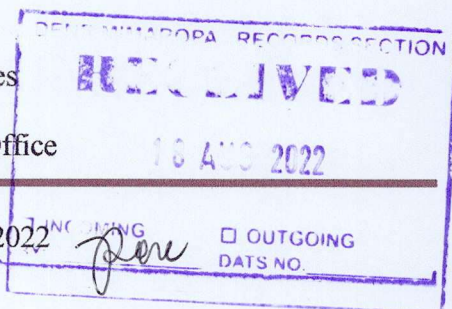




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office



August 16, 2022

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

THRU : The Assistant Regional Director
for Technical Services

FROM : The In-Charge
PENRO, Oriental Mindoro

SUBJECT : **REFERENCE NO. ACK20220720-02 RE: ILLEGAL CUTTING
OF A FULL GROWN HUNDRED-YEAR OLD ACACIA TREE IN
FRONT OF MUNICIPAL HALL OF BACO, ORIENTAL
MINDORO**

Forwarded is the Memorandum dated August 8, 2022 from CENRO Socorro together with the investigation report regarding the above-mentioned subject.

Be informed that CENRO Socorro found out that the cutting of a full-grown acacia trees was cut/felled by ORMECO in accordance with RA 11631 or "*An Act ensuring the continuous and uninterrupted transmission and distribution of electricity and the protection of the integrity and reliability of power lines and providing penalties for violations thereof*". Based on records, the said trees were covered by Special Tree Cutting Permit No. DENR MIMAROPA Region-2018-003 issued to DPWH-MODEO in year 2018. Further, the trees cut are within the 3-meters power line corridor and therefore considered as power line obstruction.

Consequently, CENRO Socorro had conducted technical conference with ORMECO and Municipal Mayor of Baco and further discussed that coordination/arrangement with CENR Office when conducting cutting tree activities shall be done to avoid this kind of incident in the future. Likewise, replacement of trees pursuant to DENR Memorandum Order No. 2012-02 as commitment to National Greening Program and climate change mitigation and procedure on logs disposal for public infrastructure were also tackled and discussed.

Moreover, Mr. Jaime John Lutero, the complainant, was already informed of these findings as per attached letter dated July 22, 2022 from CENRO Rodel M. Boyles.

For information, records and reference.


ALMA E. GIBE

Tracking Nos.: 2208000335

TSD/RPS/Dhal

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006

Keyin



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

August 8, 2022

MEMORANDUM

FOR : The Regional Executive Director
1515 & S Bldg. Roxas Boulevard, Ermita, Manila

THRU : The PENR Officer
Calapan City, Oriental Mindoro

FROM : The CENR Officer

SUBJECT : **REFERENCE NO. ACK20220720-02 RE: ILLEGAL CUTTING OF A FULL GROWN HUNDRED-YEAR OLD ACACIA TREE IN FRONT OF THE MUNICIPAL HALL OF BACO, ORIENTAL MINDORO**

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	AUG 15 2022
TIME:	

This is in reference to the emailed letter of Mr. Jaime John Lutero sent on 19 July 2022 involving the alleged illegal cutting of a full grown hundred year old acacia tree in front of the municipal hall of Baco, Oriental Mindoro.

In line with this, the following are our findings and the action/s we have pursued, to wit:

FINDINGS

A team of this office conducted an investigation on the aforementioned subject and the salient findings are as follows:

1. In coordination with ORMECO-Construction and Maintenance Division, Consumer Welfare Development Officer (CWDO), Mr. Charlemagne Darwin G. Peraja, it was discovered that there were two (2) reasons why said event had transpired:
 - 1.1 The problem in the power supply or frequent power interruptions in the province is caused by the unpredictable damage of the power lines including that which is in front of the Baco Municipal Hall. Hence, the five (5) Acacia trees were cut/felled by the line maintenance crew pursuant to Republic Act 11361, "An Act ensuring the continuous and uninterrupted transmission and distribution of electricity and the protection of the integrity and reliability of power lines and providing penalties for violations thereof," otherwise known as the "Anti-Obstruction of Power Lines Act"; and



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

- 1.2 Based on the records of this office, the said trees were covered by Special Tree Cutting Permit No. DENR MIMAROPA Region-2018-003 issued to DPWH-MODEO back in 2018.
2. The team verified the location of the said Acacia trees which are well within the three (3) meters power line corridor and therefore considered as power line obstruction. The logs were deposited in the Municipal hall compound with a total volume of more or less ten (10) cubic meters and subject for disposal of this office; and
 3. The Acacia trees were neither registered as Centennial trees in this office nor there is a pending request for the assessment of the said trees.

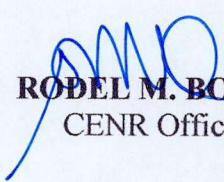
ACTION TAKEN

On 22 July 2022, this office had a Technical Conference with the concerned ORMECO personnel and the Municipal Mayor of Baco, Hon. Allan Roldan, and discussed the following:

1. For monitoring purposes, arrangement/coordination in the conduct of cutting of trees particularly those within the power lines to avoid this kind of incident in the future;
2. Replacement of the trees pursuant to DENR Memorandum Order No. 2012-02 or the "*Uniform Replacement Ratio for Cut or Relocated Trees*," and other possible projects between and among DENR-CENRO Socorro, LGU Baco, and ORMECO as a commitment to national greening program and climate change mitigation; and
3. Procedure of this office in the disposal of logs or lumbers for public infrastructure or projects.

Attached are investigation report, letter to Mr. Jaime John Lutero, geo-tagged photos, letter to the DPWH represented by Engr. Nestor L. Del Rosario and Special Tree Cutting Permit No. DENR MIMAROPA Region-2018-003 signed by OIC, Regional Director, Natividad Y. Bernardino and letter to Area Services Manager of ORMECO, Engr. Michael Guico, Foreman ORMECO Baco, Danilo Caguete and Municipal Mayor, Hon. Allan A. Roldan.

For information and record.


RODEL M. BOYLES
CENR Officer



July 21, 2022

MEMORANDUM

FOR : The CENRO

FROM : The MES Personnel

SUBJECT : **ILLEGAL CUTTING OF A FULL GROWN HUNDRED YEAR OLD ACACIA TREE IN FRONT OF THE MUNICIPALITY OF BACO, ORIENTAL MINDORO**

BACKGROUND

This pertains to the complaint of a certain Jaime John Lutero lodge thru DENR Action center/hotline. Please be informed that the undersigned conducted investigation on July 20, 2022.

FINDINGS


The salient findings are the following:

1. In our coordination with ORMECO-Construction and Maintenance Division, Consumer Welfare Development Officer (CWDO), Mr. Charlemagne Darwin G. Peraja, he said that because of the problem in the power supply in the province it leads to the unpredictable damage of the power lines including the power line in front of the Baco Municipal Hall wherein there were five (5) Acacia trees cut/felled by the line maintenance crew. The crew cut the trees in line with RA 11361 "*An Act ensuring the continuous and uninterrupted transmission and distribution of electricity and the protection of the integrity and reliability of power lines and providing penalties for violations thereof*".
2. We verified the location of the trees. The Acacia trees are within the three (3) meters exclusion zone and considered as power line obstruction. The logs were deposited in the Municipal hall compound with a total volume of 12.47 cubic meters and subject for disposal of this office.
3. The Acacia trees were not registered as Centennial trees in this office nor have no pending request for the assessment of the said trees.

RECOMMENDATION

This office will conduct Technical Conference with the ORMECO concerned personnel and Municipal Mayor, Allan Roldan of LGU of Baco.

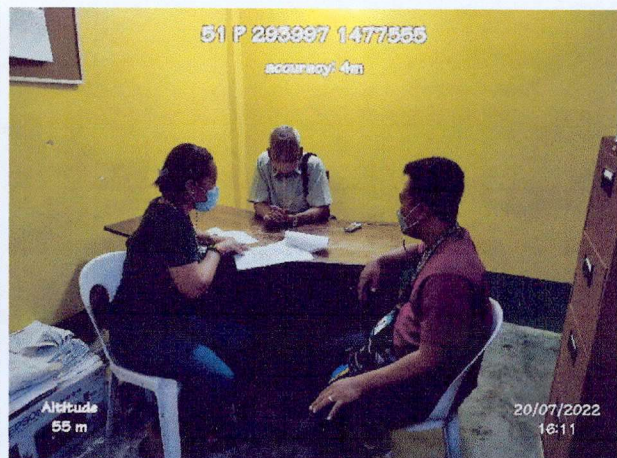
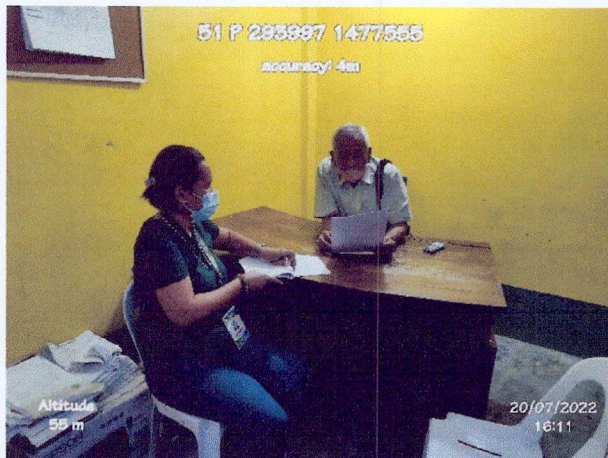
For information and further instruction, if any.


LEONIDA A. MINDAROS
Forester II


KEVIN L. CORPUZ
Forester I



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office



Geo-tagged pictures taken during the coordination with Supervisor Ed Aceveda of ORMECO Baco, Oriental Mindoro



Geo-tagged pictures of the Rain Tree (Acacia) logs derived from the trees cut in front of Municipality of Baco, Oriental Mindoro



22 July 2022

Mr. Jaime John Lutero
jaimejohnlutero@gmail.com

Dear Mr. Lutero,

**RE: Illegal Cutting of a Full Grown Hundred-Year-Old Acacia Tree
in Front of the Municipal Hall of Baco Oriental Mindoro with
Reference No. ACK20220720-02**

Greetings!

This is in reference to the email you sent on 19 July 2022 involving the alleged illegal cutting of a full grown hundred year old acacia tree in front of the municipal hall of Baco, Oriental Mindoro.

In line with this, I would like to inform you of our findings and the action/s we have pursued, to wit:

FINDINGS

A team of this office conducted an investigation on the aforementioned subject and the salient findings are as follows:

1. In coordination with ORMECO-Construction and Maintenance Division, Consumer Welfare Development Officer (CWDO), Mr. Charlemagne Darwin G. Peraja, it was discovered that there were two (2) reasons why said event had transpired:
 - 1.1 The problem in the power supply or frequent power interruptions in the province led to the unpredictable damage of the power lines including that which is in front of the Baco Municipal Hall. Hence, the five (5) Acacia trees were cut/felled by the line maintenance crew pursuant to Republic Act 11361, "*An Act ensuring the continuous and uninterrupted transmission and distribution of electricity and the protection of the integrity and reliability of power lines and providing penalties for violations thereof,*" otherwise known as the "*Anti-Obstruction of Power Lines Act*"; and
 - 1.2 Based on the records of this office, the said trees were covered by Special Tree Cutting Permit No. DENR MIMAROPA Region-2018-003 issued to DPWH-MODEO back in 2018.



2. The team verified the location of the said Acacia trees which are well within the three (3) meters power line corridor and therefore considered as power line obstruction. The logs were deposited in the Municipal hall compound with a total volume of more or less ten (10) cubic meters and subject for disposal of this office; and
3. The Acacia trees were neither registered as Centennial trees in this office nor there is a pending request for the assessment of the said trees.

ACTION TAKEN¹

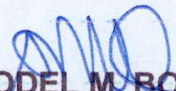
On 22 July 2022, this office had a Technical Conference with the concerned ORMECO personnel and the Municipal Mayor of Baco, Hon. Allan Roldan, and discussed the following:

1. For monitoring purposes, arrangement/coordination in the conduct of cutting of trees particularly those within the power lines to avoid this kind of incident in the future;
2. Replacement of the trees pursuant to DENR Memorandum Order No. 2012-02 or the "*Uniform Replacement Ratio for Cut or Relocated Trees*," and other possible projects between and among DENR-CENRO Socorro, LGU Baco, and ORMECO as a commitment to national greening program and climate change mitigation; and
3. Procedure of this office in the disposal of logs or lumbers for public infrastructure or projects.

I hope I was able to provide a clarification on what had happened.

Thank you for your concern and God bless!

Yours in conservation of the environment,


RODEL M. BOYLES
CENR Officer

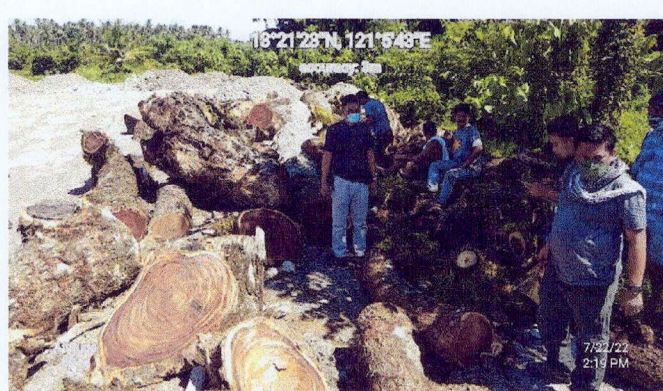
¹ Photos of the said Technical Conference are hereto collectively attached as Annex "1".



Technical Conference at the Office of the Mayor of Baco on 22 July 2022 with participants, to wit: (a) DENR-CENRO Socorro as headed by CENR Officer Rodel M. Boyles; (b) Mayor Roldan of Baco; and (c) ORMECO personnel.



Inspection of the vicinity and the cut/felled Acacia trees





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION

Community Environment and Natural Resources Office
Pasi, Socorro, Or. Mindoro

DENR-MODEO-CALAPAN CIT	
RECEIVED	
DATE: 2/20/16	# 410
BY: [Signature]	

15 February 2018

DEPARTMENT OF PUBLIC WORKS & HIGHWAYS
MINDORO ORIENTAL DISTRICT ENGINEERING OFFICE
Represented by Engr. Nestor L. del Rosario
Brgy. Masipit, Calapan City, Oriental Mindoro

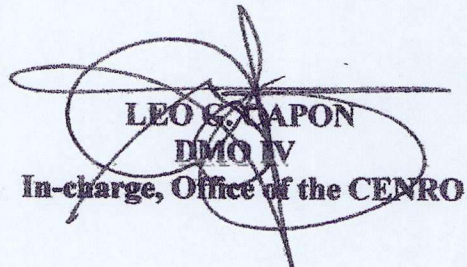
Dear Engr. Del Rosario,

Attached herewith is the approved Special Tree Cutting Permit No. DENR-IV-MIMAROPA REGION-2018-003 issued by OIC Regional Director Natividad Y. Bernardino to cut Seven Hundred Five (705) trees along the National Highway of the Municipalities of Puerto Galera, San Teodoro, Baco and Calapan City, Oriental Mindoro.

Per stipulated condition under Item No.6 of this permit, you are required to replace each tree to be cut with at least one hundred (100) seedlings, all preferably indigenous species with at least one (1) meter in height to be planted by you in close coordination with this Office in support to the National Greening Program (NGP) and Climate Change initiatives of the government.

Relative to this, please observe strictly other conditions as stated in the said permit.

Very truly yours,


LEO S. CAPON
DMO IV
In-charge, Office of the CENRO



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION

Community Environment and Natural Resources Office
Pasi, Socorro, Or. Mindoro

DENR-MODEO-CALAPAN CIT	
RECEIVED	
DATE: 2/20/18	# 410
BY: [Signature]	

15 February 2018

**DEPARTMENT OF PUBLIC WORKS & HIGHWAYS
MINDORO ORIENTAL DISTRICT ENGINEERING OFFICE**

Represented by Engr. Nestor L. del Rosario
Brgy. Masipit, Calapan City, Oriental Mindoro

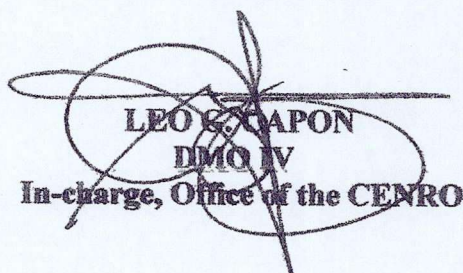
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Per stipulated condition under Item No.6 of this permit, you are required to replace each tree to be cut with at least one hundred (100) seedlings, all preferably indigenous species with at least one (1) meter in height to be planted by you in close coordination with this Office in support to the National Greening Program (NGP) and Climate Change initiatives of the government.

Relative to this, please observe strictly other conditions as stated in the said permit.

Very truly yours,


LEO S. OAPON
DMO IV
In-charge, Office of the CENRO



1515 L & S Building Roxas, Boulevard, Ermita, Manila

SPECIAL TREE CUTTING PERMIT
NO. DENR MIMAROPA REGION-2018-003

Pursuant to P.D. 705, as amended, and existing forestry laws, rules and regulations, a **Special Tree Cutting Permit** is hereby granted to:

DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS- MINDORO ORIENTAL
DISTRICT ENGINEERING OFFICE (DPWH-MODEO) MIMAROPA REGION
REPRESENTED BY ENGR. NESTOR L. DEL ROSARIO
CONCEPCION T. HERNANDEZ
for the Project

CALAPAN SOUTH ROAD (CSR) AND MINDORO ORIENTAL/
OCCIDENTAL EAST COASTAL ROAD (MOOECR) PROPOSED FOR
OFF CARRIAGEWAY IMPROVEMENT AND ROAD WIDENING

located at

Municipalities of Puerto Galera, San Teodoro, Baco and Calapan City, Oriental Mindoro

subject to the following conditions:

1. The trees requested for removal shall be incorporated in the design of the road to be constructed/upgraded, to the extent possible, to minimize loss of trees;
2. Maximum of only seven hundred five (705) trees, as verified by CENRO Socorro shall be authorized to be cut, as specified below;

SPECIES	NO. OF TREES INVENTORIED	GROSS VOLUME (cu.m.)	NET VOLUME (cu.m.)	SPECIES	NO. OF TREES INVENTORIED	GROSS VOLUME (cu.m.)	NET VOLUME (cu.m.)
Mahogany	74	11.76	8.23	Langka	8	0.97	0.68
Acacia	62	17.31	12.12	Camatchille	3	0.31	0.22
Batino	62	7.10	4.97	Guyabano	1	0.06	0.04
Talisay	12	1.58	1.11	Mango	74	9.78	6.85
Antipolo	8	2.03	1.42	Indian Tree	4	0.63	0.44
Santol	3	0.80	0.56	Fire Tree	40	6.87	4.81
Narra	62	10.54	7.38	Sampalok	2	0.73	0.51
Ipil-ipil	2	0.25	0.18	Buboy	1	0.88	0.62
Gmelina	254	39.27	27.49	Bungliw	1	0.21	0.15
Eucalyptus	6	1.66	1.16	Bangkal	12	3.77	2.64
Mangium	1	0.18	0.13	Binunga	2	0.14	0.10
Baobab	1	0.02	0.01	Ilang-ilang	1	0.18	0.13
Rambutan	1	0.04	0.03	Dita	4	0.74	0.52
Caimito	3	0.89	0.62	Anabiong	1	0.09	0.06
TOTAL					705	118.79	83.15

3. The trees cut and parts thereof shall be turned-over to the nearest DENR Office for proper disposition based on existing guidelines;
4. Issues that will arise from the tree cutting should be addressed directly by the permittee;
5. Prior to tree cutting operations, a placard or signboard measuring 4' x 8' shall be installed within the cutting area informing the public that the tree cutting operation is authorized by the DENR and indicating the name of the of permittee, the purpose of tree cutting and the number of trees to be cut;



MIMAROPA REGION

1515 L & S Building Roxas, Boulevard, Ermita, Manila

**SPECIAL TREE CUTTING PERMIT
NO. DENR MIMAROPA REGION-2018-003**

Pursuant to P.D. 705, as amended, and existing forestry laws, rules and regulations, a **Special Tree Cutting Permit** is hereby granted to:

**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS- MINDORO ORIENTAL
DISTRICT ENGINEERING OFFICE (DPWH-MODEO)
REPRESENTED BY ENGR. NESTOR L. DEL ROSARIO**

for the Project

**CALAPAN SOUTH ROAD (CSR) AND MINDORO ORIENTAL/
OCCIDENTAL EAST COASTAL ROAD (MOOECR) PROPOSED FOR
OFF CARRIAGEWAY IMPROVEMENT AND ROAD WIDENING**

located at

Municipalities of Puerto Galera, San Teodoro, Baco and Calapan City, Oriental Mindoro

(continuation...)

6. Pursuant to Memorandum dated 20 October 2011 of the Executive Secretary re: "Proposed Additional Exemptions under "Similar Activities" of Section 2, Item 2.2 of Executive Order No. 23 (S. 2011)", the permittee is required to replace each tree to be cut with at least one hundred (100) seedlings, all preferably indigenous species with at least one (1) meter in height to be planted by the permittee in close coordination with DENR MIMAROPA Region in support of National Greening Program (NGP) and Climate Change initiatives of the Government;
7. The tree cutting operations shall, at all times, be under the direct supervision of the PENRO Oriental Mindoro, or duly authorized representative(s);
8. The permittee shall be required to undertake measures during and after tree cutting operations to mitigate the possible impacts of the said activity to the locality and the environment; and
9. Violation of any of the terms and conditions of the permit to be issued shall be sufficient ground for the termination/cancellation of this permit, subject to due process without prejudice to the imposition of appropriate penalties pursuant to existing regulations, and one strike policy to concerned DENR official(s) and/or personnel(s).

This permit is effective on the date of issue and expires **one hundred fifty (150) days** from issuance hereof or as soon as the authorized number of trees had already been cut, whichever comes first.

Issued this FEB 05 2018, at DENR MIMAROPA Region, Roxas Boulevard, Ermita, Manila.

By the Authority of the Secretary:



Department of Environment
and Natural Resources
REGION 4B



NATIVIDAD Y. BERNARDINO
OIC, Regional Director



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

July 21, 2022

ENGR. MICHAEL GUICO
Area Services Manager,
ORMECO

Dear Sir:

Greetings!

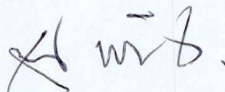
This pertains to a complaint lodge in this office thru 8888 hotline from a certain Jaime John Lutero regarding the cutting of full grown old Acacia Trees in front of Baco Municipal Hall.

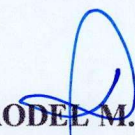
Relative thereto, may we respectfully invite you to seat on a technical conference preferably on July 22, 2022, 1:00 o'clock in the afternoon to be held at Baco Municipal Conference room.

Anticipating your usual kind consideration.

Thank you very much and more power.

Respectfully yours,


7.20.2022


RODEL M. BOYLES
CENR Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

July 21, 2022

MR. DANILO CAGUETE
Foreman
ORMECO, Baco, Oriental Mindoro

Dear Mr. Caguete:

Greetings!


This pertains to a complaint lodge in this office thru 8888 hotline from a certain Jaime John Lutero regarding the cutting of full grown old Acacia Trees in front of Baco Municipal Hall.

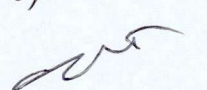
Relative thereto, may we respectfully invite you to seat on a technical conference preferably on July 22, 2022, 1:00 o'clock in the afternoon to be held at Baco Municipal Conference room.

Anticipating your usual kind consideration.

Thank you very much and more power.

Respectfully yours,


RODEL M. BOYLES
CENR Officer

07-20-22




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

July 21, 2022

HON. ALLAN A. ROLDAN
Municipal Mayor
Baco, Oriental Mindoro

Dear Mayor Roldan:

Greetings!

This pertains to a complaint lodge in this office thru 8888 hotline from a certain Jaime John Lutero regarding the cutting of full grown old Acacia Trees in front of Baco Municipal Hall.

Relative thereto, may we respectfully invite you to seat on a technical conference preferably on July 22, 2022, 1:00 o'clock in the afternoon. The undersigned along with other staff shall come to your office.

Anticipating your usual kind consideration.

Thank you very much and more power.

J. Roldan
J. Roldan
CHIEF OF STAFF
07/20/22

Respectfully,

RODEL M. BOYLES
CENR Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

July 21, 2022

MEMORANDUM

TO : The CENR Officer
CENRO Socorro

ATTENTION: The In-Charge,
Regulation and Permitting Section

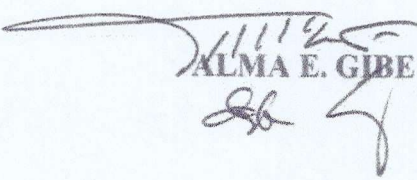
FROM : The In-Charge
PENRO Oriental Mindoro

SUBJECT : **REFERENCE NO. ACK20220720-02 RE: ILLEGAL CUTTING
OF A FULL GROWN HUNDRED-YEAR OLD ACACIA TREE IN
FRONT OF THE MUNICIPAL HALL OF BACO, ORIENTAL
MINDORO.**

Referred is the emailed message dated July 20, 2022 thru the Aksyon Kalikasan (aksyonkalikasan@denr.gov.ph) from Mr. Jaime John Lutero of Baco, Oriental Mindoro. An advance copy was sent thru your Office email address dated July 21, 2022.

Relative thereto, you are hereby instructed to conduct investigation on the matter in accordance with the laws, rules and regulations, and submit report to the Regional Office thru this Office for monitoring and records purposes, mentioning the Reference No. ACK20220720-02.

For immediate action and compliance.


ALMA E. GIBE

Tracking Nos.: 2207000634

TSD/RPS/Dhal