

**Memorandum Circular
No. 23
December 5, 1990**

TO: All Concerned

SUBJECT: Amending Section 1 of Memorandum Circular No. 5, Series of 1990, "Guidelines on the Cutting of Mangrove Tree Species Within Approved FLA Areas"

1. Section 1 of Memorandum Circular No. 05, Series of 1990, "Guidelines on the Cutting of Mangrove Tree Species within Approved FLA Areas" is hereby amended to read as follows:

The cutting of mangrove species, including nipa palm, within existing Fishpond Lease Agreement (FLA) areas is allowed pursuant to Sections 4 and 7 of DENR Administrative Order No. 15 dated February 01, 1990 subject to the following conditions:

- 1.1 No cutting of trees within duly approved FLA areas shall be allowed without the benefit of a cutting permit issued by the DENR;
- 1.2 The area to be cleared for fishpond development shall be part of the approved development plan for the FLA;
- 1.3 No cutting permit shall be issued if five (5) or more years have elapsed since the date of issuance of the FLA;
- 1.4 Buffer zones of mangrove forest 50 meters wide fronting the seas, oceans and other bodies of water and 20 meters wide on both sides of river channels/banks must be maintained and/or developed in and around fishpond areas pursuant to P.D. 705 and Ministry Administrative Order No. 42, Series of 1986;
- 1.5 Mangrove wood cut in FLA areas under a cutting permit shall be turned over to the DENR for disposition through public bidding, with the permittee/FLA developer having the right to equal the highest bid within three working days after the date of bidding;

- 1.6 An area equivalent to the aggregate area clear-cut under the permit shall be planted with mangrove species and maintained for three (3) years with eighty percent (80%) survival by the FLA developer at the FLA developer's expense; and
 - 1.7 Performance Bonds shall be put up by the permittee/FLA developer equivalent to the estimated value of the mangrove wood to be gathered and the estimated cost of reforestation and maintenance.
2. This Circular takes effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary