

**DENR Administrative Order
No. 2000- 21
February 28, 2000**

**SUBJECT : Revised Guidelines In The
Issuance Of Private Land Timber
Permit/Special Private Land
Timber Permit (PLTP/SPLTP).**

Pursuant to P.D. 705 as amended, E.O. 192 and in consonance with the policy of the State towards the sustainable development of natural resources as well as the recognition of the rights of private landowners, and consistent with the agricultural development program of the government and in order to supplement the source of log requirement of the wood industry, revised guidelines in the issuance of Private Land Timber Permit are hereby promulgated for the information and guidance of all concerned.

SECTION 1. Definitions - For the purpose of this Order, the terms enumerated hereunder shall be defined as follows:

- a) **Private Land Timber Permit (PLTP)** - a permit issued to a landowner for the cutting, gathering and utilization of naturally-grown trees in private lands.
- b) **Special Private Land Timber Permit (SPLTP)** - a permit issued to a landowner specifically for the cutting, gathering and utilization of premium hardwood species including Benguet pine, both planted and naturally -grown trees.
- c) **Private Lands** - land(s) covered by either administrative or juridical Titles such as Free Patent, Homestead and Sales Patent, and Torrens Titles obtained under the Land Registration Act (Act No. 496, as amended), or under the Public Land Law (Commonwealth Act No. 141), Certificate of Land Ownership Award (CLOA) covering certified A and D lands issued to farmer-beneficiaries under the Comprehensive

Agrarian Reform Program (CARP) or the Republic Act No. 6657 (R.A. 6657) shall be included in areas that can be applied for PLTP/SPLTP. Realty tax declaration, by itself, shall not be acceptable as proof of ownership, for purposes of PLTP/SPLTP applications.

- d) **Naturally grown tree** - any naturally occurring or growing tree with woody stem, regardless of size and economic utility or end-use, including the parts thereof such as stumps, tops and branches.
- e) **Forest Charge** - a levy being imposed by the government on each cubic meter of timber cut, the amount of which is specified in the implementing rules and regulations of R.A. 7161.
- f) **Premium hardwood species** - tree species listed as such under pertinent rules and regulations.
- g) **Planted tree** - any artificially grown/planted tree with a woody stem, regardless of age, size and economic utility or end-use.

SEC. 2 Private Land Timber Permit/Special Private Land Timber Permit (PLTP/SPLTP) - No person, association or corporation shall cut, gather, transport, dispose and/or utilize naturally grown trees or parts thereof or planted premium tree species, inside titled private lands unless authorized to do so under a PLTP/SPLTP issued by the Secretary, DENR or his/her authorized representative.

SEC. 3. Persons qualified for a permit - Only the owner of a private land defined under this Order may qualify to apply for and be granted a PLTP/SPLTP.

SEC. 4. Application requirement - The following requirements shall be submitted by applicants for PLTP/SPLTP:

4.1 Letter of Application;

- 4.2 Authenticated copy of land title/CLOA with approved sketch map of the area applied for;
- 4.3 Development Plan, if Application covers ten (10) hectares or larger with at least 50% of the area covered with forest trees;
- 4.4 Endorsement from any of the following LGU officials; a) Barangay Chairman, b) Municipal/City Mayor, or c) Provincial, Governor;
- 4.5 Endorsement by local agrarian reform officer for areas covered by CLOA; and
- 4.6 Inventory fee based on existing. regulations.

SEC. 5 Environmental Impact Assessment (EIA) - The applicants to cut, gather and harvest naturally grown trees or parts thereof within titled private lands are required to submit to the concerned DENR Office an Initial Environmental Examination (IEE) which shall be made as basis for the issuance of an ECC.

SEC. 6. Timber Inventory - In addition to the application requirements stipulated in Sec. 4 hereof, a 100% inventory shall be undertaken by Registered Forester(s) over the area where the trees/forest resources are located. The said inventory shall be in accordance with the following guidelines:

- 6.1 Prepare a map of the subject area at appropriate scale where relevant information shall be indicated e.g. soil cover, river/stream, slope class, etc.;
- 6.2 Before the inventory is done, at least one corner of the titled lot shall be tied up to the nearest forest zone corner and/or BLLM which shall be indicated on the map;
- 6.3 The forester(s) shall measure the diameter at breast height (dbh) and/or above buttressed (dab) and merchantable

height/length of the trees in the lot to the nearest centimeter and meter, respectively;

- 6.4 All the tallied trees shall be numbered consecutively and charted on the map stated in item 6.1 hereof. Moreover, the FIRST and LAST trees tallied shall be photographed as well as the panoramic view of the subject titled lot;
- 6.5 The volume of each tallied trees shall be computed based from the equation for standing trees applicable for the locality. The stand and stock tables shall be prepared by species and species group (i.e. premium species, common hardwoods, construction and furniture woods, light hardwoods, and lesser used/lesser known species (LUS/LKS); and
- 6.6 The timber inventory report must be subscribed and sworn to by all the forest officers who conducted the same, All documents required hereto shall be attached to the report (e.g. original tally sheets, photographs, tree charting, etc.).

The CENRO and LGU representative concerned shall validate the submitted inventory report and submit their findings and recommendations to the issuing authorities through channels.

Likewise, the CENRO shall verify the status of the land (A and D or forest land) applied for PLTP/SPLTP prior to the conduct of timber inventory.

SEC. 7 Issuing Authority All cutting permit applications under SPLTP shall be issued by the RED for volume not exceeding ten (10) cubic meters and Secretary, DENR for volume in excess of ten (10) cubic meters. In the case of PLTP, approval of volume not exceeding fifty (50) cubic meters shall be vested on the Regional Executive Directors while volume more than fifty (50) cubic meters shall be approved by the Secretary, DENR.

SEC. 8 Tenure The tenure of the PLTP/SPLTP shall be dependent upon the allowable cut granted following the

schedule provided below but shall not exceed one (1) year at any one time. Provided that only one (1) permit shall be issued over the titled property within a period of one (1) year. Provided, further, that extension of the permit may be allowed for a similar period.

VOLUME		DURATION/TENURE
1	-	50 cu.m. 50 days
51	-	70 cu.m. 60 days
71	-	100 cu.m. 90 days
101	-	200 cu.m. 120 days
201	-	300 cu.m. 150 days
301	-	500 cu.m. 6 months
501	-	650 cu.m. 7 months
651	-	750 cu.m. 8 months
751	-	850 cu.m. 9 months
851	-	950 cu.m. 10 months
951	-	1000 cu.m. 11 months
1001	-	up cu.m. 1 year

SEC. 9 Payment of Forest Charges All naturally grown trees cut inside private lands shall be subject to payment of forest charges pursuant to R.A. 7161 and its implementing rules and regulations.

SEC. 10 Disposition - In order to augment the raw material requirements of wood-based industries in the province or region, the RED concerned in coordination with the local officer of the Department of Trade and Industry (DTI) may recommend to the Secretary, DENR, to retain a portion up to 50 percent (50%) of the volume allowed to be cut by the PLTP/SPLTP permittee.

SEC. 11. Transport Requirements - The transport of wood materials shall be accompanied by the following:

11.1 For logs/lumber, original copies of:

- 11.1.1 Certificate of Origin
- 11.1.2 Tally Sheets
- 11.1.3 Auxiliary Invoice
- 11.1.4 Official Receipt of Payment of Forest Charges

11.2 For finished products, original copy of Delivery receipt/sales invoice accompanied by tally sheets.

SEC. 12. Prohibitions - The cutting and/or transport of naturally grown trees under PLTP/SPLTP shall be subject to the following limitations:

- 12.1 No cutting of trees within 20 meters on both sides of the road unless such trees have been determined to pose danger to life and property.
- 12.2 No cutting of trees on a strip 20 meters wide on both sides of creeks or rivers bordering or traversing private land, for stream bank protection. Provided that in case said 20-meter strip is bereft of trees, the same shall be reforested by the permittee.
- 12.3 In areas covered by the logging ban/moratorium, no round log or lumber shall be transported outside the province where the PLTP/SPLTP is located unless authorized by the Secretary, DENR.
- 12.4 Selective cutting shall be undertaken in areas 18% in slope or greater.

SEC. 13 Monitoring - The cutting and transport of timber products from PLTP/SPLTP shall be subject to the following conditions:

- 13.1 Monitoring in the cutting and transport of forest products from PLTP/SPLTP areas shall be conducted by CENRO concerned and a representative of the Multi-Sectoral Forest

Protection Committee and/or Local Government Unit concerned.

13.2 The CENRO and LGU representatives concerned shall conduct post harvest inventory of stumps after the expiration of the permit and a report submitted to the RED concerned, copy furnished FMB.

SEC. 14. Penal Provisions Any log/lumber or finished-wood products covered by these regulations which are transported without the prescribed documents shall be considered illegal and, therefore, subject to confiscation in favor of the government and shall be disposed in accordance with laws, rules and regulations governing the matter.

DENR Officials found issuing defective certificate of origin and other transport documents required in this Order shall be subject to suspension without prejudice to the imposition of other penalties as may be warranted by extant Civil Service laws, rules and regulations.

SEC. 15. Repealing Clause - All orders, circulars and/or instructions inconsistent herewith are hereby repeated and/or modified accordingly.

SEC. 16. Effectivity - This Order shall take effect immediately upon the acknowledgement by the UP Law Center and fifteen (15) days after publication in at least two (2) newspapers of general circulation.

(Sgd.) **ANTONIO H. CERILLES**
Secretary

Published at:

MANILA STANDARD
MALAYA

March 22, 2000
March 22, 2000