

**[ DENR MEMORANDUM CIRCULAR NO. 23,  
December 05, 1990 ]**

**AMENDING SECTION 1 OF MEMORANDUM CIRCULAR NO. 5,  
SERIES OF 1990, "GUIDELINES ON THE CUTTING OF MANGROVE  
TREE SPECIES WITHIN APPROVED FLA AREAS"**

*SECTION 1. Memorandum Circular No. 5, 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 1, 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.

*SECTION 2.* This Circular takes effect immediately.

Adopted: 5 Dec. 1990

(SGD.) FULGENCIO S. FACTORAN, JR.  
*Secretary*