



May 23, 2023

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR by the Bay, L&S Bldg.,  
Roxas Boulevard, Ermita, Manila

**FROM :** The OIC, PENRO  
Oriental Mindoro

**SUBJECT :** **LETTER OF VICE MAYOR REYNALDO A. MARCO,  
MUNICIPALITY OF BACO, ORIENTAL MINDORO  
RE: SANGGUNIAN BAYAN RESOLUTION  
/KAPASYAHAN NO. 65-2023, REQUEST FOR THE  
NON- EXECUTION/IMPLEMENTATION OF THE  
TREE CUTTING PERMIT NO. DENR-CENRO-  
CENRO-SOCORRO-2023-001 OVER THIRTY EIGHT  
(38) TREES ALONG VILLAR AND LEUTERIO  
CERBULO STREETS, BARANGAY POBLACION,  
BACO, ORIENTAL MINDORO (E-2023-107570)**

In connection with the letter of Reynaldo A. Marco, vice mayor of municipality of Baco, Oriental Mindoro requesting for revocation of Approved Tree Cutting Permit No. 223-001, be informed that the CENRO Socorro cannot cancel the herein Approved Tree Cutting Permit since there is no violation as ground for cancellation of the said tree cutting permit.

Per scrutiny of the herein documents, it was disclosed that the Sangguniang Bayan Resolution No. 65-2023 is considered null and void for the fact that said SB Resolution is solely signed by the Vice Mayor without concurrence affirmation of the Sangguniang Bayan Officials (Please see attached copy).

Presently, the permittee had cut twenty six (26) trees of mahogany and Acacia species. Prior to cutting operations, a signage was installed within the cutting area and the proponent used a registered chainsaw in felling the standing



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Provincial Environment and Natural Resources Office

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trees. Moreover, the cutting operation was closely monitored by two (2) Forest Rangers assigned within the said patrol sector.

For your information and record.

  
ALAN VALLE







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

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENR TRACKING NO.	
RECEIVED BY:	<i>(Signature)</i>
DATE:	MAY 16 2023
TIME:	

May 10, 2023

## MEMORANDUM

**FOR** : The Regional Executive Director  
1515 L&S Bldg., Roxas Blvd., Ermita, Manila

**ATTENTION** : The OIC, Assistant Regional Director for Technical Services

**THRU** : The OIC, PENR Officer  
Suqui, Calapan City, Oriental Mindoro

**FROM** : The CENR Officer  
Socorro, Oriental Mindoro

**SUBJECT** : **LETTER OF VICE MAYOR REYNALDO A. MARCO, MUNICIPALITY OF BACO, ORIENTAL MINDORO RE: SANGGUNIANG BAYAN RESOLUTION / KAPASYAHAN NO. 65-2023, REQUEST FOR THE NON-EXECUTION/IMPLEMENTATION OF TREE CUTTING PERMIT NO. DENR-CENRO-SOCORRO-2023-001 OVER THRITY-EIGHT (38) TREES ALONG VILLAR AND LEUTERIO CERBULO STREETS, BRGY. POBLCION, BACO ORIENTAL MINDORO [E-2023-107570]**

This pertains to the above-mentioned subject received by this office on May 08, 2023 with an order to submit comments and recommendations on the matter within five (5) working days upon receipt thereof to serve as basis for further action.

Please be informed that this office stand by its decision and recommendation not to recall or cancel Tree Cutting Permit No. DENR-CENRO-Socorro-2023-00 because of the following reasons:

**First**, as explained in a Reply Letter to the 8888-Complaint of the Vice-Mayor's Office, Baco, Oriental Mindoro dated 28 March 2023, the Local Government Unit (LGU) of Baco, represented by Mayor Allan A. Roldan, complied with all the conditions set forth in the subject tree cutting permit hence, there is no ground to recall or cancel it.

*Copy of the said Reply Letter is attached hereto as Annex "A".*

**Second**, it should be emphasized that the SB Resolution/Kapasyahan No. 65-2023 invoked by the Vice-Mayor's Office, "asking for the deferment of the cutting permit until such time that the Sangguniang Bayan has concluded the presence of danger," is disputable.

The authority to determine presence of danger as regards issuance of tree cutting permit for trees posing danger to human lives, limbs and/or property in public places is well within



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the jurisdiction of the CENR Office and *not* with the Sangguniang Bayan. DENR Administrative Order No. 2022-10 or “Revised DENR Manual of Authorities on technical Matters,” provides that:

SUBJECT: LICENSES, PATENTS AND DEEDS		
Cutting/Harvesting Permits		
ACTIVITY	LIMITS OF AUTHORITY	APPROVING/ISSUING AUTHORITY
xxx		
4. Issuance of Tree Cutting Permit for trees posing danger to human lives, limbs and/or property in public places	Trees affected within plaza, public parks, school premises, or any other public places, or along common areas in subdivisions	<b>Community Environment and Natural Resources Officer (CENRO)</b> / PENRO in the case of implementing PENRO/RED in the case of NCR <sup>1</sup>
xxx		

In the situation at hand, it was confirmed by that the eight (8) pieces of Rain Tree (Acacia) and thirty (30) pieces of Mahogany are indeed posing danger to human lives, limbs and/or property leading to the issuance of Tree Cutting Permit No. DENR-CENRO-Socorro-2023-00.

It is also worthy to note that Kapasyahan No. 65-2023 was signed solely by Vice-Mayor Reynaldo A. Marco without concurrence of the municipal councilors.

**Third**, per Monitoring Report of the concerned personnel dated May 08, 2023, only twenty-six (26) were cut out of the thirty-eight (38) trees covered by permit. The remaining twelve (12) trees along the fence of Villar School were only trimmed due to the offsetting of involved project design.

*Copy of the said Monitoring Report is attached hereto as **Annex “B”**.*

**Finally**, the subject of this Memorandum has been accommodated and answered repeatedly by this office for numerous times. Yet, the issue on the involved tree cutting permit is unceasing as it is seemingly affected by political issues between the incumbent Mayor and Vice-Mayor of Baco, Oriental Mindoro.

For information, reference, and instruction, if any.

  
**RODELL M. BOYLES**

<sup>1</sup> Emphasis supplied.





Annex "CA"

28 March 2023

Vice-Mayor's Office  
Baco, Oriental Mindoro  
lgubaco@gmail.com

Greetings,

This pertains to the email you sent to DENR 888 Hotline received by this office on 27 March 2023 and documents you submitted on 23 March 2023.

Based on the foregoing, the factual circumstances are as follows:

1. On 21 March 2023, the Office of the Sangguniang Bayan of Baco, Oriental Mindoro promulgated *Kapasyahan Blg. 65-2023*, "Isang kapasyahan na humihiling sa punumbayan ng Baco Kgg. Allan A. Roldan na maipagpaliban ang pagputol sa tatlumpu't walong (38) puno sa kahabaan ng Villar Street at Leuterio Cerbulo Street, Barangay Poblacion, Baco, Oriental Mindoro," duly signed by **Vice-Mayor Reynaldo A. Marco** and **Hon. Clemen A. Bautista**;

The purpose of this resolution is to request for the deferment of the execution of **Tree Cutting Permit No. DENR-CENRO-Socorro-2023-001**;

2. In response thereto, Mayor Allan A. Roldan penned a **Letter** dated 22 March 2023 denying the request of Vice-Mayor Marco and Hon. Bautista unless a restraining order or recall of the Tree Cutting Permit is issued; and
3. This office received accordingly a **Letter from the Office of the Sangguniang Bayan of Baco** dated 23 March 2023 with the sole signature of Vice-Mayor Marco "requesting this office to defer or recall the mentioned Tree Cutting Permit";

As stated in the Letter of Vice-Mayor Marco addressed to this office:

xxx (T)he SB is hopeful that there is still a recourse to defer the cutting of the trees as purported herein, at least until such time that the SB has concluded the presence of danger in cutting all the **Thirty-Eight (38) trees** along the Villar Street and Cerbulo Street.<sup>1</sup> The reason therefor is anchored on the provision of the Local Government Code of 1991  
xxx

Copy of "Malasakit para sa Kalikasan Concerned Citizens Baco Oriental Mindoro" with signatures is also attached thereto.

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<sup>1</sup> Emphasis supplied



### DISCUSSION OF ISSUES AND EXPLANATION

This office received the **Letter Request** of Mayor Roldan on 02 February 2023 requesting for the issuance of Tree Cutting Permit as regards *planted* trees along Cerbulo Street and Villar Street in Baco, citing reasons below:

- a. The dried leaves and branches are falling and accumulated at the roof of RHU building and Gymnasium of Benito R. Villar Memorial School causing rusts to galvanized iron sheets;
- b. Major cracks on Portland Cement Concrete Pavement along Villar Street;
- c. An obstruction to the relocation of Old Municipal Building (Heritage);
- d. An obstruction to the proposed construction of drainage canal;
- e. An obstruction to the proposed construction of Gymnasium; and
- f. An obstruction to the electric transmission line.

The concerned personnel conducted investigation, inspection of the area, and inventory of the trees on 07 February 2023 – an indispensable procedure prior to the issuance of Tree Cutting Permit.

As a result thereof, it was confirmed that the eight (8) pieces of Rain Tree (Acacia) and thirty (30) pieces of Mahogany are indeed posing danger to human lives, limbs and/or property. This fact coupled with submission of all documentary requirements, are the bases for the issuance of Tree Cutting Permit No. DENR-CENRO-Socorro-2023-001 which, respectfully, is well within the authority and jurisdiction of this office.

DENR Administrative Order No. 2022-10 or “Revised DENR Manual of Authorities on technical Matters,” provides that:

SUBJECT: LICENSES, PATENTS AND DEEDS		
Cutting/Harvesting Permits		
ACTIVITY	LIMITS OF AUTHORITY	APPROVING/ISSUING AUTHORITY
XXX		
4. Issuance of Tree Cutting Permit for trees posing danger to human lives, limbs and/or	Trees affected within plaza, public parks, school premises, or any other public places, or along	Community Environment and Natural Resources Officer (CENRO) / PENRO in the case of



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property in public places	common areas in subdivisions	implementing PENRO/RED in the case of NCR <sup>2</sup>
xxx		

Since **Tree Cutting Permit No. DENR-CENRO-Socorro-2023-001** was issued in favor of the Local Government Unit (LGU) of Baco, represented by Mayor Roldan, and in compliance with law, **it cannot be recalled or cancelled simply without grave violation of the terms and conditions stated therein.**

For your reference, the following are expressly indicated in the said permit:

xxx

The chainsaw that will be used in the felling/cutting operations must be registered chainsaw issued by the DENR pursuant to Republic Act (RA) No. 9175 and its implementing rules and regulations under DENR Administrative Order (DAO) 2003-24 dated June 20, 2023;

Issues that will arise from the tree cutting should be addressed directly by the permittee;

Prior to tree cutting operations, a placard or signboard measuring 4'x8' 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 permittee, the purpos(e) of tree cutting and the number of tree to be cut;

Consistent with the Memorandum Order No. 2012-02 dated 05 November 2012 known as "Uniform Replacement Ratio for Cut or (R)elocated Trees", the permittee is required to replace each tree to be cut with fifty (50) seedlings or a total of one thousand nine hundred (1,900) seedlings, all preferably of indigenous species with at least one meter in height to be donated by the permittee to CENRO Socorro in support to the National Greening Program (NGP) and Climate Change initiatives of the Government.

xxx

**Per investigation and review of records, LGU Baco observed all the mentioned terms and conditions.**

**First, the chainsaw they are using in the felling/cutting operations are duly registered with this office.**

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<sup>2</sup> Emphasis supplied





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**Second**, a placard or signboard was installed in the cutting area for public information.

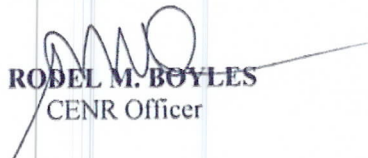
**Third**, LGU Baco donated 1,900 Narra seedlings and were duly received by this office on 21 February 2023.

**There being no violation, there is no ground to recall/cancel Tree Cutting Permit No. DENR-CENRO-Socorro-2023-001.**

This office greatly appreciates your concern and report. Rest assured that we are with you in protecting trees and forests more so, fighting against any environmental crimes.

We hope we are able to provide clarification on the matter.

Yours in conservation of the environment,

  
**RODEL M. BOYLES**  
CENR Officer





**Annex "B"**

May 8, 2023

**MEMORANDUM**

**FOR** : The CENR Officer

**THRU** : The Chief, MES

**FROM** : The Undersigned Personnel

**SUBJECT** : **MONITORING REPORT ON THE CUTTING OF MAHOGANY AND ACACIA TREES REQUESTED BY THE MUNICIPALITY OF BACO REPRESENTED BY MAYOR ALLAN ROLDAN LOCATED AT BACO, ORIENTAL MINDORO**

In connection with the above-cited subject, the undersigned personnel conducted monitoring and geo-tagging on the cutting of Mahogany and Acacia trees requested by the Municipality of Baco represented by Mayor Allan Roldan located at Baco, Oriental Mindoro.

During our monitoring from the thirty-eight (38) Mahogany and Acacia trees with cutting permit only twenty six (26) were cut. The remaining twelve trees along the fence of Villar School were not cut but trimmed which serves as shade of the school.

Attached are geo-tagged pictures during the cutting of said trees and approved cutting permit.

For his information and record

  
**ELICIO M. MONTERO**  
Forest Ranger

  
**ARNALDO M. PUDIQUET**  
Forest Ranger



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**Department of Environment and Natural Resources**  
MIMAROPA Region  
**Community Environment and Natural Resources Office**



Geo tagged pictures during the actual monitoring of cutting of 26 pieces of Mahogany and Accia (Rain tree).



## OFFICE OF THE SANGGUNIANG BAYAN

SINISIPI MULA SA KATITIRAN NG SANGGUNIANG BAYAN NG BACO, ORIENTAL MINDORO NA GINANAP NOONG IKA-21 NG MARSO, 2023 DITO SA SILID PULUNGAN NG BAYANG ITO. ANG PAGPUPULONG AY NAGSEMULA NG GANAP NA IKA-9:00 NG UMAGA.

### MGA DUMALO:

KGG. REYNALDO A. MARCO	Pangalawang Punongbayan Tagapangulo
KGG. ARLENE M. PERENA	Konsehal
KGG. JAY LORENCE C. NAJITO	Konsehal
KGG. SEVERINA B. JIMENEZ	Konsehal
KGG. VICTOR D. VALENZUELA	Konsehal
KGG. ARNEL A. ABARQUEZ	Konsehal
KGG. MARCIANO R. ICAL	Konsehal
KGG. LEONARDO L. DE OCAMPO	Konsehal
KGG. BENEDICTO D. MANIENTEN	LNB-Pangulo
KGG. FERDINANDO L. ABAT	DMR
KGG. CHRISTIAN DHARIEL A. ANDAL	SA Pederasyon-Pangulo

### HINDI NAKADALO:

HON. GONZALO D. HERNANDEZ	Konsehal
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### KAPASYAHAN BLG. 65- 2023

ISANG KAPASYAHAN NA HUMIHILING SA PUNUMBAYAN NG BACO KGG. ALLAN A. ROLDAN NA MAIPAGPALIBAN ANG PAGPUTOL SA TATLUMPUY WALONG (38) PUNO SA KAHABAAN NG VILLAR STREET AT LEUTERIO CERBULO STREET, BRGY. POBLACION, BACO, ORIENTAL MINDORO

**SAPAGKAT,** anin na araw ang nakalipas ng lumabas sa social media ang Tree Cutting Permit mula sa DENR CENRO-SOCORRO na naglalayong putulin ang tatlumpong (38) puno ng Mahogany at walong (8) puno ng Acacia sa kahabaan ng mga kalsada sa Brgy. Poblacion Baco, Oriental Mindoro.

**SAPAGKAT,** maraming mga kababayan natin ang nagpaabot ng kanilang mga hinang, sentimyento at pagkademaya sa layuning ito ng pamahalaan na putulin ang mga nasabing puno na anin'y parte na ng kasaysayan ng bayan.

**SAPAGKAT,** batid man natin ang pangamba ng ating punong bayan sa posibleng pangano na mairing maulolot nito, ay mas marami pa ding magandang benepisyo ang nakadulot ng mga punong ito sa ating mga mamamayan at kalsadan.

**SAPAGKAT,** ang kapukongang ito ay hindi humahadlang sa development ng ating bayan ngunit bilang sa sa mga tanggapang binatakonan ng mga hinang ng ating mga mamamayan ay nais din ng Sangguniang ito na pakinggan ang boses ng ating mga kababayan hinggil sa mga usaping ito.

Reynaldo A. Marco, Sangguniang Bayan, Brgy. 18, 2023

**SAPAGKAT**, ang buong Sangguniang Bayan ay nagkakamit na ang pagtatag ng mga punong nabanggit ay pansamantalang ipagpaliban at mapag-aralang muli sa pamamagitan ng pag-inspect ng ating MENRO at tukuyin kung ang talagang may mataas na tyansang magdulot ng panganib upang iyon lamang ang putulin at mai-considera na ita ang ibang mga puno.

Sa mungkahi ng Kgg. Jay Lorence C. Najito, na sinang-ayunan ng lahat ng gumagang Miyembro ng Sangguniang Bayan ay,

**IPINASIYA**, buod ng dito ay ginawang pagpapasiya na humiling sa Punumbayan ng Baco, Kgg. Allen A. Roldan na mapagpaliban ang Pagkukul sa tanumpu't walong (18) pundo sa kahabaang ng Villar Street at Leuterio Cerebulo Street, Brgy. Poblacion, Baco, Oriental Mindoro.

**GANAP NA PINAGTIBAY**

**PINATUTUNAYAN KO** ang kawastuan ng nasasaad na kapasiyahan.

  
**CLEMEN A. BAUTISTA**  
Kalihim ng Sangguniang Bayan

**PINATUNAYAN:**

  
**REYNALDO A. MARCO**  
Tagapangulo



In view of the foregoing premises, the Sangguniang Bayan is hereby advising to your office to defer the **TREE CUTTING PERMIT NO. DENR-CENRO-SCTORPO-2023-001**.

Thank you very much. The Sangguniang Bayan is appreciating the prompt and consideration on this matter.

Attached herein is the Letter from the Municipal Mayor, the Sangguniang Bayan Resolution No. 65-2023 and signature campaign of the concerned officials.

Respectfully yours,

The Sangguniang Bayan  
Baco, Oriental Mindoro

  
**REYNALDO A. PAREDO**  
City Mayor

**ARLENE M. PERERA**  
Councilor

**JAY LORENCE C. NAJITO**  
Councilor

**SEYRENA S. JIMENEZ**  
Councilor

**DIONISIO D. HERNANDEZ**  
Councilor

**VICTOR D. VALENZUELA**  
Councilor

**ARNEL A. ABARQUEZ**  
Councilor

**MARCIANO B. ECAL**  
Councilor

**LEONARDO L. DE OCAMPO**  
Councilor

**BENEDICTO G. MARQUEM**  
LDB President

**CHRISTIAN DANIEL A. ANDAL**  
LDB President

**FERDINANDO L. ABAT**  
LDB President