



Forestry Fridays 2021 Documentation

Regulations on Tree Cutting

Governing Policy

- DAO 2018-16: Guidelines in the Processing and Issuance of Permits on the Removal and Relocation of Trees Affected by DPWH Projects [\[link to PDF\]](#)
- DAO 2020-06: Amending Certain Provisions and Expanding the Coverage of DENR Administrative Order No. 2018-16 or the "Guidelines in the Processing and Issuance of Permits on the Removal and Relocation of Trees Affected by DPWH Projects" [\[link to PDF\]](#)
- DAO 2020-18: Promoting Tree Plantation Development and Liberalizing Harvesting and Transport of Planted Trees and Tree Derivatives for Inclusive Growth and Sustainable Development [\[link to PDF\]](#)
- DAO 2021-11 Guidelines in the Processing and Issuance of Permits for the Cutting, Removal and Relocation of Naturally Growing Trees [\[link to PDF\]](#)

Lecture

- Forestry Fridays 2021 lecture by For. Luimyla Valente-Peña published in July 2021 [\[link to video\]](#)

Open Forum

Note: Some of the questions, particularly on third-party tree plantation certifiers, were considered as policy recommendations and are not reflected in the Open Forum documentation.

Agencies & Project Coverage (DAO 2018-16 & DAO 2020-06)

- *Why are covered agencies limited to few national government agencies (NGAs)?*

Only 8 national agencies (Dept. of Public Works and Highways, Dept. of Transportation, Dept. of Education, Dept. of Health, Dept. of Agriculture, Commission on Higher Education, National Irrigation Administration, and Dept. of Energy) are included since these agencies were identified to have the greatest number of applications of infrastructure projects for public purposes. These are the national agencies with infrastructure projects for the Build Build Build project of the government.

- *Why are local government units (LGUs) not included?*

Infrastructure projects by LGUs were not included since this will be subjected to abuse. The purpose of DAO 2020-06 is more on infra projects of the said national government agencies for the BBB program.

There is a rationale behind not including the LGU as priority agency per DAO 2020-06. The National Government is very cautious to relax the tree cutting regulations, stretching it to accommodate the LGU to avoid abuse and misuse of natural resources found within their respective cities/municipalities. Since major infrastructure projects are a mandate of the DPWH, therefore they are automatically included as priority agencies. Infra projects in the LGU are of course essential to their constituents but they are not considered as national priority projects as they only cater to specific target groups in the city/municipality.

- *Are requests for cutting by LGUs on projects funded by an NGA (e.g., DA or DPWH) included?*

No. If the applicant is the LGU, said cutting requests cannot be considered under DAO 2020-06, even if they are funded under DA or DPWH projects. Also, it is important to note that prior to the application for tree cutting, NGAs identified under DAO 2020-06 should submit a list of priority projects and endorse it to DENR for consideration. The applicant for tree cutting should be the NGA itself.

- *Are tree cutting permit applications of schools, state universities and colleges covered by CHED and DepEd?*

Yes, if DepEd or CHED are the proponents of the tree cutting application.

- *How do we treat requests for tree cutting permits from infrastructure projects (e.g., farm to market roads) of LGUs?*

LGUs are not covered under the exemptions provided under DAO 2020-06, hence, they shall still apply for appropriate tree cutting permit pursuant to DAO 2021-11, if the trees to be cut are naturally growing.

Approving Authority

- *Who will issue a special order authorizing the issuance of permits in the absence of PENRO or CENRO?*

Issuance of permit can only be done by the concerned Regional Executive Director for those under DAO 2021-11 and concerned CENRO/Implementing PENRO for those under DAO 2020-06. There is no provision in the policies that it can be delegated to other officer/s. Please bear in mind that a permit is a legal document and therefore should be signed by the authorized persons only.

- *Can the signing of the Tree Cutting Permit or Earth balling permit (TCP/EP) be delegated to the In-charge of the Office (while the CENRO is on sick leave or vacation leave) to comply with the ease of doing business and efficient government service delivery act of 2018?*

Yes, for as long as the Officer-in-charge is covered by a duly issued Special Order.

- *Who will issue a tree cutting permit of planted tree/s (home garden) within private lands that are not duly registered with the DENR, thus not covered by CTPO?*

The Regional Executive Director shall be the approving authority on the issuance of tree cutting permits for planted trees found within private lands pursuant to DAO 2016-07 or the DENR Manual of Authority on Technical Matters and Memo Order No. 74 dated Feb. 5, 2013

- *Who will issue a cutting permit for planted trees within residential areas?*

Per DAO No. 2016-07, the authority to issue cutting permits for planted trees located within private lands rests within the powers of the concerned DENR Regional Executive Director.

- *Are LGUs/Municipal Environment and Natural Resources Officers in Bangsamoro Autonomous Region in Muslim Mindanao allowed to issue tree cutting permits?*

Since BARMM is an autonomous region, all existing policies, including tree cutting regulations, are not applicable in their setting. Therefore, whatever is written in their own laws, rules, and regulations will prevail.

- *Who will be the issuing authority on the harvesting of planted trees within protected areas (PAs) particularly in untenured area?*

Planted trees in PAs, specifically in Multiple Use Zones (MUZ) – these are the areas for settlement, traditional and/or sustainable land use including agriculture, agroforestry, and other income generating or livelihood activities that may be allowed consistent with the Protected Area Management Plan of the PA – issued with a tenurial arrangements such as the Protected Area Community-Based Resource Management Agreement (PACBRMA) and Special Use Agreement in Protected Areas (SAPA) are allowed to be cut and the concerned DENR Regional Executive Director is authorized to issue the tree cutting permit.

However, if MUZs were not issued with a tenurial arrangement such as PACBARMA and SAPA, then the trees found within cannot be harvested, and therefore cutting shall not be authorized.

Conflicts with Citizen's Charter 5th Edition

- *Requirements under DAO 2021-11 is not in consonance with the Citizen's charter 5th Edition. Likewise, as to administrative fees that are to be collected, some are conflicting with the Citizen's charter. What should be followed?*

The existing policies/guidelines should be followed. Kindly be apprised that the Citizen's Charter is based on the existing guidelines. No need to collect fees as some of the provisions of old policies (e.g., DMO 1999-20 re: CTPO) are hereby repealed by DAO 2020-18.

We are currently reviewing the Citizen's Charter to reconcile the inconsistencies, not just the procedures and processing period, but also the fees reflected and among others. We will coordinate with the Central Office for the revision of Citizen's charter.

- *There is confusion as to the implementation of the Citizens' Charter particularly RO-F-05 Issuance of Tree cutting and/or earth balling permit for DPWH projects wherein no fees are mentioned or required prior to issuance of permit. Which are we going to follow?*

The existing policies/guidelines should be followed. Please be reminded that Citizen's charter is based on existing policies. We took note of your recommendations and will duly inform the Central Office regarding your concern.

For the payment of forest charges of naturally growing trees, the rates of forest charges provided under DAO 2021-11 shall be followed.

The Bureau is currently drafting a revised guideline on uniform replacement ratio. But for the meantime, DMO 2012-02 will still prevail.

Citizen's Charter shows the process on how a certain permit/document can be approved. If it is understandable that fees and charges are not required to be reflected in the Citizen's Charter, we must follow the existing policies pertaining to fees and charges

- *Under Citizens Charter, Issuance of Tree Cutting Permit for planted trees (Tenured Forestland or Private Land) is only process within 20 days, 2 hours and 30 minutes. The activity can't hardly meet the desired processing time considering the inspection and verification to be done by the CENRO b4 endorsement to the Region thru the PENRO. Can we request for the amendment of the Citizens charter considering the processing time is very short?*

We will consider this recommendation in our current review of the Citizen's Charter.

Coverage of Trees to be Cut

- *Does DAO 2020-18 include those registered plantations of lapnisan trees that are intended for production of agarwood and not for lumber purposes?*

No. The DENR, particularly the Biodiversity Management Bureau, is currently formulating a policy on lapnisan.

- *Is there a separate discussion relating to cutting of trees for energy projects?*

Trees that will be affected by energy projects are considered as naturally growing, therefore, DAO 2021-11 will apply.

- *Is Private Land Timber Permit (PLTP) – cutting of natural grown trees – now allowed despite EO 23 moratorium?*

Executive Order No. 23 only prohibits the issuance and renewal of cutting permits in natural and residual forests, with the following exemptions as indicated in the Memorandum of Executive Secretary Pacquito Ochoa, Jr. dated October 20, 2011. As far as we know, the policy on the issuance of SPLTP/PLTP pursuant to DAO 2000-21 is being enforced.

- *Are all premium species included in the DAO No. 2021-11?*

Yes, DAO 2021-11 amends some provisions of DAO 2000-21 (SPLTP/PLTP) especially on naturally growing trees.

Documentary Requirements

- *If the volume of trees to be cut is too small, is a Certificate of Non-Coverage (CNC) still required?*

A CNC is the equivalent of an Environmental Compliance Certificate (ECC) for projects that are not expected to have significant impacts on the environment. These are not covered by the Philippine Environmental Impact Assessment System (PEISS). It was stated that CNC may be required if applicable because the EMB Regional Office will determine if the cutting needs CNC. It's within the function and mandate of EMB to check if the cutting intensity will require an ECC or CNC. You may check EMB Memorandum Circular No. 2014-005 for more information.

- *Is a Tax Declaration considered as valid proof of ownership?*

No, it is very clear that only authenticated copy of land title shall be accepted. Tax declaration is not a proof of ownership but of possession. If they can only provide tax declaration, then they are not the legitimate owners of the land. Therefore, we cannot just issue a permit as it will be illegal.

- *What are the documents to be submitted in the cutting of planted trees within Certificate of Ancestral Domains Title (CADT) areas?*

CADT areas are considered as tenure agreements and shall follow its required documents under DAO 2020-18.

- *In DAO 2021-11, are all documentary requirements that are photocopied (e.g., ECC/CNC and approved tenure agreement) needed to be a certified true copy?*

No need since it is not indicated or clearly written in the policy. The only documentary requirement that needs to be authenticated is the land title. The ECC/CNC and approved Tenure Agreement can only be a photocopy of the original. Just make sure that the copy to be attached is readable and that every page is attached in the application.

- *In DAO 2020-18, Annex B, there is information about tree species to be planted. Is this applicable for new plantations only?*

No. It can be for newly established, already established, and mature plantations. Please note that we are encouraging owners to register their plantations prior to plantation establishment. In case the plantation is already established, the information on planted tree species shall be recorded.

- *Is utilization plan – for cutting of naturally grown trees within private lands – just needed for areas more than 10 hectares? If the request is just for 1-10 trees, is it still required?*

The utilization plan is dependent on the area being applied for which is greater than or equal to 10 hectares with at least 50% trees covered. If you have 1-10 trees subject for cutting, then the utilization plan is not required.

- *The requirements stated in Section 2 of DAO 2018-16 was amended. Does it mean that LGU Endorsement is not required anymore?*

Endorsement from the concerned Local Government Units is still needed even after the approval of DAO 2020-06. You will notice that Section 2 of DAO 2020-06 is not numbered chronologically. Meaning, the Item no. 1 in DAO 2020-06 and DAO 2018-16 are similar but the same was just expounded in the DAO 2020-06, Item nos. 2-4 are still needed and retained per DAO 2018-16, Item no. 5 was also clarified, and Item nos. 6 & 7 were added.

Fees and Charges

- *Do we collect forest charges for DPWH permits?*

Yes. If the trees to be cut are naturally grown trees, then forest charges shall still be collected.

- *Do we collect inspection fee in the inventory of private lands?*

Inventory of private lands registered under DAO 2020-18 is free of charge.

- *Under SPLTP, the Benguet pine is treated as premium. However, in forest charges, it is under softwood. Can we collect the forest charges for Benguet Pine as premium instead of softwood?*

Benguet Pine is considered under premium species. Kindly refer to Section 8 of DAO 2021-11.

- *Are policies regarding the collection of fees on registration of private tree plantations be repealed by the recent DAO 2020-18?*

Any provisions inconsistent in the DAO 2020-18 are repealed.

- *Do we collect forest charges on trees covered by DAO 2018-16 and 2020-06?*

There is no exemption in the payment of forest charges, regardless of what the application is about, who is applying and how many trees to be cut are being applied, except that the trees should be naturally growing. If the trees evaluated by the DENR under a DPWH project are planted, then there is no need to pay forest charges. Let us not confuse ourselves with the forest charges. If trees to be cut are naturally growing, forest charges apply. If trees to be cut are planted, no forest charges shall be collected.

Harvesting

- *Is there a specific duration/effectivity period for the issued cutting permit of planted trees?*

Duration of the cutting permit is dependent on the computed volume. Kindly refer to DAO 2000-21.

- *Do we allow newly registered tree plantations to immediately proceed to harvesting in just 1-2 months after registration?*

Yes, if the plantation is registered at the DENR office as CTPO/PTPOC/PTPR, but this is not encouraged.

- *What if the private plantation is not yet registered but they want to harvest it now, while the 3rd party plantation certifier is not yet in place?*

Please refer to Section 11 of DAO 2020-18 which states that during the period that there are no private third-party tree plantation certifiers, licensed and permanent foresters from the FMB and the DENR field offices shall certify the plantations free of charge.

- *Is a permit to cut – per DMO 1999-20 – not required for registered plantations of non-premium species?*

DMO 99-20 is already repealed by DAO 2020-18 since it is inconsistent with the provisions of the latter.

- *How can we deal with chainsaw use by the NGAs if ever it is unregistered?*

The tree cutting regulations are not silent as to the use of the chainsaws as there is a separate law and rules and regulations governing its use. The legal use of chainsaws is governed by Republic Act No. 9175 and its implementing rules and regulations known as DENR Administrative Order No. 2003-24. Please be reminded also that agencies of the government and government-owned and controlled corporations (GOCC) are authorized to own, possess, and use chainsaws per Section 6, item 6.6. of DAO No. 2003-24, if it should be used in some aspects of their functions.

- *How do we treat cutting applications for trees, planted or naturally grown, in a titled land which turned out to be within a forest or timber land?*

These are the circumstances that need to be verified first before issuing a tree cutting permit. That is why the applicant is required to provide an authenticated copy of the land title issued by LRA or Registry of Deeds to validate if the subject land is within A&D or Forestlands. Also, the DENR Field Offices, as well as the FMB, conduct GIS analysis of all trees subject of the cutting applications to make sure that the geographic coordinates of the subject land is indeed within the area being applied for.

Mangroves k

- *Do the new policies cover the cutting of mangrove trees affected by DPWH Projects given that the cutting of the same is prohibited under RA 7161 and PD 705? How about in private properties?*

No, the cutting of mangrove is strictly prohibited and could never be repealed or amended by a mere DAO only. If a government project traverses the mangrove area, an earth-balling permit is issued.

- *Pursuant to DAO 2021-11, we would like to clarify if clearance for Earth-balling of Mangrove Species from the Undersecretary for Field Ops is still necessary?*

Yes, the clearance is still necessary.

- *What is the necessary permit to be issued to standing dead mangrove trees within titled property?*

The cutting of standing dead mangrove trees is included in the prohibitions under RA 7161.

Plantation Registration

- *If a registered plantation was already utilized and then after a few years new seedlings have emerged – especially in case of Gmelina plantations – does the plantation need to be registered again?*

Yes, the plantation needs to be registered again as it will require another inventory of the species' composition in the private plantation.

- *What is the requirement for unregistered old private plantations?*

Unregistered old private plantations can be registered under DAO 2020-18. Said policy is silent in qualifying the status of the plantation, whether it is newly established, already established, or mature plantation.

- *Do we no longer entertain late registration of plantations?*

As per DAO No. 2020-18, it did not explicitly mention that the registration should only be done prior to the establishment of the plantation. Section 1(b) of DMO 99-20 encourages all private plantation owners to register their plantations, be it newly established, already established or mature plantation. As this is not inconsistent with the provisions of DAO No. 2020-18, therefore, it is still enforced.

- *How we can assist individuals occupying forest land areas and have private plantations, say, ranging from 5 to 100 trees? They want to cut for personal use, they don't have tenurial instruments.*

Please be informed that we cannot facilitate or provide assistance to this kind of activity. If they are developing and utilizing resources in forest lands without a valid contract/management agreement with the government, then they are illegally occupying the area. We cannot formulate a policy that will legalize these acts as these are punishable under PD 705.

We suggest that the DENR field offices strengthen their monitoring activities and continuously encourage the occupants to apply for a tenure. After all, the policy on institutionalizing and mainstreaming Environmental Law Enforcement and Protection Service (ELEPS) will soon be finalized and it will focus on addressing environmental problems like this. While waiting for the approval and promulgation of ELEPS, we maintain our position that illegal occupation of forest lands shall be penalized to the full extent of applicable laws.

- *Do we have to register backyard trees planted within private land containing only 10 to 20 trees?*

If the trees are located within private properties and you do not intend to engage in commercial plantation then DAO 2000-21 will apply if these trees are planted. However, if said trees are located within private properties and you intend to engage in timber production, then DAO 2020-18 will be followed.

Hence, if the private/titled land owner/s have to cut their planted trees and do not intend to enter into timber production business, they need to secure a PLTP/SPLTP. However, for those who intend to engage in timber production for commercial purposes, they need to register their plantation as Private Tree Plantation.

Policies Amended/Repealed

- *Is the DMO 99-20 still in effect pending the full implementation of DAO 2020-18?*

DMO 99-20 was repealed by DAO 2020-18. DAO 2020-18 was already effective last February 18, 2021.

- *Does DAO 2020-11 supersedes/repeals DAO 2000-21?*

Not entirely, it only repeals those trees that are naturally growing.

- *Does DAO 2021-11 automatically supersede the Memorandum of the Secretary dated December 9,2020 that all pending and new applications on the tree cutting permit along Cagayan and Upper Marikina River Basins shall be held in abeyance?*

No, said directive is still enforced, although there are provinces covering the Cagayan, Upper Marikina and Bicol River Basins that have already requested for the lifting of the said Memo dated December 9, 2020 in their respective areas, which were already granted by the DENR Secretary, such as the Province of Ifugao and Province of Aurora.

Powerlines/Energy Projects

- *Are cut/removed trees within power line corridors turned over to the DENR? Should replacement seedlings be required in the cutting and removal of trees within power line corridors?*

These are turned over to the local DENR office for proper disposition. DMO 2012-02 on seedling replacement does not yet include this provision and this can be considered in the amendment of the said policy.

Processing Time

- *What is the prescribed period for the processing of application in compliance to R.A. 11032, to wit: (a) Private Tree Plantation and (b) Naturally Growing Trees (STCP)?*

In the FMB, tree cutting applications are considered as complicated/complex cases. Taking into consideration the provisions of RA 11032, the prescribed processing period for tree cutting for naturally growing trees should be for a maximum of 20 working days per action officer or levels of signatories, with the exemption of NGAs identified in DAO 2020-06, which should be processed for a maximum of three days only, provided the documentary requirements submitted are complete. As for the private tree plantation, we can consider it as a semi-complicated/complex document and counted as 7 days.

- *Is it mandatory that cutting permit requests per DAO 2018-16 and 2020-06 be approved after 3 days?*

DAO 2020-06 explicitly states that the processing and approval of tree cutting permits under government priority projects should be for a maximum of three (3) days only. Since NGAs identified under DAO 2020-06 have projects that are of national significance, then the processing and approval process is improved.

Protected Areas/Tenured Areas/National Greening Program Sites

- *Does DAO 2021-11 include the cutting of planted trees within protected areas?*

DAO 2021-11 is for naturally growing trees found in forest lands and private lands. If the trees are located within the Multiple Use Zone of PAs, then it can be harvested provided that the DENR RED will issue the necessary clearance.

- *What is the safeguard for government-funded reforestation projects or NGPs in tenured areas?*

NGP plantations planted within tenured areas such as CBFMA can be harvested for as long as the establishment of NGP plantation is indicated in their revised Community Resource Management Framework (CRMF) and updated in their Five-Year Work Plan (FYWP). As such, the revision of CRMF and/or FYWP should be closely monitored by the DENR to ensure ecological integrity and sustainability of NGP sites.

- *Are trees planted within forestlands under NGP included in the cutting of planted trees under existing guidelines/regulations?*

Pursuant to DAO 2021-20, untenured forestlands with plantations established through government funds (e.g., NGP) shall be placed under any appropriate tenure instrument or management arrangement. Once a tenure instrument is issued, requirements stipulated in DAO 2020-18 shall apply.

- *How will we treat harvesting of trees within ISF which are already expired?*

Holder of an expired ISF is no longer qualified to harvest trees from the said program.

- *Is the cutting of naturally grown trees within IFMA areas now allowed under DAO 2021-11, contrary to the last sentence of Section 3 of DAO 2020-18?*

Trees to be cut in IFMA areas should be naturally growing.

- *An ISF holder with an unexpired tenure permit decided to convert his permit to CBFM which was materialized however upon his application for tree cutting permit instead of*

securing CBFM requirements for cutting permit he opted to apply for ISF cutting permit. Is the tree cutting permit application valid?

There are no more ISF as of record. If the area is already granted with a CBFMA, then the clearance to cut the trees will be processed and issued by the DENR Regional Executive Director, for naturally grown trees, or a tree plantation certifier, for planted trees.

Transport

- *How does the certification differ from the Self-Monitoring Form (SMF) issued to registered private tree plantation owners?*

Self-monitoring form will no longer be required for the transport of logs from registered plantations. SMF is for transport of planted trees/logs. The certification from 3rd party tree plantation will suffice for harvesting and transport documents.

- *If a certification is not anymore needed when logs and tree derivatives will be used only inside the landowners' private property, am I required to secure a certification for the remaining lumber that I will transport later?*

The movement of lumber from inside private lands shall be governed by DAO 1994-07 or Guidelines Governing the Issuance of Certificate of Origin for Lumber and Non-Timber Forest Products.

Please be advised that DAO 2020-18 states that logs and tree derivatives which will only be used inside the landowner's private property shall not be required to secure a Certification.

- *Does DAO 2020-18 provide for the limitation on the volume of planted trees subject for transport?*

Limiting the volume of planted trees to be transported shall be the responsibility of the third-party certifiers to evaluate as this should be reflected in the transport certificate that will be issued to the private property landowner. Inventory shall be conducted by the third-party certifier prior to the harvest of planted trees.

- *In the absence of accredited private forester/s in our area, who will issue the transport permit (SMF) for private tree plantation?*

Per DAO 2020-18, SMF is no longer needed. The policy states that if the plantation is registered, you will only need to have it certified by a tree plantation certifier to harvest and transport it. No separate requirements for transport. The DENR shall issue the certification in case there are no accredited forest certifiers yet.

- *Can private individuals use the clearance given to the DPWH in the issuance of transport permits in case their backyards were covered by road widening projects?*

No, permits issued to DPWH for the fulfillment of their mandate can only be used by them. If there is a part of your property that has been expropriated due to road widening, then it's the DPWH that should have negotiated with the property owner on the cutting activity. Even so, the transport of logs should be carried out by the DPWH as it will be turned over to the nearest DENR field office.

Trees Posing Danger/Salvaged Trees

- *Do we need to apply for tree cutting permit for trees near houses that may cause destruction to the house if typhoons will come?*

This should be validated by the nearest DENR field office if the trees will indeed pose danger to your property. The DENR issues a tree cutting permit if the findings are valid and the application documents are complete.

- *What permit should be given to naturally grown trees posing danger?*

Guidelines on the cutting of naturally growing trees are prescribed under DAO 2021-11. The approving authority in DAO 2016-07 was already repealed with the approval of DAO 2021-11.

- *For planted trees within residential areas that pose danger to lives and properties, could the issuance of cutting permits be delegated to CENRO level with a given maximum number of trees?*

No, cutting permits for planted trees within private lands are still issued by the concerned DENR Regional Executive Director per DAO 2016-07. This suggestion will be noted for future policy improvements.

- *Do we still require an ECC/CNC for 1 hazardous tree planted within titled property?*

No, please bear in mind that ECC/CNC is dependent on the significant impacts of a particular activity in the area.

- *Can trees hit by strong winds be issued with certificate of verification within the province?*

Trees that were felled due to strong typhoons should be applied with a tree cutting permit under DAO 2000-21 if these trees are within private lands and not intended for commercial production. If trees are felled due to typhoons and these are from private plantations, then it is clear in DAO 2020-18 that there is no need for COV, only a certification from the third-party certifier. COV is only applicable if the logs/lumber/other forest products will be derived from planted trees within private lands which is already repealed by DAO 2020-18 (at least for logs).

- *Do we have guidelines for slicing salvaged trees within private lands and along rivers?*

Yes, we do have a policy on wood recovery (DAO 2000-78) but it is still suspended as of the moment.

Tree Inventory

- *As to the sampling intensities for the tree inventory requirement, what are as considered timber trees? Is it 15 centimeters DBH and above?*

Trees are those that have 15 cm dbh and above. You may refer to the DENR Memorandum Order No. 08, series of 1991 on the procedures and measurement standards particularly on measurements of diameter at breast height/diameter above buttress (DBH/DAB) of a tree and its corresponding merchantable height. You may also check the FMB Technical Bulletin No. 3 where you may find the DBH/DAB classes.

- *Is the inventory of the planted trees within private lands still required prior to cutting?*

The inventory is still required prior to getting a clearance from the RED to determine the species and volume of planted trees to be cut.

- *Is a private forester not required in the timber inventory of natural grown trees in private land?*

Yes, only the CENRO/Implementing PENRO is allowed to conduct an inventory for naturally grown trees. DAO 2021-11, Section 5, does not mention the inclusion of a private private forester in the inventory team. As such, the team shall be composed of DENR personnel who shall submit a subscribed and sworn report for the evaluation of the cutting request.

- *Is ground validation/verification inventory no longer required prior to issuance of registration?*

Though it was not explicitly mentioned under Section 6 of this DAO 2020-18, Annex B or the Private Tree Plantation Registration covers information on the total lot area, tree species to be planted/planted, total lot area to be devoted to plantation and the specific location of the plantation, therefore, the concerned CENRO/Implementing PENRO shall need to verify this information on the ground before the plantation can be registered.

- *Is timber inventory still required in government projects as per DAO No. 2020-06?*

Timber inventory is still needed and government agencies covered by DAO 2020-06 do submit tree inventories to the DENR. Tree inventory is the basis in

the issuance of tree cutting permits particularly in the determination of net harvestable volume and type of species, and computation of forest charges.

Tree Plantation Certifier (DENR Certifiers during Transitory Period)

- *While waiting for the third-party certifier, do foresters working in the DENR need certification fee?*

No, foresters working in the DENR may certify planted trees upon the issuance of a Regional Special Order authorizing them to certify such trees.

- *Do we allow foresters with expired PRC license to conduct certification?*

No, certifiers should be registered foresters with up-to-date licenses.

- *Do we allow extensions officers and other job orders to conduct certification?*

No, certifiers should be permanent employees of the DENR.

- *Pending the training of accredited foresters by FMB, is DAO 2020-18 on hold?*

No, Kindly note that Section 11 of DAO No. 2020-18 states that during the period that there are no private third-party tree plantation certifiers, licensed and permanent foresters from the FMB and the DENR Regional Offices shall certify plantation developers, free of charge.

- *Are DENR certifiers on official time when conducting tree plantations inventory and verification?*

In the meantime, that we do not have an approved guideline yet for third party certifiers, we highly advise that the inventory of plantation be conducted during official office hours for proper monitoring and immediate accounting of inventoried trees. In case this cannot be avoided, permanent and licensed (unexpired Forester license) DENR officers can conduct the inventory during the weekend, provided they'll be issued with an official travel order and a report shall be prepared immediately upon return to station.

- *Should the field offices buy new instruments or devices for the certification?*

Not necessary since this is only transitory. The DENR has previously allocated funds for procurement of GPS receivers, etc. and you may borrow from other sections/divisions. The DENR Field Offices may procure inventory tools and equipment, subject to availability of funds from their office.

- *Do we conduct site visits even if community quarantine is in effect?*

Yes, but safety protocols of the IATF should be followed. Note that you can only conduct certification in the area of your jurisdiction so travelling to different provinces/regions is minimized.

- *Where do field offices get the budget for the conduct of tree plantation certification by our field foresters?*

You may get it from the 10% Project Monitoring & Supervision funds.

- *Are we going to require the tree plantation developer to pay admin fees (e.g., inventory fee, certification, oath fees)?*

The certification is free of charge; hence, no admin fees shall be collected.

Tree Plantation Certifier (Third-Party Certifiers)

- *What are the documentary requirements and the steps in the accreditation process of the third-party tree-plantation certifier? When is its validity?*

The FMB is currently formulating the guidelines on the accreditation process of the third-party tree plantation certifier.

- *Why is there a need for third party certification and this entails payment which is a burden to the applicant?*

This is to streamline the process in the issuance of tree cutting permits. In the long run, this certification process by third-party plantation certifiers will be cost-efficient.

- *What will happen if after a year from the date of the issuance of such an Order, still there are no accredited third-party tree plantation certifiers, are licensed and permanent foresters of the CENRO still be allowed to certify?*

Yes.

- *Under DAO 2020-18, who will issue the accreditation of the certifier?*

The DENR shall issue the accreditation and/or recognition of third-party certifiers.

Tree Plantation Definition

- *How many trees is considered a plantation?*

We define plantation as those trees with uniform height, species and spacing that will be harvested for commercial purposes. The plantation should support or supply the demands of the market.

- *Could we have minimum numbers of planted trees in order to be considered as a plantation?*

No need to qualify the number of trees to be considered as a plantation. If private owners do not intend to engage in timber production, they can do so, for as long as they apply for a tree cutting permit per DAO 2000-21. Plantation should always be remembered with a phrase "timber production/commercial purposes."

- *If there are 3 planted trees in the backyard, will I still need a request to cut from the Regional Office?*

Yes, private landowner shall apply for appropriate tree cutting permit pursuant to Memorandum Order No. 74 dated Feb 5, 2013.

Wood Processing

- *It was mentioned that lumber is an exception of the tree derivatives which will require CENRO or implementing PENRO certification. Can we clarify this considering tree farmers have the capacity of producing chain-sawn lumbers?*

Registered chainsaw users are only required by law (RA No. 9175) to cut standing trees. Chainsaws cannot be used to process the logs as there will be a large volume of wastes and trimmings. If tree farmers want to convert it into lumber, they shall be required to contract it with Wood Processing Plant permit holders or if they want to personally do it, they shall need to apply for a WPP permit.

- *Under Sec. 7 of DAO 2020-18, private landowners with registered tree plantations are allowed to apply and establish their own WPP. Will the requirement for a five (5)-year supply of raw materials be still required from them?*

Yes. The five-year supply of raw material is required under WPP permit, no exemption per DAO 2021-05. This was also clearly stated in Executive Order No. 23.

- *Can other individuals with SPAs from the private landowners with registered tree plantations be allowed to apply and establish WPPs?*

Yes, it can be allowed per Section 6(6.1), sub-item d of DAO 2021-05 provided it answers what it stated in the specific provision where authorization issued by the Corporation, Partnership or Association in favor of the person signing the application is part of the documentary requirement to be submitted.

- *Should the WPP has to be established within the land covered by the registered private tree plantation?*

If you prefer to establish your WPP in public forest lands, but you do not have a valid tenure, then it can never be authorized because only land tenure instrument holders can establish a WPP within the area of their tenure agreement. The same goes with registered private tree plantation owners who intend to put up a Wood Processing Plant to promote vertical integration. If the WPP is to be located within their private property, then they will only need to apply for the WPP permit, no need to apply for a tenure arrangement.

Policy Recommendations

- Download the authority to issue Tree Cutting Permit at the CENRO level.
- Specific to DAO 2020-18:
 - Checklist of requirements and the corresponding procedure on how to accredit interested part/ies.
 - The landowner should still secure a permit for monitoring purposes only or require the plantation owner to submit a monthly report to the CENRO/Implementing PENRO to monitor the volume harvested within the registered plantation
 - A line/row be added in the Transport Certificate (Annex A) to be issued specifically for the total volume of trees to be transported and the remaining balance, if there is any.
 - Include Certificate of Good Standing issued by SFFI in the accreditation requirements.
 - Mitigation/preventive measures against switching of loads to include natural grown species, including liability of certifier, if any.
 - Mitigation/preventive measures against transit of “additional” timber not included in the inventory, including liability of certifier, if any.
 - If licensed foresters newly retired from the DENR can become certifiers.
 - If government employed foresters can also be certifiers.
- Specific to DAO 2021-11:
 - Template for the Utilization Plan for the issuance of cutting permits for naturally grown trees