

Republic of the Philippines
House of Representatives
Quezon City

17th Congress

1st Regular Session

House Bill 4208



Introduced by HON. BAYANI F. FERNANDO

EXPLANATORY NOTE

This measure seeks to authorize the Department of Public Works and Highways (DPWH) to cut, ball, transfer dispose or plant trees when implementing National and Local Infrastructure Projects. This measure automatically grants DPWH an exemption from securing tree-cutting, earth-balling, disposal, planting or transfer permit from the Department of Environment and Natural Resources, the Forest Management Bureau, and their local counterparts such as the Provincial Environment and Natural Resources Office (PENRO), the Community Environment and Natural Resources Office (CENRO), and the Local Government Unit concerned for this purpose.

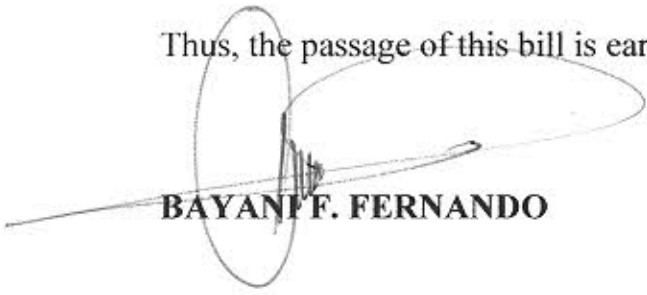
Executive Order No. 23 imposed a moratorium on the cutting and harvesting of timber in natural and residual forests, it also prohibits the DENR from issuing/renewing cutting permits in all natural and residual forests nationwide except for clearing of road right of way by the DPWH. This measure proposes to take the DPWH out of the equation altogether by authorizing it to do its own cutting, balling, disposing, transferring or planting of trees when doing construction work on any existing or new roadway or site.

The main consideration in the design of roadways is safety for the motorist and the public as well as fast travel speed. This is the sole province of the road design engineer, who has the knowledge and the responsibility in ensuring that this primary design feature is followed. He is the final authority in this respect, all other trades only come after. Trees, after all, are considered optional components of the road and may be hazard and obstruction that can impede the movement of vehicles and pedestrians. Travel speed is a factor in fuel economy. With optimum speed, there is less harmful emission from vehicles which can harm the environment.

Securing this tree-cutting/earth-balling/transfer/disposal/planting permit from the DENR only delays the implementation of DPWH projects. Not to mention that said permit and the attached conditions of the permit adds to the cost of implementation.

It has been the thrust of the Duterte administration to continue, if not improve, our country's economic gains by pouring hundreds of billions of pesos into infrastructure projects as a way of pump-priming the economy. Authorizing the DPWH to cut/ball/transfer/dispose/plant trees on its own will expedite this process.

Thus, the passage of this bill is earnestly requested.



BAYANI F. FERNANDO

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**AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS (DPWH) TO CUT, BALL, TRANSFER, DISPOSE OR
PLANT TREES WHEN IMPLEMENTING NATIONAL OR LOCAL
INFRASTRUCTURE PROJECTS**

Section 1. The Department of Public Works and Highways (DPWH) is hereby granted the authority to cut, ball, dispose, transfer or plant trees when implementing National and Local Infrastructure Projects, such as, but not limited to, clearing of road right of way and site clearing, development or preparation.

Section 2. The Department of Public Works and Highways (DPWH) is hereby granted exemption from securing tree cutting / earth-balling / transfer / disposal / planting permits from the Department of Environment and Natural Resources (DENR) and its instrumentalities such as the Provincial Environment and Natural Resources Office (PENRO), the Community Environment and Natural Resources Office (CENRO), Forest Management Bureau (FMB) and the Local Government Unit concerned.

Section 3. All laws, decrees, orders, issuance, rules and regulations inconsistent herewith are hereby repealed or modified accordingly

Section 3. Effectivity. – This act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved.