[DENR ADMINISTRATIVE ORDER NO. 58 S. 1993, September 30, 1993]

RULES AND REGULATIONS GOVERNING THE EXTRACTION, ASSESSMENT, PROCESSING AND TRANSPORT OF NARRA RESOURCES

Pursuant to Executive Order No. 192 and in line with the government's policy of ensuring the sustainable productivity and socio-economic stability and providing equity in access to natural resources, the following regulations governing the extraction, processing, transport and assessment of Narra resources in the country are hereby promulgated for the guidance and compliance of all concerned:

Chapter I Basic Policy, Objectives and Definition of Terms

SECTION 1. Basic Policy - It shall be the basic policy of the State to conserve Narra resources through nationalized extraction and optimized utilization, and to sustain the economic efficiency of narra-based industries. To attain this basic policy, the following objectives shall be pursued:

1.1 To regulate the utilization of Narra by the dependent industries on a sustainable basis;

1.2 To provide steady and adequate supply of Narra raw materials to dependent industries;

1.3 To optimize utilization of Narra timber and its derivatives;

1.4 To provide other stable livelihood opportunities to communities dependent on Narra trade;

1.5 To ensure the sustainable development of Narra stands; and,

1.6 To generate additional government revenues from the extraction of Narra resources.

SECTION 2. Definition of Terms - The following terms as used in the Order shall be construed to mean as follows:

2.1 Allowable Clearing — designated area(s) within forest lands usually covered by permits, lease or lease agreements, e.g. log landings, skidways, road networks, etc. where cutting of all existing vegetation is allowed.

2.2 Clearcutting — the removal of all timber species within a designated forest

stand during one (1) cutting season usually prescribed for the harvesting of plantations.

2.3 Finished Product — whole end-product ready for use without need of further manufacture.

2.4 Furniture Manufacturer — person engaged in the production of wooden furniture from wood whether from raw log, flitch or lumber form.

2.5 Knocked-Down Wood Product — finished or semi-finished end-product whose components or parts are taken apart for ease in packing, handling and transporting to the market or end-user.

2.6 Labor-Intensive Logging — the process of cutting or extracting timber from public forest areas through the use of non-mechanized logging and transport equipment.

2.7 Primary Processing — the conversion of logs and other wood raw materials into lumber and veneer.

2.8 Semi-Finished Product — whole end-product requiring final stages of manufacture and/or assembly.

2.9 Truck Logging — the process of cutting or extracting timber from the public forest areas with the use of mechanized logging and transport equipment not limited to self-loading trucks but includes tractors and bulldozers as well.

Chapter II Extraction of Narra Resources, Collection of Forest Charges and Processing

The sourcing of Narra raw materials for utilization by the Narra-based and related industries shall be governed by the following procedures, to wit:

SECTION 3. Identification of Available Areas - The following are the areas available for narra extraction:

3.1 Private lands which include titled lands and alienable and disposable lands with approved public land applications under the Public Land Act and emancipation patents subject to the conditions mentioned in Section 4 hereof;

3.2 Allowable clearings with civil or military reservations, resettlement or settlement areas subject to DENR-approved operations plans;

3.3 Areas within existing Timber License Agreements (TLAs)/ Timber Production Sharing Agreements (TPSAs) contingent on the terms and conditions of the agreement;

3.4 Community Forestry Program (CFP) areas, whether the required development activities have been completed or not, based on approved management and development plans;

3.5 Areas covered by cancelled and expired TLAs which may be later on covered by TPSA, IFMA or CFP where the development of open areas has already been completed;

3.6 Buffer zones within Integrated Protected Areas System (IPAS) where limited extraction by communities within or adjacent to the area is permitted;

3.7 Areas covered by Phase II of the Forest Land Management Program (FLMP);

3.8 Areas reforested within Forestland Grazing Agreement by the Lessee; and

3.9 Other areas that may later on be made available by the DENR Secretary.

SECTION 4. Issuance of SPLTPs - No Narra tree shall be felled within private lands without a Special Private Land Timber Permit (SPLTP) for the extraction of the species. The SPLTP shall be issued only to owners of private lands covered by either administrative or judicial titles such as Free Patent and Torrens Title obtained under Republic Act No. 496, as amended (Land Registration Act) by the following DENR officials based on the volume to be extracted, as follows:

PENRO — not to exceed 5 cubic meters;

RED — not to exceed 10 cubic meters;

Secretary or his designated Undersecretary - in excess of 10 cubic meters.

Moreover, an SPLTP shall only be issued upon compliance of the following conditions:

1. The tree(s) to be cut shall be inventoried by the concerned CENRO indicating in the report and corresponding map(s) the number and relative locations of Narra trees to be cut and to be left for future harvests.

2. There shall be an assessment based on gross volume with no deductions and corresponding payment of the forest charges for the volume of trees to be cut.

3. The permittee shall plant and maintain for three (3) years at least five (5) Narra seedlings for every tree authorized to be cut. If additional area is needed for such, the CENRO concerned shall look for an area where tree planting activities can be conducted.

SECTION 5. Inventory of Expired and/or Cancelled TLA Areas - Inventory of remaining Narra stocks within the identified areas for extraction shall be undertaken by duly accredited and authorized persons/organizations, particularly the expired and/or cancelled TLAs which have not been covered by any recent inventory. All reports resulting therefrom shall be under oath.

SECTION 6. Tree Marking Within Public Forestlands - All Narra trees found within the identified cutting area inside public forestlands shall be numbered consecutively and properly marked as to whether these are to be cut or left. No cutting shall be allowed before tree marking and validation by the CENRO concerned.

All Narra trees belonging to the 20 to 40 cm. diameter at breast height (DBH) classes shall be marked to be left while those belonging to the 60 cm. and above DBH classes shall be marked for cutting. For the Narra trees belonging to the 50 cm. diameter class, 50 percent shall be marked to be left with the other 50 percent marked for cutting.

SECTION 7. Harvesting Schemes - Narra raw materials sourced from the available areas provided in the foregoing section shall be extracted following the harvesting methods prescribed in this Order, to wit:

7.1 Labor-Intensive Logging — Communities organized under the Community Forestry Program (CFP) shall employ the traditional method of harvesting trees through the aid of carabaos. Carabao loggers living within or adjacent to forested areas shall be encouraged to organize themselves into cooperatives in order to participate in the CFP.

Narra harvested shall be bucked into log lengths to facilitate transport by carabaos and other work animals from the cutting area to the designated log yard. In order to maximize utilization/recovery of felled narra trees, flitching or log-splitting by chainsaw shall be discouraged. However, for Narra logs having diameters of 60 cm. and larger with lengths which are too heavy to be drawn by carabao, splitting into halves or quarters may be allowed to facilitate transport.

Extraction activities shall be subject to strict supervision by the CENRO concerned to ensure that only Narra species is extracted especially for CFPs where community organizing and development activities is not yet completed.

7.2 Truck Logging — Narra timber to be sourced from areas of existing TLAs/TPSAs/IFMAs shall be harvested in compliance with the selective logging principles. The prohibition on the use of highlead yarding shall likewise be complied with.

7.3 Clearcutting — For private lands and plantations, Narra trees may be harvested through clearcutting with due considerations to soil erosion control measures.

For labor-intensive logging or truck-logging, only Narra trees reaching the diameter breast height (DBH) of 50 cm. and above shall be harvested in consonance with the provisions of Section 6. Maximum utilization of the felled Narra tree, including the tops and branches and stumps, shall be required.

SECTION 8. Establishment of Log Yards and Assessment of Forest Charges - All Narra raw materials harvested from public lands shall be bucked into log lengths and deposited to a designated log yard of the associations or corporations to be identified by the CENRO concerned, subject to the concurrence of the Regional Office. Narra logs not delivered to this area shall be presumed to have come from illegal sources and subject to outright confiscation.

Scaling of logs shall be done in the cutting area by DENR scalers duly designated by the CENRO concerned to ensure that all Narra logs are properly scaled and the right amount of forest charges is assessed and collected. Assessment shall include tops and branches and stumps. Only logs bearing the proper marks of DENR marking