FORI shall regulate or in special situation prohibit the public from entry into the experimental area.
- b) Field research structures, such as offices, patrol quarters and nursery houses, bunkhouses, lookout tower, rest houses, etc., may be constructed inside the experimental forest by the Institute for the use of FORI personnel.
- c) Meteorology, hydrology and other scientific stations may be established on strategic sites for the purpose of gathering basic data on weather condition in the experimental forest for research and scientific purposes, or for national interests.
- d) The reforestation of open areas inside experimental forests shall be the responsibility of the Forest Research Institute to improve the environmental condition not only for research but also for the rehabilitation of the watersheds of streams, creeks and rivers emanating from the said experimental forests and for the production and conservation of soil and water and other beneficial uses. Erodible slopes on roadslides shall be established by vegetative means and/or by engineering structures.

Research

Section 5. Scientific Use of the Experimental Forests and their Resources. All research studies of the Forest Research Institute shall be mainly conducted in these areas to ensure the protection of study plots from destruction or disturbance. However, any interested research agency either public or private may be allowed in a cooperative basis to undertake research work therein. Students from any school may at any time be allowed to have educational field trips in the area; and scientists, members of scientific organizations and the like may likewise be allowed to

enter, study and observe therein; all subject to the approval of the Director or his authorized representative, provided, pollution and damage to the flora and fauna and the land shall be avoided.

- a) To hasten the complete attainment of the objectives of forest production, harvesting and conservation researches, studies on the environmental impact of selective logging and other timber harvesting methods and mining activities maybe allowed by the Board of Trustees on a virgin forest portion of the experimental forests to ascertain their effects on the natural forest regeneration, wildlife resources, rate of erosion and sedimentation, water yield (quality and quantity), nutrient leaching and recycling, microclimatic modification, recreation and wildlife and fish habitat requirement and other pertinent research variables. Similarly, plantation establishment of important plant species shall be developed inside the experimental forests to determine their nationwide adaptability and ensure their productivity for economic purposes.
- b) The disposition of any forest resources, including wildlife, harvested from the experimental forest shall be specially vested in the Board of Trustees of the Forest Research Institute.

Section 6. Issuance of Implementing Circulars and Instructions.

The Director of the Forest Research Institute is hereby authorized to issue such circular and instruction as may be necessary for the effective implementation of this Order. Such circular and issuances shall be submitted to the Board within reasonable time.

Section 7. All Memorandum of Agreement or prior arrangement entered into between the Director of the Forest Research Institute and Director of the Bureau of Forest Development are hereby amended accordingly.

Section 8. Effectivity. This Order shall take effect upon approval.

Approved this 23rd day of June 1987.

Recommended by:

FULGENCIO S. FACTORAN, JR.
Secretary

CIRILO B. SERNA
Director, BFD

FILIBERTO S. POLLISCO
Director, FORI

Administrative Order
No. 43
June 2, 1987

**SUBJECT: Establishment of Impact Reforestation
Pilot Projects at Bamban-Capas, Tarlac and
for the Province of Bataan**

1. In furtherance of the National Forestation Program and for the interest of the public, the Capas-Bamban, Tarlac and for the province of Bataan Impact Reforestation Pilot Projects located at the municipalities of Capas and Bamban all in Tarlac and at the province of Bataan are hereby established.
2. For Calendar Year 1987-1989, the budget for the contractual services, operation and maintenance of the Project shall be provided by the BFD Central Office.
3. The metes and bounds of the Project shall be indicated in an Administrative Order to be issued after the corresponding ground survey therein shall be completed.
4. This Order takes effect immediately and revokes all Orders, Memoranda, Instructions and Circulars inconsistent herewith.

FULGENCIO S. FACTORAN, JR.
Secretary

Recommended By:

CIRILO B. SERNA
Director, BFD

VICTOR O. RAMOS
Undersecretary for Field Operations

Administrative Order
No. 44
July 27, 1987

**SUBJECT: Restriction in the Use of Yarding Systems
 Inside Forest Lands**

Pursuant to the policy on the conservation of the timber resources under the principles and concepts of sound multiple-use forest management, the following regulations in the use of yarding systems inside forest lands are hereby issued:

Section 1. Basic Policy. The proper and effective conservation of the natural forest in order to attain the sustained production of forest products and services without undue impairment to the environment shall be a primary concern of the Department. Towards this end, the adoption and institution of additional conservation measures and prescriptions is of paramount importance.

Section 2. Yarding Defined. Yarding, as used in this Order shall refer to the process of transporting the felled trees or sections thereof from the stump to the log landing, roadside, or designated loading points in the cutting area.

Section 3. Restrictions on Yarding Systems. Consistent with the foregoing basic policy enunciated in this Order, the use of yarding systems which cause unnecessary and excessive damage to the forest stand shall, henceforth, no longer be allowed inside forest lands, unless such use is in conformity with the prescriptions provided herein. Conformably, and based on the result of action researches undertaken so far which tend to show that highlead yarding, unless properly controlled and supervised, causes excessive damage to the residual stand, its use or employment shall heretofore be restricted.

Section 4. When Highlead Yarding May be Used. The provisions of the immediately preceding section to the contrary notwithstanding, the use of highlead yarding may be authorized by the Secretary of Environment and Natural Resources in areas where clearcutting is allowed and the seed-tree system is practiced. In areas where the prescribed silvicultural system is selective logging, highlead yarding shall be allowed, **PROVIDED**, that, all appropriate residual-saving techniques as prescribed under existing selective logging rules and regulations are applied; **PROVIDED FURTHER**, that, the maximum yarding distance in any logging set-up shall not exceed three hundred (300) meters; **PROVIDED FINALLY**, that, the authority to use the highlead yarding system shall be withdrawn immediately if the result of the residual inventory with the use of yarders show that the set-ups are inadequately stocked, based on selective logging standards.

Section 5. Applicability of Related Rules and Regulations. The rules and regulations governing the maximum allowable width of main roads, skidroads, log landings, cableways, including allowable densities shall apply and be strictly enforced.

Section 6. Transitory Provision. Except when the use of yarding system is as provided/conditioned in Section 4 of this Order, all highlead yarding operations shall be immediately stopped upon completion of logging within the present set-up of operations, but in no case to extend beyond 31 December 1987.

Section 7. Penalties. Aside from the withdrawal of the authority to use yarders provided in Section 4 hereof, violation of any of the provisions of this Order shall be sufficient cause for the immediate suspension and/or cancellation of the license, without prejudice to such other penalties imposable under existing forest laws and regulations.

Section 8. Issuance of Implementing Circulars and Instructions. The Department, through its appropriate agency, shall issue such circulars and instructions as may be necessary for the effective implementation of this Order.

Section 9. Effectivity. This Order shall take effect immediately and revokes the pertinent provisions of WIDA Administrative Order No. 1-85 and all other previous orders, policies or instructions inconsistent herewith.

FULGENCIO S. FACTORAN, JR.
Secretary

Recommended By:

CRISOSTOMO M. CORPIN
OIC, Administrator, WIDA

Administrative Order

No. 57

August 3, 1987

SUBJECT: Increasing the Area Earmarked for Impact Reforestation Pilot Project in the Province of Bataan

1. Pursuant to DENR Administrative Order No. 43, Series of 1987 Re: Establishment of Impact Reforestation Pilot Projects at Capas-Bamban, Tarlac and for the Province of Bataan in line with the National Forestation Program, the area earmarked for Impact Reforestation projects in the province of Bataan is hereby increased from 100 hectares to 200 hectares.
2. The additional pilot project areas shall be located at Dinalupihan and Bagac, Bataan, respectively, containing an area of fifty (50) hectares each.
3. These projects shall be funded from the remaining balance of Contractual Reforestation.
4. This Order amends Administrative Order No. 43, Series of 1987, dated 02 July 1987.
5. This Order takes effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary

Recommended By:

CIRILO B. SERNA
Director, BFD

VICTOR O. RAMOS
Undersecretary for Field Operations

Administrative Order
No. 58
August 5, 1987

SUBJECT: Recall of the Telegram Directive of then Minister Teodoro Q. Peña Suspending the Issuance of Permits for the Cutting, Transporting, Disposition and Utilization of Anahaw Trunks or Leaves and Bamboos in Regions 3, 4 and 5

In order to ensure continuous supply of bamboo and anahaw trunks and leaves to cottage industries and fishpen operators and to other end users thereof, the restriction contained in the telegram dated 23 March 1983 to District Foresters of Regions 3, 4 and 5 on the cutting, transporting, utilization and disposition of bamboos and anahaw poles is hereby recalled.

This Order takes effect immediately and revokes all order and instructions inconsistent herewith.

FULGENCIO S. FACTORAN, JR.
Secretary

Administrative Order
No. 65
October 26, 1987

SUBJECT: Revocation of Ministry Administrative Order No. 27, Series of 1986, Creating Reforestation, Monitoring and Evaluation Office (RMEO)

In the interest of the service and in order to avoid duplication of some functions, MNR Administrative Order No. 27, Series of 1986 is hereby revoked and the Reforestation Monitoring and Evaluation Office is hereby abolished. All functions of Reforestation, Monitoring and Evaluation Office (RMEO) are hereby transferred to the Forest Management Bureau and to the Office for Field Operation of this Department in accordance with Executive Order No. 192.

This Order shall take effect immediately. All other previous orders and issuances inconsistent herewith are hereby superseded or amended accordingly.

FULGENCIO S. FACTORAN, JR.
Secretary

**Administrative Order
No. 66
October 28, 1987**

**SUBJECT: Guidelines in Resolving Expired, Cancelled
and/or Suspended Timber Licenses**

Pursuant to Executive Order No. 192 and Executive Order No. 278, and in order to provide Justice and Equity in the extension of the Benefits of the Forest Resources under the co-production, joint venture and production sharing schemes as mandated for the resolution of expired, cancelled and/or suspended timber licenses:

Section 1. Timber licenses which normally reached expiration dates shall upon the approval of this Order be subject to the provision of E.O. 278.

Section 2. Timber licenses cancelled/suspended for cause - Timber licenses which have been cancelled/suspended for violation of the terms and conditions of their licenses and/or Forest Laws and Regulations as of the approval of this Order shall be treated as follows:

1. Cancelled timber licenses shall remain cancelled for those who failed to file an appeal reasonably within the prescribed period.

However, if the cancellation/suspension is on appeal, and the license expired while it was cancelled/suspended, the timber license holder shall be entitled to same privilege granted the license holder under Section 4 paragraph Nos. 1 and 4.

2. Suspended timber licenses shall be resolved on case to case basis in accordance with criteria consistent with legal and/or technical procedures.

Within 30 days from the approval of this guidelines actions on the matter will be taken by the Secretary.

In cases where field evaluation is necessary such evaluation shall be conducted by the REDs. The REDs shall also take note of the requests of communities within their respective areas.

Section 3. Timber licenses cancelled or suspended due to the logging ban - Timber licenses which were cancelled or suspended due to the imposition of the logging ban in the locality, province or regions, where they are located, shall be resolved as follows:

1. Cancelled timber licenses located in areas where the logging ban is continued/not lifted shall remain cancelled.
2. Suspended timber licenses located in areas where the logging ban remains enforced shall be ordered cancelled and the licensee concerned shall be informed of the reasons for the continued imposition of the logging ban.

These concessionaires may participate in the bidding of areas opened, offered for disposition in accordance with the new procedures of awarding concessions.

Section 4. Cancelled/suspended licenses in areas where the logging ban has been lifted - For cancelled/suspended timber licenses under this Section, action thereof shall be as follows:

1. Cancelled timber licenses whose tenure expired within the duration of the logging ban shall remain cancelled and/or be considered expired. However, the former licensees may be allowed to participate in the bidding of new concessions pursuant to E.O. No. 278.
2. Timber licenses who were cancelled for cause shall remain/considered cancelled, then bidded with prejudice to participation of the former TLA holders in the new procedures of awarding concessions.
3. Timber licenses which were suspended for cause and/or violation of the terms and conditions of their licenses and/or forestry rules and regulations shall be resolved following standard legal and/or technical procedures.
4. Timber licenses which were suspended due to the logging ban but whose tenure expired within the duration of the logging ban shall be considered/ordered cancelled but shall participate in the prequalification and bidding process and if they lose in bidding they shall have the option to equal the highest bidder.

5. Suspended licenses whose expiry date has not yet been reached shall be restored immediately. Within one year after its restoration, an aerial photography over the area shall be taken and the timber license agreement shall be subjected to an updated performance evaluation.

This Order shall take effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary

**Administrative Order
No. 72
November 16, 1987**

**SUBJECT: Guidelines in the Production and
Exportation of Boules**

In order to generate more foreign exchange earnings from processed wood products and in recognition of new and developing markets for non-traditional wood products such as boules, the following regulations are hereby promulgated to govern the production and exportation of boules.

**CHAPTER I
POLICY AND DEFINITION OF TERMS**

Section 1. Policy. It is the policy of the government to encourage local processing of wood and the exportation of processed wood products. Towards this end and in addition to the export of traditional processed wood products such as lumber, plywood, veneer and other processed wood products, the exportation of boules may be allowed under the following prescribed guidelines.

Section 2. Definition of Terms. For the purpose of this Order, the following terms shall mean:

- 2.1 **Log** - is a merchantable piece of unworked wood having a minimum length of 1.5 meters and an average diameter of at least 15 centimeters;
- 2.2 **Boule** - is an unedged lumber produced from a log which has been sawn without passing thru the edger and stickered back into its approximate original form;
- 2.3 **Lumber** - the product of a log thru sawing/milling process, edged and trimmed with a thickness of less than 15 centimeters (6 inches) and has not been subjected to further prefinishing operations;
- 2.4 **Flitch** - a piece of timber sawn or hewn on two or more sides with a minimum thickness of 15 centimeters (6 inches) and minimum width of 20 centimeters (8 inches) and intended for re-manufacture into lumber or veneer;

- 2.5 **Sawkerf** - is the width of wood removed by the sawtooth while cutting;
- 2.6 **Sawmill** - a wood processing plant used for the conversion of logs/timber into lumber, or the re-sizing/ripping of lumber, slabs and other wood wastes into desired dimensions and forms;
- 2.7 **Sawmill (regular)** - a sawmill equipped with a log carriage or with rails on which the head rig runs with a daily rated capacity of at least 10,000 bd. ft.;
- 2.8 **Timber (manufactured)** - refers to all timber other than round and squared timber and shall include logs longitudinally sawn into pieces even if only to facilitate transporting and hauling. The timber shall also include besides all sawn products, all timber hewn or otherwise worked to approximate its finished form, such as house posts, ship keels, mine props, crossties, railroad sleepers, trolley poles, table tops and other similar articles;
- 2.9 **Timber (squared)** - refers to timber squared with an axe or other similar mechanical hand tools in the forest and which, from the size of the piece and the character of the wood, is obviously unfit for use in that form;
- 2.10 **Wood Processing Plant** - a mechanical device, machine, combination of machines or set-up used for the conversion of logs and other wood raw materials into lumber, veneer, plywood, wall board, blackboard, pulp, paper or other finished wood products;
- 2.11 **Woodwastes** - the collective term for logging and processing wastes

CHAPTER II APPLICATION FOR SPECIAL AUTHORITY

Section 3. Who may apply. Only owners and operators of existing wood processing plants of good standing are eligible to apply for a permit or authority for the exportation of boules.

Section 4. Where to file application. All applications shall be filed with the Office of the Secretary, DENR through the Forest Management Bureau.

Section 5. Application requirements. All letter-applications for special authority to export boules shall be accompanied by the following:

- 5.1 Authenticated copy of the existing Wood Processing Plant Permit;
- 5.2 Authenticated copy of an existing Lumber Dealer's Permit;
- 5.3 Copy of initial Purchase Order confirmed by the foreign buyers; and
- 5.4 Affidavit of undertaking that they will not use any illegally cut logs in the production of boules.

CHAPTER III ISSUANCE AND TENURE OF PERMITS

Section 6. Issuance of Special Authority. All exportation of boules shall be covered by a Special Authority issued by the Secretary of the Department of Environment and Natural Resources. The Secretary shall issue such required Special Authority upon application and after he is satisfied of the merits of the request. The same Special Authority may be suspended and/or cancelled upon violations of any existing applicable forestry laws, rules and regulations and/or for such other causes prejudicial to the national interest.

Section 7. The Special Authority to export boules shall have a tenure based on per shipment or load with sufficient grace period to allow preparation, verification, and possible delays of the shipment.

CHAPTER IV PROCEDURES IN THE EXPORTATION OF BOULES

Section 8. Filing of Application for Export. For each boules shipment and upon confirmation of the foreign buyer of each purchase order, the permittee shall file a Notice of Boule Shipment (NOBS). At least fifteen (15) days before the ship's arrival, the exporter shall notify the FMB/DENR, and of the District Office concerned of any forthcoming shipment specifying the name of the ship, local address and telephone numbers of the shipping company or its local agent, the estimated time of arrival of the vessel, volume and consignee of shipment and port of destination.

Forthwith, the FMB/DENR shall dispatch telegraphic instructions to the Regional Executive Director concerned to conduct verification of the boules to be exported.

The inspector shall verify at the sawmill site the boules ready for shipment and place their hatchet marks legibly on both ends of each bundle/boule. At loading time, the Inspector shall supervise at shipside or on board the vessel, the loading of the boules.

CHAPTER V GENERAL PROVISIONS ON EXPORTATION OF BOULES

Section 9. Limitations. The exportation of separate/ unassembled piece of unedged lumber shall not be allowed hence it is imperative that the sawn components of the logs should be stickered back to form the original log configuration.

- 9.1 Not any one piece of the boule components should measure more than eight (8) centimeters in thickness with an allowance of 2 millimeters for shrinkage and surfacing;
- 9.2 All stickers used in separating boule components shall not be more than 5 mm in thickness and 10 mm in width;
- 9.3 Only species belonging to the Philippine Mahogany group of traditionally exported wood species shall be manufactured into boules. In no case shall premium species i.e., narra, almaciga and other similar premium hardwood species shall be processed and exported as boules;
- 9.4 The maximum volume that may be produced and exported as boules shall not exceed ten (10) percent of the yearly production of wood processing plant owners and operators;
- 9.5 The export price of boules shall not be lower than the current price established in accordance with existing regulations of the Central Bank and should be at least twenty percent more than the export price of lumber;
- 9.6 Loading of boules for export shall only be through the Manila Port.

CHAPTER VI VERIFICATION AND MONITORING

Section 10. Verification and Report. All exportation of boules shall be subject to a regular verification by a competent Lumber Grader and/or Authorized Lumber Inspector of the Forest Management Bureau.

- 10.1 The exportation of boules shall be covered by a verification clearance issued as such by the assigned Lumber Grader or Authorized Lumber Inspector in a form to be prescribed by this Office;
- 10.2 Lumber Grader or Authorized Inspectors shall submit a monthly report on the total volume, value, a consignee and other pertinent informations on the boules verified; and
- 10.3 The production and exportation of boules shall be included in the monthly log and lumber report of the sawmill operator to be submitted to the FMB/DENR through the Regional Executive Director concerned.

CHAPTER VII INSPECTION FEES

Section 11. Trust Fund. All expenses incurred in the verification/exportation of boules shall be borne by the exporter in the form of a Trust Fund in accordance with the rates prescribed under existing forestry regulations.

CHAPTER VIII IMPLEMENTING CIRCULAR, REPEALING CLAUSE AND EFFECTIVITY

Section 13. Issuance of Implementing Circulars and Instructions. The Director, Forest Management Bureau is hereby authorized to issue circulars and instructions as may be necessary for the effective implementation of this Order.

Section 14. Repealing Clause. All existing orders, circulars, memoranda or instructions which are inconsistent herewith are hereby repealed or amended accordingly.

Section 15. Effectivity. This Order takes effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary

Administrative Order
No. 74
November 19, 1987

**SUBJECT: Nationwide Ban on the Cutting of
Almaciga Trees**

1. In order to save the remaining stands of almaciga, safeguard the livelihood of almaciga resin gatherers, as well as assure a continuous supply of resin export in the international market, the following policies are hereby declared:

The cutting and hauling and/or disposition of almaciga trees is hereby totally banned throughout the country. Henceforth, the construction of roads or issuance of road rights-of-way permit into or through areas where almaciga trees have to be cut or damaged as a consequence of such construction is hereby prohibited. Any such roads already constructed should be closed to all kinds of motorized vehicles. Those in the process of construction shall be stopped. Road construction equipment, including all logging equipment in areas where almaciga trees are growing shall be withdrawn after which such roads should be closed to all kinds of motorized vehicles.

2. Any violation of this Order shall be sufficient cause for cancellation of license.
3. This Order shall take effect immediately and cancels all existing orders, memoranda and/or circulars inconsistent herewith.

FULGENCIO S. FACTORAN, JR.
Secretary

Administrative Order
No. 76
November 23, 1987

**SUBJECT: Establishment of Buffer Zones in Coastal
and Estuarine Mangrove Areas**

Pursuant to the provisions of P.D. 705, as amended, otherwise known as the Revised Forestry Code of the Philippines, the following rules and regulations governing the Establishment of Buffer Zones in Coastal and Estuarine Mangrove Areas are hereby promulgated for the information and guidance of all concerned:

Section 1. Title. - This Administrative Order shall be known as the "Buffer Zones in Coastal and Estuarine Mangrove Regulations."

Section 2. Policy and Objectives. - To enhance the protective capability of the mangroves against strong currents, winds and high waves and to prevent siltation/sedimentation of the nearby Marine Ecosystem, the State shall close certain mangroves or swamplands to any form of exploitation by establishing such areas as Buffer Zones.

Section 3. Definitions. - For the purpose of this Order, the following terms are defined:

- a. **Mangrove** in this Order includes the land area exposed during the lowest tide such as the mud flats or tidal flats.
- b. **Mangrove forest** refers to forest stands found in swampy tidal areas and composed primarily for mangrove and associated species.
- c. **Alienable or Disposable lands** refers to those lands of the public domain which have been the subject of the present system of classification and certified as alienable or disposable for fishpond development purposes.
- d. **Buffer Zones** are strips of 50 meters in mangrove or swampland areas throughout the country fronting seas, oceans and other bodies of water and 20 meters on both sides of river channels/banks maintained and developed to enhance the protective capability of the mangroves against strong currents, winds and high waves.
- e. **Fishpond Lease Agreement** is a privilege granted by the state to a person to occupy and possess in consideration of specified rental any public lands for the raising of fish and other aquatic products.

Section 4. Mangrove Areas to be Established as Buffer Zone.

The following are established as Buffer Zones in Coastal and Estuarine Mangrove areas:

1. Strips of 50 meters in all mangrove or swampland areas throughout the country fronting seas, oceans and other bodies of water, and 20 meters on both sides of river channels/banks.
2. Mangrove or swamplands classified and zonified as Alienable or Disposable for fishpond development whether or not covered by applications for fishpond development prior to the promulgation of this Order, but yet to be developed, are covered by this Order. These areas shall be reverted from A or D to the category of forest lands.

Section 5. Delimitation and Survey of Buffer Zones. The Forest Management Bureau shall cause the immediate delimitation and survey of Mangrove areas as Buffer Zones.

Section 6. Protection and Development of Buffer Zones. The protection and maintenance of established Buffer Zones shall be the responsibility of the Protected Areas and Wildlife Bureau.

For areas which have already been converted into fishponds through an approved Fishpond Lease Agreement, the Lessee shall be required to afforest the tidal flats fronting their respective areas to at least 50 meters strip and the area along river channels/banks to at least 20 meters.

Section 7. Penal Provision. - Buffer Zones shall not be alienated nor disposed of but shall be retained for protection from strong currents, winds and high waves. Violations of any of the provisions of this Order shall be penalized in accordance with applicable laws, rules and regulations.

Section 8. Implementing Circulars and Instructions. The Director of Protected Areas and Wildlife Bureau shall issue such circular or instructions as necessary for the effective implementation of this Order.

Section 9. Effectivity. This Order shall take effect immediately.

VICTOR O. RAMOS
Acting Secretary

Administrative Order
No. 77
September 28, 1987

**SUBJECT: Establishment of Reforestation Projects in
Region XI**

Pursuant to Presidential Decree No. 705, as amended and in consonance with the policy of the government towards the rehabilitation of the open and denuded forest lands, there are hereby established areas for reforestation projects in Region XI, to wit:

1. A parcel of land is hereby established as a reforestation project to be known as the Pasion Reforestation Project located at Sitios Tag-usab, San Jose and Totoy, Barrio Haguimitan, Municipality of Monkayo, Province of Davao del Norte, beginning at a point marked "1" on the map being N 62°40' W, 1,310 meters from the junction of Bagsawan River and Tagbabay creek;

thence S 07° E, 520 meters to corner 2;

thence foll. Tagbalaye creek downstream gen.

S.W. dir. about 460 meters to corner 3;

thence S 13° W, 420 meters to Corner 4;

thence S 14° E, 270 meters to Corner 5;

thence S 20° E, 270 meters to Corner 6;

thence S 05° E, 350 meters to Corner 7;

thence S 02° E, 100 meters to Corner 8;

thence foll. Masugban creek downstream gen.

S.E. dir. about 130 meters to corner 9;

thence foll. Masugban creek downstream gen.

S.E. dir. about 215 meters to corner 10;

thence foll. Masugban creek downstream gen.

S.E. dir. about 220 meters to corner 11;

thence S 26° E, 365 meters to Corner 12;

thence S 02° E, 115 meters to Corner 13;

thence S 03° E, 260 meters to Corner 14;

thence S 23° E, 140 meters to Corner 15;

thence S 17° E, 220 meters to Corner 16;

thence S 08° W, 120 meters to Corner 17;

thence S 15° W, 145 meters to Corner 18;

thence S 10° W, 225 meters to Corner 19;
thence S 11° E, 155 meters to Corner 20;
thence S 10° E, 175 meters to Corner 21;
thence S 44° E, 140 meters to Corner 22;
thence S 61° E, 170 meters to Corner 23;
thence S 26° E, 220 meters to Corner 24;
thence S 40° E, 175 meters to Corner 25;
thence S 54° E, 215 meters to Corner 26;

thence foll. Tag-usab creek downstream gen.
S.E. dir about 535 meters to corner 27;

thence foll. Tag-usab creek downstream gen.
S.E. dir about 325 meters to corner 28;

thence foll. Tag-usab creek downstream gen.
S.W. dir about 800 meters to corner 29;

thence foll. Tag-usab creek downstream gen.
S.E. dir about 260 meters to corner 30;
thence S 13° E, 520 meters to Corner 31;
thence S 61° W, 550 meters to Corner 32;

thence foll. Pagdagayan creek upstream gen.
N.W. dir about 1,410 meters to corner 33;

thence foll. Pagdagayan creek upstream gen.
N.W. dir about 820 meters to corner 34;
thence S 25° E, 265 meters to Corner 35;
thence S 25° E, 175 meters to Corner 36;
thence S 12° W, 420 meters to Corner 37;
thence S 25° W, 435 meters to Corner 38;
thence S 73° W, 285 meters to Corner 39;
thence S 73° W, 295 meters to Corner 40;
thence S 73° W, 280 meters to Corner 41;
thence S 73° W, 300 meters to Corner 42;
thence S 73° W, 295 meters to Corner 43;
thence S 40° W, 215 meters to Corner 44;
thence N 08° E, 800 meters to Corner 45;
thence N 25° W, 980 meters to Corner 46;
thence N 10° W, 2,250 meters to Corner 47;
thence N 18° W, 2,260 meters to Corner 48;

thence N 16° W, 1,000 meters to Corner 49;
thence N 17° W, 1,925 meters to Corner 50;
thence N 28° E, 1,260 meters to Corner 51;
thence S 45° E, 450 meters to Corner 52;
thence S 05° E, 435 meters to Corner 53;
thence D -- E, 300 meters to Corner 54;
thence N 05° W, 425 meters to Corner 55;
thence N 08° E, 635 meters to Corner 56;
thence N 51° E, 350 meters to Corner 57;
thence N 52° E, 250 meters to Corner 58;
thence N 79° E, 250 meters to Corner 59;
thence D -- N, 200 meters to Corner 60;
thence N 88° E, 335 meters to Corner 61;
thence D -- N, 380 meters to Corner 62;
thence S 88° E, 540 meters to Corner 63;
thence S 14° E, 450 meters to Corner 64;
thence S 40° E, 515 meters to Corner 65;

thence foll. Angas river downstream gen.
S.E. dir. about 1,800 meters to corner 66;
thence S 88° E, 925 meters to corner 1
of the point of beginning containing an
approximately 1,500 hectares.

2. Two parcels of land are hereby established as reforestation project to be known as the Mt. Matutum Reforestation Project to wit:
 - A. Parcel I, located at Barrio 8, Municipality of Koronadal, Province of South Cotabato, beginning at a point marked "I" on the map being S 43°40' W, 760 meters from corner 183 of Project, 44F, Timberland, L.C. No. 1863;

thence S 48° E, 60 meters to Corner 2;
thence S 86° E, 210 meters to Corner 3;
thence S 33° E, 90 meters to Corner 4;
thence S 31° E, 80 meters to Corner 5;
thence S 32° E, 80 meters to Corner 6;
thence S 46° E, 50 meters to Corner 7;
thence S 43° E, 90 meters to Corner 8;
thence S 36° E, 60 meters to Corner 9;
thence S 56° E, 370 meters to Corner 10;
thence S 56° E, 50 meters to Corner 11;

thence S 01° E, 220 meters to Corner 12;
thence S 01° W, 200 meters to Corner 13;
thence S 01° E, 140 meters to Corner 14;
thence S 29° W, 50 meters to Corner 15;
thence S 29° W, 70 meters to Corner 16;
thence S 27° W, 80 meters to Corner 17;
thence S 27° W, 80 meters to Corner 18;
thence S 27° W, 80 meters to Corner 19;
thence S 03° W, 50 meters to Corner 20;
thence S 05° W, 50 meters to Corner 21;
thence S 05° W, 60 meters to Corner 22;
thence S 31° W, 170 meters to Corner 23;
thence S 41° W, 70 meters to Corner 24;
thence S 57° W, 120 meters to Corner 25;
thence S 32° W, 180 meters to Corner 26;
thence S 32° W, 90 meters to Corner 27;
thence S 32° W, 85 meters to Corner 28;
thence S 89° W, 90 meters to Corner 29;
thence S 86° W, 125 meters to Corner 30;
thence D -- W, 85 meters to Corner 31;
thence S 50° W, 70 meters to Corner 32;
thence S 40° W, 130 meters to Corner 33;
thence S 46° W, 330 meters to Corner 34;
thence S 46° W, 400 meters to Corner 35;
thence N 51° W, 170 meters to Corner 36;
thence N 53° W, 310 meters to Corner 37;
thence N 55° W, 350 meters to Corner 38;
thence N 54° W, 270 meters to Corner 39;
thence N 06° W, 240 meters to Corner 40;
thence N 24° W, 200 meters to Corner 41;
thence N 35° W, 400 meters to Corner 42;
thence N 40° W, 500 meters to Corner 43;
thence N 30° W, 270 meters to Corner 44;
thence N 33° W, 450 meters to Corner 45;
thence N 30° W, 160 meters to Corner 46;
thence N 06° W, 90 meters to Corner 47;
thence N 18° E, 140 meters to Corner 48;
thence N 16° E, 240 meters to Corner 49;
thence N 13° W, 280 meters to Corner 50;
thence N 14° W, 350 meters to Corner 51;
thence N 26° W, 400 meters to Corner 52;
thence N 28° W, 400 meters to Corner 53;

thence N 88° E, 330 meters to Corner 54;
thence N 37° E, 130 meters to Corner 55;
thence N 21° E, 270 meters to Corner 56;
thence N 80° E, 220 meters to Corner 57;
thence N 67° E, 115 meters to Corner 58;
thence N 67° E, 300 meters to Corner 59;
thence N 65° E, 270 meters to Corner 60;
thence S 88° E, 435 meters to Corner 61;
thence S 73° E, 320 meters to Corner 62;
thence S 45° E, 330 meters to Corner 63;
thence N 66° E, 305 meters to Corner 64;
thence S 75° E, 225 meters to Corner 65;
thence S 18° E, 100 meters to Corner 66;
thence S 15° E, 95 meters to Corner 67;
thence S 13° E, 285 meters to Corner 68;
thence S 19° E, 100 meters to Corner 69;
thence S 28° E, 105 meters to Corner 70;
thence S 18° W, 70 meters to Corner 71;
thence N 51° W, 170 meters to Corner 72;
thence N 64° W, 350 meters to Corner 73;
thence S 75° W, 70 meters to Corner 74;
thence N 73° W, 125 meters to Corner 75;
thence N 64° W, 110 meters to Corner 76;
thence S 28° W, 340 meters to Corner 77;
thence S 36° E, 80 meters to Corner 78;
thence S 60° E, 150 meters to Corner 79;
thence S 19° E, 50 meters to Corner 80;
thence S 35° W, 60 meters to Corner 81;
thence S 64° W, 40 meters to Corner 82;
thence S 21° N, 200 meters to Corner 83;
thence S 60° E, 290 meters to Corner 84;
thence S 63° E, 300 meters to Corner 85;
thence S 29° E, 410 meters to Corner 1
of the point of the beginning containing
an area approximately 1,121.00 hectares.

Parcel II.

1. Part I, located at the Municipalities of Tupi, Tampakan, Province of South Cotabato, beginning at a point marked "1" on the map being identical to corner 3 of Project No. 475, T.L., L.C. - 2196.

thence foll. old municipal boundary of Tupi and General Santos gen. westernly direction about 4,930 meters to corner 2;

thence foll. old municipal boundary of Tupi and General Santos gen. Southwesternly direction about 3,420 meters to corner 3;
thence N 78° W, 75 meters to Corner 4;
thence S 80° W, 180 meters to Corner 5;
thence N 40° W, 510 meters to Corner 6;
thence N 54° W, 450 meters to Corner 7;
thence N 02° W, 490 meters to Corner 8;
thence N 21° E, 340 meters to Corner 9;
thence N 14° W, 220 meters to Corner 10;
thence N 56° W, 215 meters to Corner 11;
thence N 29° W, 140 meters to Corner 12;
thence N 78° W, 320 meters to Corner 13;
thence N 68° W, 300 meters to Corner 14;
thence N 50° W, 300 meters to Corner 15;
thence N 28° W, 160 meters to Corner 16;
thence S 77° W, 260 meters to Corner 17;
thence N 75° W, 450 meters to Corner 18;
thence N 78° W, 260 meters to Corner 19;
thence N 13° W, 320 meters to Corner 20;
thence S 80° W, 270 meters to Corner 21;
thence N 77° W, 430 meters to Corner 22;

thence foll. Akmunan crk. downstream gen. N.W. dir. about 300 meters to corner 23;
thence N 50° W, 820 meters to Corner 24;
thence N 85° E, 390 meters to Corner 25;
thence N 57° E, 290 meters to Corner 26;
thence N 50° E, 360 meters to Corner 27;
thence N 56° E, 275 meters to Corner 28;
thence N 46° E, 300 meters to Corner 29;
thence N 75° W, 115 meters to Corner 30;
thence N 12° W, 185 meters to Corner 31;
thence N 40° W, 250 meters to Corner 32;
thence N 39° W, 285 meters to Corner 33;
thence N 76° W, 460 meters to Corner 34;
thence N 68° W, 150 meters to Corner 35;
thence N 38° E, 150 meters to Corner 36;

thence N 53° E, 175 meters to Corner 37;
thence N 30° W, 275 meters to Corner 38;
thence N 39° W, 180 meters to Corner 39;
thence N 60° E, 260 meters to Corner 40;
thence N 76° E, 200 meters to Corner 41;
thence N 02° W, 275 meters to Corner 42;
thence N 78° E, 250 meters to Corner 43;
thence S 83° E, 315 meters to Corner 44;
thence N 69° E, 240 meters to Corner 45;
thence N 70° E, 145 meters to Corner 46;
thence S 67° E, 230 meters to Corner 47;
thence N 73° E, 220 meters to Corner 48;
thence N 05° W, 435 meters to Corner 49;
thence S 61° W, 255 meters to Corner 50;
thence S 87° W, 200 meters to Corner 51;
thence N 70° W, 230 meters to Corner 52;
thence S 44° W, 220 meters to Corner 53;
thence S 74° W, 210 meters to Corner 54;
thence S 87° W, 180 meters to Corner 55;
thence N 08° W, 315 meters to Corner 56;
thence N 30° E, 115 meters to Corner 57;
thence D -- N, 190 meters to Corner 58;
thence N 29° E, 435 meters to Corner 59;
thence N 69° E, 240 meters to Corner 60;
thence S 89° E, 420 meters to Corner 61;
thence N 43° W, 240 meters to Corner 62;
thence N 55° W, 150 meters to Corner 63;
thence N 63° E, 280 meters to Corner 64;
thence N 45° E, 160 meters to Corner 65;
thence N 37° E, 210 meters to Corner 66;
thence N 30° E, 315 meters to Corner 67;
thence N 24° E, 210 meters to Corner 68;
thence N 58° E, 410 meters to Corner 69;
thence N 80° E, 275 meters to Corner 70;
thence N 64° E, 300 meters to Corner 71;
thence N 33° E, 220 meters to Corner 72;
thence S 89° E, 450 meters to Corner 73;
thence N 87° E, 140 meters to Corner 74;
thence N 82° E, 215 meters to Corner 75;
thence N 70° E, 290 meters to Corner 76;
thence N 59° E, 200 meters to Corner 77;
thence N 30° E, 250 meters to Corner 78;

thence N 21° E, 450 meters to Corner 79;
thence N 21° E, 225 meters to Corner 80;
thence S 75° E, 165 meters to Corner 81;
thence S 57° E, 180 meters to Corner 82;
thence S 89° E, 235 meters to Corner 83;
thence N 84° E, 350 meters to Corner 84;
thence S 89° E, 310 meters to Corner 85;
thence S 82° E, 260 meters to Corner 86;
thence S 73° E, 250 meters to Corner 87;
thence N 69° E, 205 meters to Corner 88;
thence N 45° E, 200 meters to Corner 89;
thence N 08° E, 400 meters to Corner 90;
thence D -- E, 135 meters to Corner 91;
thence N 24° W, 380 meters to Corner 92;
thence N 24° E, 275 meters to Corner 93;
thence N 83° E, 200 meters to Corner 94;
thence N 59° E, 160 meters to Corner 95;
thence N 38° E, 295 meters to Corner 96;
thence N 51° E, 280 meters to Corner 97;
thence N 40° E, 185 meters to Corner 98;
thence N 40° E, 180 meters to Corner 99;
thence N 85° E, 250 meters to Corner 100;
thence N 57° E, 210 meters to Corner 101;
thence S 45° E, 235 meters to Corner 102;
thence S 80° E, 280 meters to Corner 103;
thence S 55° E, 250 meters to Corner 104;
thence D -- S, 270 meters to Corner 105;
thence S 49° E, 260 meters to Corner 106;
thence S 49° E, 255 meters to Corner 107;
thence N 43° E, 250 meters to Corner 108;
thence N 49° E, 180 meters to Corner 109;

thence foll. Taplan crk. upstream gen.
N.E. dir. about 430 meters to Corner 110;

thence foll. Taplan crk. upstream gen.
S.E. dir. about 450 meters to Corner 111;
thence S 41° E, 150 meters to Corner 112;
thence S 30° E, 380 meters to Corner 113;
thence N 88° E, 190 meters to Corner 114;
thence N 76° E, 235 meters to Corner 115;
thence N 87° E, 235 meters to Corner 116;

thence S 60° E, 200 meters to Corner 117;
thence S 42° E, 200 meters to Corner 118;
thence N 59° E, 245 meters to Corner 119;
thence S 27° E, 250 meters to Corner 120;
thence S 02° E, 230 meters to Corner 121;
thence S 51° E, 200 meters to Corner 122;
thence S 42° E, 250 meters to Corner 123;
thence S 41° E, 235 meters to Corner 124;

thence foll. Buayan river downstream gen.
S.E. dir. about 480 meters to Corner 125;

thence foll. Buayan river downstream gen.
S.W. dir. about 250 meters to Corner 126;
thence S 60° W, 230 meters to Corner 127;
thence S 41° W, 200 meters to Corner 128;
thence S 31° W, 240 meters to Corner 129;
thence S 22° E, 300 meters to Corner 130;
thence S 06° E, 290 meters to Corner 131;
thence S 49° E, 150 meters to Corner 132;
thence foll. old municipal boundary of Tupi
and General Santos S.W. direction 5,480
meters to corner 1 point of the beginning,
containing an area of approximately 7,940
hectares.

- 2 . Part II, located at the municipalities of Tupi and Polomolok, Province of South Cotabato, beginning at a point marked "1" on the map being identical to corner 3 of Project No. 40-13, T.L., L.C.-2196.

thence foll. old municipality boundary of Tupi
and General Santos northerly direction
about 3,420 meters to corner 2;

thence foll. old municipality boundary of
Tupi and General Santos gen. easterly
direction about 4,930 meters to corner 3;

thence foll. old municipality boundary of
Tupi and General Santos gen. northeasterly
dir. about 5,840 meters to corner 4;
thence S 49° E, 90 meters to Corner 5;

thence S 33° E, 270 meters to Corner 6;
thence S 10° E, 340 meters to Corner 7;
thence S 50° E, 200 meters to Corner 8;
thence S 89° E, 240 meters to Corner 9;
thence S 68° E, 270 meters to Corner 10;
thence S 54° E, 300 meters to Corner 11;
thence S 11° E, 160 meters to Corner 12;
thence S 31° E, 280 meters to Corner 13;

thence foll. Sumlag crk. downstream gen.
S.E. dir. about 480 meters to Corner 14;

thence foll. Sulag crk. downstream gen.
S.E. dir. about 660 meters to Corner 15;
thence S 17° W, 360 meters to Corner 16;
thence S 24° E, 370 meters to Corner 17;
thence S 29° E, 275 meters to Corner 18;
thence S 06° E, 260 meters to Corner 19;
thence S 02° W, 300 meters to Corner 20;
thence S 42° E, 280 meters to Corner 21;
thence S 49° E, 240 meters to Corner 22;
thence S 57° E, 300 meters to Corner 23;
thence S 37° E, 300 meters to Corner 24;
thence S 24° E, 280 meters to Corner 25;
thence S 05° E, 270 meters to Corner 26;

thence foll. trail gen. S.W. dir. about
720 meters to Corner 27;
thence foll. trail gen. S.W. dir. about
100 meters to Corner 28;
thence foll. trail gen. S.W. dir. about
370 meters to Corner 29;
thence foll. trail gen. S.W. dir. about
280 meters to Corner 30;
thence foll. trail gen. S.E. dir. about
500 meters to Corner 31;
thence S 42° E, 220 meters to Corner 32;
thence S 05° W, 200 meters to Corner 33;
thence S 06° W, 230 meters to Corner 34;
thence S 20° W, 340 meters to Corner 35;
thence S 80° W, 220 meters to Corner 36;
thence N 85° W, 250 meters to Corner 37;

thence N 55° W, 400 meters to Corner 38;

thence foll. Sogoc crk. downstream gen.

S.E. dir. about 400 meters to Corner 39;
thence S 14° W, 430 meters to Corner 40;
thence S 56° W, 120 meters to Corner 41;
thence S 55° W, 140 meters to Corner 42;
thence S 58° W, 290 meters to Corner 43;
thence S 10° W, 320 meters to Corner 44;
thence S 44° W, 300 meters to Corner 45;
thence S 43° W, 440 meters to Corner 46;
thence S 43° W, 280 meters to Corner 47;
thence S 08° W, 175 meters to Corner 48;
thence S 50° W, 240 meters to Corner 49;
thence N 24° W, 330 meters to Corner 50;

thence foll. Kawit crk. upstream gen.

S.W. dir. about 400 meters to Corner 51;
thence S 15° E, 170 meters to Corner 52;
thence S 01° E, 260 meters to Corner 53;
thence S 21° W, 280 meters to Corner 54;
thence S 03° E, 290 meters to Corner 55;
thence S 69° E, 140 meters to Corner 56;
thence N 74° W, 180 meters to Corner 57;
thence N 88° W, 280 meters to Corner 58;
thence N 70° W, 160 meters to Corner 59;
thence S 73° W, 260 meters to Corner 60;
thence N 68° W, 240 meters to Corner 61;
thence S 75° W, 190 meters to Corner 62;
thence S 77° W, 105 meters to Corner 63;
thence S 78° W, 120 meters to Corner 64;
thence N 31° W, 200 meters to Corner 65;
thence N 25° W, 140 meters to Corner 66;
thence N 19° W, 190 meters to Corner 67;
thence N 09° W, 160 meters to Corner 68;
thence N 08° W, 105 meters to Corner 69;
thence N 21° W, 100 meters to Corner 70;
thence N 80° W, 420 meters to Corner 71;
thence N 67° W, 340 meters to Corner 72;
thence S 19° W, 260 meters to Corner 73;
thence S 25° W, 260 meters to Corner 74;
thence S 27° W, 225 meters to Corner 75;

thence S 78° W, 250 meters to Corner 76;
thence N 45° W, 280 meters to Corner 77;

thence foll. Lanabo crk. upstream gen.
S.E. dir. about 550 meters to Corner 78;
thence S 74° W, 220 meters to Corner 79;
thence S 55° W, 230 meters to Corner 80;
thence N 70° W, 590 meters to Corner 81;
thence N 23° W, 480 meters to Corner 82;
thence N 19° E, 230 meters to Corner 83;
thence N 77° W, 300 meters to Corner 84;
thence S 73° W, 320 meters to Corner 85;
thence S 55° W, 550 meters to Corner 86;
thence S 15° E, 280 meters to Corner 87;
thence S 16° W, 280 meters to Corner 88;
thence N 76° W, 250 meters to Corner 89;
thence N 72° W, 250 meters to Corner 90;
thence N 56° W, 200 meters to Corner 91;
thence N 48° W, 240 meters to Corner 92;
thence S 82° W, 230 meters to Corner 93;
thence S 20° W, 250 meters to Corner 94;
thence S 41° W, 380 meters to Corner 95;
thence N 87° W, 330 meters to Corner 96;
thence S 87° W, 500 meters to Corner 97;
thence N 12° W, 300 meters to Corner 98;
thence N 40° W, 380 meters to Corner 99;
thence N 69° E, 280 meters to Corner 100;
thence N 53° E, 260 meters to Corner 101;
thence N 43° W, 220 meters to Corner 102;
thence N 69° W, 280 meters to Corner 103;
thence N 78° W, 105 meters to Corner 1;
point of the beginning containing an
approximate area of 6,068 hectares.

3. Two parcels of land are hereby established as reforestation project to be known as San Mariano Reforestation Project, to wit:
 - A. Parcel I, located at Barrios New Cebu, Daramuan, Mahayahay, Mabugnaw and Duahli, Municipality of San Mariano, Province of Davao del Norte, beginning at a point marked "I" on the map being S 75° W, 840.24 meters from the junction of Magabatiwa creek and Tagbabaoy creek;

thence S 72° E, 190 meters to Corner 2;
thence S 24° E, 280 meters to Corner 3;
thence S 06° W, 480 meters to Corner 4;
thence S 12° W, 250 meters to Corner 5;
thence S 59° E, 320 meters to Corner 6;
thence S 72° E, 240 meters to Corner 7;
thence S 61° E, 160 meters to Corner 8;
thence S 12° E, 200 meters to Corner 9;
thence S 38° E, 195 meters to Corner 10;
thence S 11° W, 240 meters to Corner 11;
thence S 23° E, 130 meters to Corner 12;
thence N 86° E, 320 meters to Corner 13;
thence S 43° E, 230 meters to Corner 14;
thence N 87° E, 240 meters to Corner 15;

thence foll. bank of Agusan River gen.
S.W. dir. about 1,040 meters to Corner 16;
foll. bank of Agusan River gen. S.W.,
S.E. dir. about 880 meters to Corner 17;
thence S 36° E, 1,435 meters to Corner 18;
thence S 36° E, 1,500 meters to Corner 19;
thence S 64° W, 380 meters to Corner 20;
thence S 66° W, 490 meters to Corner 21;
thence S 44° W, 500 meters to Corner 22;
thence N 65° W, 220 meters to Corner 23;
thence N 59° W, 700 meters to Corner 24;

thence foll. Tagugpo River upstream gen.
N.W., N.E. dir. about 400 meters to Corner 25;

thence foll. Tagugpo River upstream gen.
N.W. dir. about 990 meters to Corner 26;
thence N 51° W, 480 meters to Corner 27;
thence N 19° W, 225 meters to Corner 28;
thence N 10° W, 210 meters to Corner 29;
thence N 10° W, 165 meters to Corner 30;
thence N 09° W, 240 meters to Corner 31;
thence N 06° W, 205 meters to Corner 32;
thence N 09° W, 60 meters to Corner 33;
thence N 06° W, 250 meters to Corner 34;
thence N 06° W, 245 meters to Corner 35;

thence N 06° W, 255 meters to Corner 36;
thence N 35° W, 270 meters to Corner 37;
thence N 35° W, 250 meters to Corner 38;
thence N 35° W, 245 meters to Corner 39;
thence N 35° W, 250 meters to Corner 40;
thence N 35° W, 250 meters to Corner 41;
thence N 41° W, 245 meters to Corner 42;
thence N 41° W, 250 meters to Corner 43;
thence N 41° E, 250 meters to Corner 44;
thence N 41° W, 260 meters to Corner 45;
thence N 67° W, 415 meters to Corner 46;
thence N 71° W, 470 meters to Corner 47;
thence N 22° W, 325 meters to Corner 48;
thence N 53° W, 435 meters to Corner 49;
thence N 33° W, 450 meters to Corner 50;
thence N 53° W, 435 meters to Corner 51;
thence N 30° W, 420 meters to Corner 52;
thence N 03° W, 350 meters to Corner 53;
thence N 57° W, 1,050 meters to Corner 54;
thence N 57° W, 1,000 meters to Corner 55;
thence N 22° E, 1,000 meters to Corner 56;
thence N 22° E, 1,000 meters to Corner 57;
thence N 22° E, 1,000 meters to Corner 58;
thence N 22° E, 1,000 meters to Corner 59;
thence S 65° E, 1,000 meters to Corner 60;
thence S 65° E, 1,000 meters to Corner 61;
thence S 25° E, 1,350 meters to Corner 62;
thence S 13° E, 485 meters to Corner 63;

thence foll. Tagbalanto crk. downstream gen.
S.E. dir. about 570 meters to Corner 64;

thence foll. Tagbalanto crk. downstream gen.
S.E. dir. about 420 meters to Corner 65;
thence S 75° E, 220 meters to Corner 66;
thence S 88° E, 290 meters to Corner 67;
thence S 04° W, 165 meters to Corner 68;

thence foll. Kandis crk. downstream gen.
S.E. dir. about 450 meters to Corner 69;

thence foll. Kandis crk. downstream gen.

S.E. dir. about 470 meters to Corner 70;
thence S 46° W, 215 meters to Corner 71;
thence S 18° W, 240 meters to Corner 72;
thence S 06° E, 215 meters to Corner 73;
thence S 12° E, 235 meters to Corner 74;

thence foll. Tagbaboy crk. downstream gen.
S.E. dir. about 320 meters to Corner 75;
thence S 19° E, 395 meters to Corner 76;
thence S 53° W, 370 meters to Corner I;
point of the beginning an area of
approximately 3,045.60 hectares.

- B. Parcel II, located at Barrio Pagmalibuan, Municipality of San Mariano, Province of Davao del Norte, beginning at a point marked "1" on the map being S 80° E, 1,035 meters from the junction of Magtagbo creek and Marangig creek;

thence N 03° E, 1,500 meters to Corner 2;
thence N 10° W, 1,050 meters to Corner 3;
thence N 10° W, 1,140 meters to Corner 4;
thence D -- E, 2,800 meters to Corner 5;
thence S 05° W, 1,900 meters to Corner 6;
thence S 08° E, 2,725 meters to Corner 7;
thence S 13° W, 220 meters to Corner 8;
thence S 13° W, 2,000 meters to Corner 9;
thence S 05° W, 1,750 meters to Corner 10;
thence S 19° W, 2,480 meters to Corner 11;
thence S 83° W, 2,800 meters to Corner 12;
thence N 04° E, 270 meters to Corner 13;
thence N 50° E, 220 meters to Corner 14;
thence N 20° E, 200 meters to Corner 15;
thence N 78° E, 160 meters to Corner 16;
thence N 78° E, 220 meters to Corner 17;
thence N 78° E, 170 meters to Corner 18;
thence N 45° W, 260 meters to Corner 19;
thence N 47° W, 220 meters to Corner 20;
thence N 13° W, 275 meters to Corner 21;
thence N 04° E, 220 meters to Corner 22;
thence N 50° E, 240 meters to Corner 23;
thence N 25° E, 250 meters to Corner 24;
thence N 03° E, 200 meters to Corner 25;

thence N 63° E, 120 meters to Corner 26;
thence N 14° E, 200 meters to Corner 27;
thence N 02° W, 240 meters to Corner 28;
thence N 50° W, 180 meters to Corner 29;
thence N 34° W, 235 meters to Corner 30;
thence N 20° E, 280 meters to Corner 31;
thence S 87° E, 210 meters to Corner 32;
thence N 62° E, 230 meters to Corner 33;
thence N 54° W, 120 meters to Corner 34;
thence N 35° W, 200 meters to Corner 35;
thence N 29° W, 270 meters to Corner 36;
thence N 40° E, 130 meters to Corner 37;
thence N 22° W, 125 meters to Corner 38;
thence N 47° E, 220 meters to Corner 39;
thence N 39° E, 165 meters to Corner 40;

thence N 30° E, 170 meters to Corner 41;
thence N 27° E, 170 meters to Corner 42;
thence N 21° E, 140 meters to Corner 43;
thence N 74° E, 165 meters to Corner 44;
thence N 20° E, 135 meters to Corner 45;
thence N 28° E, 130 meters to Corner 46;
thence D -- E, 165 meters to Corner 47;
thence N 03° E, 155 meters to Corner 48;
thence N 14° W, 130 meters to Corner 49;
thence N 20° W, 215 meters to Corner 50;
thence N 06° W, 195 meters to Corner 51;
thence N 61° E, 160 meters to Corner 52;
thence N 12° W, 150 meters to Corner 53;
thence N 20° E, 105 meters to Corner 54;
thence N 37° E, 220 meters to Corner 55;
thence N 53° E, 135 meters to Corner 56;
thence N 24° E, 155 meters to Corner 57;
thence N 28° W, 195 meters to Corner 58;
thence N 38° E, 140 meters to Corner 59;
thence N 16° W, 185 meters to Corner 60;
thence N 14° E, 220 meters to Corner 61;
thence N 10° E, 200 meters to Corner 62;
thence N 18° W, 205 meters to Corner 63;
thence N 04° W, 150 meters to Corner 64;

thence foll. Marangig crk. downstream gen.

S.W. dir. about 365 meters to Corner 65;

thence foll. gen. S.W. direction about
220 meters to point of the beginning
containing an area of approximately
2,628.40 hectares.

All points herein referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and supersedes all previous Orders inconsistent herewith.

FULGENCIO S. FACTORAN, JR.
Secretary

Recommended By:

CIRILO B. SERNA
Director

**Administrative Order
No. 78
December 28, 1987**

**SUBJECT: Interim Guidelines on the Cutting/
Gathering of Narra and Other Premium
Hardwood Species**

In order to provide continuous supply of narra and other premium hardwood timber species to the furniture and construction industries and to regulate the cutting/gathering and utilization of said timber species, the following interim guidelines are hereby issued:

1. For the purposes of this Order, premium hardwood species refer to narra, molave, dao, kamagong, ipil, acacia, akle, apanit, banuyo, batikuling, betis, bolong-eta, kalantas, lanete, lumbayao, sangilo, supa, teak, tindalo and manggis.
2. Cutting of narra and other premium hardwood species may be allowed in the following areas:
 - 2.1 In private lands - for the purpose of this Order private lands shall include titled lands and alienable and disposable lands with approved applications for homestead, free and emancipation patents;
 - 2.2 Allowable clearings within civil or military reservations/resettlement or settlement areas; and
 - 2.3 In allowable clearing (skidways, roadways, cableways, log landings) inside forest lands covered by timber licenses/permits limited to fifteen percent (15%) for skidding/truck logging and yarding based on the logging area under operation.
3. Cutting of narra and other premium hardwood species shall only be allowed under written authority from the Secretary of the Department of Environment and Natural Resources under the following conditions:
 - 3.1 For trees cut from timber license/agreement areas, the license/agreement holder shall deposit P300.00 per cubic meter for the establishment and development and maintenance of plantation of these species, to be placed in a trust fund;

- 3.2 At least 10% of the narra and other premium hardwood species shall be made available to the furniture shops and other secondary wood-based industries in the region where these trees are cut. The Regional Executive Director is authorized to decide and implement a higher rate in the Region;
- 3.3 Exportation of lumber, boules or any other semi-finished product processed out of these species is prohibited; and
- 3.4 In case of private lands, the permit shall only be issued to the landowners themselves.

Except in allowable clearings, diameter restrictions as imposed by existing laws, rules and regulations shall also be implemented.

4. Order takes effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary

**Administrative Order
No. 79
December 28, 1987**

SUBJECT: Amendment of Certain Provisions of WIDA Circular No. 1-85, Series of 1985 Re: Prescribing Guidelines in the Preparation, Submission, and Approval of the Integrated Annual Operations Plan for Holders of Timber Licenses

1. Pursuant to the pertinent provisions of Executive Order No. 192 dated June 10, 1987, and in order to facilitate the preparation, submission and approval of Integrated Annual Operations Plans of timber license/ permit holders, Sections 1, 4 and 6 of WIDA Circular No. 1-85 dated December 19, 1985 are hereby amended to read as follows:

"1. All holders of commercial timber licenses shall, in consonance with existing regulations and/or the terms and conditions of their licenses, submit their Integrated Annual Operations Plan (IAOP) to the Regional Executive Director for deliberation and approval."

"4. In order to provide sufficient time for the Regional Executive Director to evaluate the Plans submitted in consonance hereof, such plans should be submitted to the Office of the RED not later than thirty (30) days prior to the start of calendar year covered thereby. In the case, however, of newly-issued timber licenses or permits, the Plan should be submitted not later than thirty (30) days prior to the start of the cutting operation."

"6. The Regional Executive Director concerned shall approve the submitted IAOPs, subject to the following conditions:

6.1 Timber licensees have no unpaid forestry accounts. After approval of the IAOP, the licensee shall be required to pay the license fee in full;

Timber licensees have updated and validated their forestry bonds;

- 6.3 Timber licensees have not committed serious violations of the terms and conditions of their licenses specifically in reforestation, forest protection and selective logging;
 - 6.4 In case the holders of timber licenses have an approved Five-Year Forest Management Plan, the approval of the IAOP by the Regional Executive Director is final; and
 - 6.5 In case the timber licensees have submitted their Five-Year Forest Management Plans but have not yet been approved, the timber licensee concerned may start their logging operation once their IAOP is approved by the Regional Executive Director concerned, subject however, to amendment/s the Secretary may impose in his final approval of the Five-Year Plan;
 - 6.6 The timber licensee/permittee shall indicate in the IAOP their reforestation scheme which requires the reforestation of one hectare for every hectare logged. The licensee shall make a deposit for reforestation equivalent to an amount to be determined by the Secretary on a per year basis which for 1988 shall be P10,000 per hectare. The amount shall be remitted to the Trust Fund for reforestation. The Department reserves the right to qualify the same TLA holders or other entities to enter into contract reforestation using the same deposits collected. Payment can be staggered in accordance with the approved schedule defined in the operations plan.
2. The Regional Executive Director shall furnish the Forest Management Bureau and the Office of the Undersecretary for Field Operations a copy of the Operations Plan, within fifteen (15) days from approval hereof.
 3. All other provisions of WIDA Circular No. 1-85, Series of 1985 which are not inconsistent herewith shall remain in force and effect.
 4. This Order shall take effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary

**Administrative Order
No. 80
December 28, 1987**

**SUBJECT: Regulations Governing the Measurement,
Assessment and Payment of Forest Charges
on Timber and Other Forest Products**

Pursuant to the provisions of Executive Order No. 192 dated June 10, 1987, Presidential Decree 705, as amended, Batas Pambansa Bilang 83, and the second paragraph of Section 22 of Executive Order No. 273, dated July 25, 1987, the following rules and regulations governing the measurement, assessment and payment of forest charges on timber and other forest products are hereby promulgated for the guidance of all concerned.

Section 1. Definition of Terms. For the purposes of these regulations, the following definition of terms are hereby adopted:

- 1.1 **Chipwood** - wood materials used for conversion into chips for the manufacture of paper, chipboard, fibreboard, hardboard, and other wood-based fibre products.
- 1.2 **Destination** - the place where the forest products are discharged either for processing/manufacturing or for transshipment.
- 1.3 **Firewood/Fuelwood** - wood materials utilized for domestic, industrial or commercial energy generation.
- 1.4 **Forest products** - shall mean timber, pulpwood, firewood, bark, tree top, resin, gum, wood oil, honey, beeswax, nipa, rattan, or other forest growth such as grass, shrub and flowering plant, the associated water, fish, game, scenic, historical, recreational and geologic resources in forest lands.
- 1.5 **Log** - any section of the bole, or of a large branch, of a felled tree after cross-cutting.
- 1.6 **Logging wastes** - wood materials or residues generated during logging operation such as log trims, tree tops, branches, buttresses, culls, and the like.
- 1.7 **Manufactured timber** - pieces of sawn wood produced from one round timber, the sawing of which was done without the benefit of scaling. This includes pieces of wood commonly known as flitches.

- 1.8 **Pulpwood** - any wood of whatever form or size commercially used for pulp-making.
- 1.9 **Reshipment** - the transport of forest products from point of origin to a specific destination as appearing in the Certificate of Origin.
- 1.10 **Squared timber** - a large piece of wood produced from one round timber using any mechanical tools, the conversion of which was done without the benefit of scaling of the said round timber.
- 1.11 **Timber** - a piece of wood with an average diameter of at least 15 centimeters and a length of at least 1.5 meter, except all mangrove species which in all cases shall be considered as timber regardless of size.
- 1.12 **Transshipment** - the transport of forest products from point of origin passing through different loading points before reaching the final destination as appearing in the Certificate of Origin.

Section 2. Classification of Timber

- 2.1 **Timber** - is further sub-classified into four (4) categories in accordance with existing Forestry Administrative Order No. 32-1, as follows:

2.1.1 First Group

Akle	Gisok-gisok	Manggasinoro
Akleng-parang	Guijo	Maranggo
Afu	Igem	Margapali
Almaciga	Ipil	Matang-usa
Almon	Kaburo	Mayapis
Amugis	Kalamansanai	Molave
Apitong	Kalantas	Narek
Aranga	Kaliot	Narig
Bagtikan	Kamagong	Narra
Bakan	Kamuning	Nato
Balu	Kulilisiau	Palosapis
Banaba	Lanete	Pagatpat
Bansalagin	Lanutan	Pahunan
Banuyo	Liusin	Piagao
Batikuling	Lokinai	Pine, Benguet
Batitinan	Lumbayao	Red Lauan
Betis	Lumbayao-bato	Sangilo

Bitanghol	Magasusu	Saplungan
Bitag	Mahogany	Sudiang
Bolong-eta	Makaasim	Supa
Cana-fistula	Malaanonang	Tabau
Dagang	Malabunga	Tabigui
Dangula or Sasalit	Malakadios	Tangile
Dao	Malakauayan	Tambulian
Dungon	Malugai	Teak
Dungon-late	Malaguijo	Tiaong
Duyok-duyok	Mangkono	Urung
Ebony	Manggachapui	White Lauan
Gisok		Yakal

2.1.2 Second Group

Agoho	Katmon	Marabitaog
Agoho del Monte	Katmon-kalabau	Oak
Alupag	Kayugalu	Pamitaogen
Alupag-Amo	Kubi	Phil. Chestnut
Bagras	Lamio	Pili
Batete	Lanipau	Raintree(Acacia)
Batino	Loktob	Taba
Bayok	Malabatino	Tamayuan
Binggas	Malabayabas	Tanglin
Dita	Malakatmon	Tiga
Kamatog	Manggis	Toog
Anubing	Mangkas	Tukang-kalau
	Mapilig	Yemane

2.1.3 Third Group

Amayan	Gugas	Miau
Anislag	Marang	Moluccan sau or falcata
Antipolo	Kaatoan-bangkal	
Api-api	Kalingag	Nangka
Bakauan	Kalumpit	Pototan
Balakat	Kansulud	Sakat
Balikbikan	Kato	Salakin
Balobo	Kayatau	Salingkugi
Bangkal	Kuling-manuk	Sandit
Balukanag	Lago	Santol
Bayanti	Lamog	Tanghas

Busaing	Langarai	Tangal
Bogo	Malakamias	Talisai
Bolon	Malapinggan	Talisai-gubat
Bulala	Malapapaya	Taluto
Bulog	Malasaging	Tinaang-lantai
Dalinsi	Malatumbaga	Tuai
Gisihan	Matamata	Unik

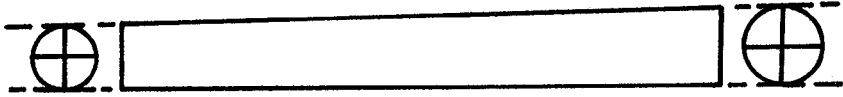
2.1.4 **Fourth Group** - the fourth group shall include all species not included in any of the other groups.

Section 3. Measurement

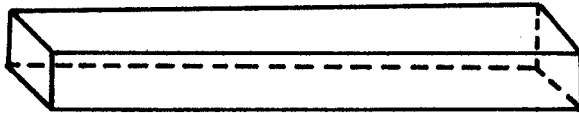
3.1 **Mode of Measurement** - All forest products shall be measured by scaling using the metric system and following the standard procedure of this Order.

3.1.1 **Round timber** - the volume of all round timber including pulpwood and chipwood, shall be ascertained by multiplying the average cross section of both ends of the timber or the cross section thereof at half the length (midpoint), as the case may be, exclusive of the bark (underbark), by the length of the timber. For practical purposes, the average cross section of the timber shall be determined on the basis of the average diameters at both ends regardless of length. Diameter values shall be expressed in whole odd or even centimeters; fractions over half centimeter shall be counted up and fractions less than half shall be ignored. Lengths shall be measured to the nearest whole decimeter value; over half decimeter shall be counted up while less than half shall be ignored.

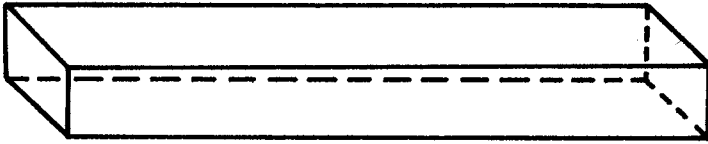
If a timber in the round, cut under license is measured and manifested by authorized forest officer, the Director of the Forest Management Bureau (FMB) shall make due allowance for rot and cavities, or other natural defects but from any decision of the FMB Director in this respect, an appeal shall lie to the Secretary of Environment and Natural Resources (DENR) whose decision shall be final. The manifest of timber cut by licensees operating sawmills and other wood processing plants in or near the forest, shall be attested to by authorized forest officers whenever practicable.



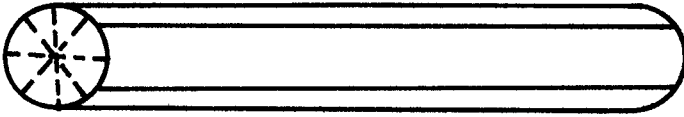
3.1.2 **Manufactured Timber** - The thickness and width of squared timber are measured in even or odd centimeters. The Length of manufactured timber is measured in the same manner as the length of round timber is measured. For purposes of computing the tax base upon which the forest charges are to be levied, the 100% loss in manufacturing should be added back to the volume.



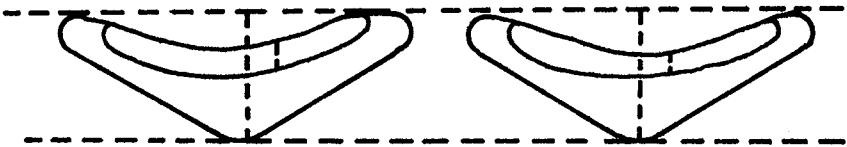
3.1.3 **Squared Timber** - The volume of squared timber shall be ascertained by multiplying the average of the cross section measured by the length. The volume so ascertained represents only 60% of the round timber. For purposes of computing the tax base upon which the forest charges is to be levied, the 40% loss in squaring should be added back to the volume of the squared timber as above determined; Provided, however, that if squared timber cut under license is measured and manifested by forest officers, the FMB Director shall make due allowance for rot and cavities or other natural defects, but from any decision of the FMB Director in this respect, an appeal shall lie to the DENR Secretary whose decision shall be final. The privilege of manifesting timber after squaring shall, however, be granted only to licensees who have squared their timber in the forest with the axe and intend to take it to the market in this form.



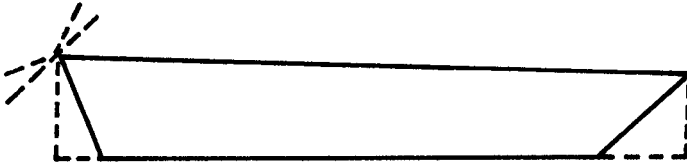
- 3.1.4 **Octagonal timber** - In computing the volume of approximately octagonal timber (four sides being hewn and the other four unhewn), the average diameter connecting the two pairs of opposite unhewn sides of the small end shall be used.



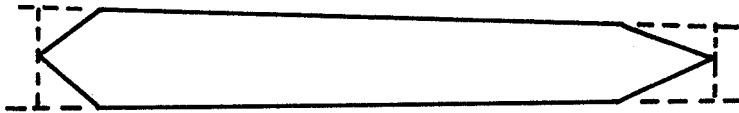
- 3.1.5 **Banca** - In measuring a banca for assessment, the diameter shall be determined by drawing a line from the highest point on the stern to the highest point on the bow and measuring from this line to the bottom of the banca provided that the diameter thus measured is not less than the beam of the banca, otherwise, the beam shall be taken as the diameter of the timber from which the banca was made.



- 3.1.6 **Pointed timber** - In computing the volume of a piece of timber which comes to a point of nearly to a point at one end, the average diameter will be used instead of the diameter of the small end, if the diameter of the small end is less than, or equal to, one-half of the diameter of the large end.



- 3.1.7 **Nosed or sniped timber or otherwise irregular cut** - Butt timber with deep undercuts shall be measured for length from point midway between the extreme end of the undercut and the saw cut line. In case of nosed or sniped timber the full length shall be taken.



- 3.1.8 **Firewood/Fuelwood** - The volume of firewood/ fuelwood shall be ascertained by first measuring the stack volume (talaksan/stere) of the firewood/fuelwood billets, thence, convert the stack volume of one (1) cubic meter (1m x 1m x 1m) to its solid volume by multiplying stack volume by the factor 4/5 or 80% which shall be the basis for the forest charges. However, weight scaling may be authorized with the use of a certified weighbridge after a weight to volume factor has been established and validated and approved for use by the Secretary of Environment and Natural Resources upon recommendation of the Director of Forest Management Bureau.
- 3.1.9 In any commercial sale of timber in the local market, the timber shall be measured only in accordance with the provisions of this section. In cases where deductions are to be made from the total volume of the timber to provide for sapwood, rot, cavities or other natural defects, such deductions shall be limited only to the extent of actual defects of the timber and shall not include such parts thereof as may otherwise be found of commercial value. For purposes of these regulations, "other natural defects" shall be limited only to brash center and rot.

- 3.2 **Place of Measurement** - All forest products shall be measured by duly authorized Department personnel in the cutting area whenever feasible or other specific places designated by the Regional Executive Director concerned.

Section 4. Forest Products Assessment - All timber and other forest products shall be assessed by DENR Scalers or duly authorized forest officers after the measurement thereof, and the same shall be manifested in an auxiliary invoice (DENR Form No. _____ for timber and DENR Form No. _____ for minor forest products) which shall be the basis for the collection of forest charges.

- 4.1 **Timber** - Before cut timber are manifested in the prescribed invoice, the same shall be marked in the following manner:

4.1.1 **Round timber** - Soon after topping or bucking and before removal from the cutting areas, the timber licensee concerned shall, under the supervision of the DENR forest officer either by painting/chiseling place at one end stamp prominently his duly registered private log marker including the following:

- a. Set-up number where the timber were cut;
- b. Tree number;
- c. Log number;

4.1.2 **Squared and Manufactured Timber** - The following markings shall be painted on one end:

- a. Registered Private Log marked;
- b. Set-up number;
- c. Serial number;

After the timber marking is done, the DENR Scaler or duly authorized forest officer shall scale the timber and stamp on each end his official marking hatchet. After which he shall prepare the auxiliary invoice and submit the same to the Community Environment and Natural Resources Officer (CENRO) concerned, together with the scale sheets and demand letter for approval.

These auxiliary invoices are accountable forms, printed in quintuplicate, serially numbered and bound in book form. The auxiliary invoices shall be distributed as follows:

Original	-	Regional Executive Director
Duplicate	-	Permanent file of the licensee/ permittee
Triplicate	-	Retained by the CENRO
Quintuplicate	-	For licensee/permittee to accompany shipment
Quadruplicate	-	Forwarded to the PENRO

Section 5. Rates of charges on Forest Products - There shall be collected charges on the following forest products:

5.1 **Timber** - On each cubic meter of timber cut in forest land in the Philippines, whether removed therefrom or not:

5.1.1 On timber in the first and second groups - Thirty Pesos (P30.00);

5.1.2 On timber in the third and fourth groups - not including firewood - Fifteen Pesos (P15.00)

5.1.3 On branches and other recoverable wood wastes of timber such as timber ends, tops and stumps, regardless of group classification, when used as fuelwood or raw materials for the manufacture of finished wood products - Two Pesos (P2.00).

5.2 **Firewood** - On each cubic meter of firewood cut in forest land, except all mangrove species - Two Pesos (P2.00)

5.3 **Minor Forest Products** - Tax base and rates of charges on forest products:

PRODUCTS	UNIT	ACTUAL MARKET VALUES		FOREST CHARGES	
Anahaw leaves or palma grava leaves	100 leaves	P	30.00	P	30.00
Anahaw trunk					
Bamboo from public forest	100 pieces		300.00		30.00
Barks of cutch (dry)	100 pieces		50.00		5.00
Barks of cutch (green)	100 pieces		25.00		2.50
Beeswax	100 kilograms		360.00		36.00

Beeswax, refined	100 kilograms	720.00	72.00
Birds nest & staghorn ferns			
Boho or cana-boho (Spanish-Filipino) bolo, boho, lumanpau, bokau, Tagalog, Bagakan, Bagakai (Visayan) Bulu, Bolo, (Visayan) (Iloco) Gras (Bicol)	100 pieces	500.00	50.00
Buri (dried & rolled in bundles)	100 pieces	60.00	6.00
Buri (green leaves attached to the stem)	100 kilograms	12.00	1.20
Buri fiber	1 piece	30.00	3.00
Cabo-negro	100 kilograms	30.00	3.00
Canela or cinnamon bark	100 kilograms	100.00	10.00
Charcoal (carbon vegetal)	Cubic meter	100.00	10.00
Kamagsa	100 kilograms	36.00	3.60
Diliman, nito and other vines	100 kilograms	100.00	10.00
Dipterocarp resins (balao, etc.)	100 kilograms	100.00	10.00
Doluru	Cubic meter	120.00	12.00
Dyebark (nigue)	100 kilograms	120.00	12.00
Dyebark (sibucan)	100 kilograms	12.00	1.20
Gogo bark	100 kilograms	120.00	12.00
Guta-percha	100 kilograms	420.00	42.00
Hingiw	100 kilograms	24.00	2.40
Honey syrup, unfined	Liter	50.00	5.00
Lumbang or Baguilumbang nuts (husked)	100 kilograms	60.00	6.00
Lumbang or Baguilumbang nuts (unhusked)	100 kilograms	30.00	3.00
Manila copal (Almaciga resin)	100 kilograms	250.00	25.00
Manila elimi (pili resin)	100 kilograms	120.00	12.00
Nipa leaves - 1,000 shingles or less than 1.5 meters in length)	400 kilograms	210.00	21.00
Nipa sap	1,000 liters	3.60	.36
Oleo resin (balao)	liter	3.00	.03
Orchids (waling-waling, butterfly, etc.)	piece		3.00
Round table tops mftd. from buttresses of trees of			

first group:			
a. 50 cm. in diameter or less	1 table top	30.00	3.00
b. 100 cm. in diameter or less	1 table top	30.00	3.00
c. 150 cm. in diameter or less	1 table top	60.00	6.00
d. over 150 cm. in diameter	1 table top	90.00	9.00
Round table tops mftd. from buttresses of trees of second group of lower:			
a. 50 cm. in diameter or less	1 table top	15.00	1.50
b. 100 cm. in diameter or less	1 table top	30.00	3.00
c. 150 cm. in diameter or less	1 table top	60.00	6.00
d. over 150 cm. in diameter	1 table top	90.00	9.00
Salago bark (clean)	100 kilograms	42.50	4.25
Split rattan	100 kilograms	500.00	50.00
Unsplit rattan (2 cm or less in diameter)	1,000 linear meters	300.00	30.00
Unsplit rattan (over 2 cm. in diameter)	1,000 linear meters	750.00	75.00
Tan bark (cascalotes) other than Tangal)	100 kilograms	120.00	12.00
Tangal bark for tuba drink	100 kilograms	150.00	15.00
Tree ferns	Whole tree	15.00	1.50

The market value of the various forest products on which forest charges may thus be collected shall be determined annually by assessment of the FMB Director and to be approved by the DENR Secretary, the same to be published for the information of the public in the Official Gazette or in two daily newspapers of national circulation, and posted in a conspicuous place in the municipal building of a municipality concerned.

Section 6. Payment of Forest Charges - The charges of forest products herein imposed shall be payable at the time of the removal from or utilization of the same within the concession area.

However, where the prepayment of forest charges at the point of origin would result in undue hardship to the concessionaire or licensee, forest products under auxiliary invoices may be removed from the cutting area without prepayment, conditioned upon filing of a forestry bond with the DENR in the form and amount and with such sureties as the DENR Secretary may require conditioned upon the payment of forest charges at the point of destination or at such time and place as the Secretary may direct. In such case, the forest charges shall be due and payable as follows:

- 6.1 When timber or other forest products are intended for export - In no case shall a customs collector allow a timber and/or forest products to be loaded without being shown a Certificate issued by the CENRO or the Regional Executive Director of the region where the cutting area of such timber is located or where the forest products were gathered and removed.

For this purpose, the shipper-concessionaire shall pay all charges due on such timber and/or forest products to be exported before loading on board a vessel. The CENRO or Regional Executive Director concerned shall issue the required Certificate only after ascertaining that the auxiliary invoices are properly prepared and that the forest charges due on such declaration were actually collected.

- 6.2 When timber and other forest products are to be removed for domestic sales - The forest charges shall be due and payable within thirty (30) days from removal thereof at the cutting area, or where the forest products were gathered; Provided, that such date of removal shall in no case be beyond thirty (30) days when the products were cut, gathered and removed.

The amount of the surety bond which may be filed by a licensee pursuant to and under the conditions set forth in the next preceding sub-section, shall be equal to the estimated forest charges due within one calendar quarter based on the annual allowable cut granted in the license, and that all additional cuts granted shall be covered with additional bonds before cutting the same; Provided, that, the minimum amount of the surety bond shall not be less than TEN THOUSAND PESOS (P10,000.00). All shipments of forest products shipped under bond must be accompanied with an authentic copy of the letter of approval of the said bond by the DENR Secretary or his duly authorized representative. The mere filing of a forestry bond with the DENR without the corresponding approval thereof is deemed without bond.

Copies of the letter of approval of a forestry bond must be furnished to the CENRO at the point of origin, Provincial Environment and Natural Resources

Officer (PENRO) and the corresponding Regional Executive Director who have jurisdiction of the municipality of origin.

Section 7. Penalties - The licensee/concessionaire shall be liable to the following penalties for any violation hereof, without prejudice to the imposition of other penalties under existing laws:

- 7.1 For illegal cutting - When forest products are unlawfully cut or gathered without license/permit issued by the DENR Secretary the same shall be subject to confiscation including the tools/implements and conveyances used in the commission of the offense without prejudice to the filing of criminal complaint against the offender. In addition thereto a 300% surcharge shall be imposed thereof.
- 7.2 Forest products without auxiliary invoice - When forest products are lawfully cut under license/permit but transported without auxiliary invoice, there shall be added to the forest charges an amount equal to fifty per centum (50%) of the forest charges due.
- 7.3 Discharge of forest products without permit - When forest products are discharged from boat, truck or other means of transportation without the proper discharge permit issued by the CENRO or his duly authorized representative at point of discharge, there shall be added to the forest charges an amount equal to fifty per centum (50%) of the forest charges due.
- 7.4 For late payment of forest charges - In case the forest charges are not paid within the prescribed period not due to willful neglect, there shall be added thereat a surcharge of twenty five per centum (25%) of the tax due, the increment to be a part of the tax and the entire unpaid amount shall be subject to interest at the rate of twenty per centum (20%) per annum.

In all cases, the amount so added shall be collected in the same manner and as part of the forest charges, as the case may be.

- 7.5 Any person who fails or refuses to remit to the proper authorities said forest charges collectible pursuant to the provisions of this Order, or who delays, obstructs or prevents the same, or who orders, causes or effects the transfer or diversion of funds for purposes other than those specified in this Order, for each such offense shall, upon conviction, be punished by a fine of not exceeding ONE HUNDRED THOUSAND PESOS (P100,000.00) and/or imprisonment for a period not exceeding six (6) years in the discretion of the court. If the offender is a government official or employee, he shall, in addition, be dismissed from the

service with prejudice to reinstatement and with disqualification from holding any effective or appointive office.

If the offender is a corporation, partnership or association, the Officers and Directors thereof shall be liable.

Section 8. Transitory Provision - All uncollected forest charges payable and due as of December 31, 1987 shall continue to be collected by the Bureau of Internal Revenue.

Section 9. Repealing Clause - BIR Revenue Regulations No. 2-81 dated November 18, 1980 and all other orders, rules and regulations, circulars and memoranda which are inconsistent herewith are hereby repealed or amended accordingly.

Section 10. Date of Effectivity - This Order shall take effect January 1, 1988.

FULGENCIO S. FACTORAN, JR.
Secretary

Recommending Approval:

CIRILO B. SERNA
Director

NOTE: Attachments not included