Pursuant to the provisions of the Subic Bay Protected Area Management Plan (SBPAMP) as approved by the SBMA Board on March 8, 2002, the following guidelines for the protection and conservation of trees within the Subic Bay Freeport Zone (SBFZ) are hereby promulgated.

### Section 1. Basic Policy

Cognizant of the importance of maintaining a high degree of environmental quality for sustainable development, it is hereby declared the policy of Subic Bay Metropolitan Authority (SBMA) to protect all trees within the SBFZ in order to ensure conservation of biological diversity, maintain visual amenity, and protect the environment, pursuant to the goals and objectives of the Subic Bay Protected Area Management Plan.

This policy strictly prohibits the cutting or damaging of any tree within the Freeport. However, exemptions may be given on justifiable grounds as permitted by the Ecology Center, such as unavoidable cutting or damaging of trees in connection with implementing vital infrastructure projects; when tree trimming activities are necessary for the proper maintenance of facilities such as power transmission and distribution lines as well as improvement of visual amenity in public areas such as roads, parks, etc.; or when tree cutting or trimming activities are required to protect public safety.

#### Section 2. Objectives

This policy is promulgated in accordance with the following objectives:

- 1. Protection of trees within the SBFZ against unnecessary or unjustifiable cutting or damaging;
- 2. Protection of the natural habitat and ecological balance provided by floral diversity, particularly in zones designated for conservation under the SBPAMP;
- 3. Specification of reasonable replacement or remedial requirements in case trees have to be cut or removed or damaged under unavoidable and justifiable circumstances; and
- 4. Specification of penalties for violation.

#### Section 3. Definition of Terms

For the purpose of these Guidelines, the following terms used shall have the meaning as herein defined:

*Buffer Zone (BZ)* – includes both the formalized buffer components recognized under NIPAS, and the additional designations such as Buffer sub-zones which include Terrestrial (Urban) sub-zone 1; Terrestrial (Economic and Multiple Use) sub-zone 2; Terrestrial (Settlement/Multiple Use) sub-zone 3; Terrestrial (Complementary buffer Bataan National Park) sub-zone 4; Information, Education and Communications Area; Integrated Catchment Management Policy Area (Subic location); Olongapo Watershed and Integrated Catchment Management Policy Area; and other portions of the SBFZ.

*Core Ecological Zone (CEZ)* – extends over the most remote and higher elevation terrain in the eastern portion of the Protected Area. Much of the southern, eastern and northeastern parts abut the boundary of the Bataan National Park. The configuration of the zone adjacent to Bataan National Park, in addition to the high ecological values and rugged remoteness of the area, are principal reasons for the designation of the zone. It is the most restricted zone in terms of human use.

*Cutting* - the dividing of the main trunk of a tree into parts with the aid of edged instrument or tools whether powered or by hand or the chopping into pieces with quick or repeated blows.

*Damaging* - the pulling or tearing down, or mutilating, or burning of trees which cause plant injury or eventual death.

*Ecology Center* - the entity within SBMA mandated to regulate and coordinate the protection, conservation, and management of natural resources within the SBFZ as mandated by RA 7227, and authorized to issue permits for justifiable exemptions to the tree cutting prohibition.

*Endangered* – species and subspecies of wildlife whose populations are in danger of extinction and whose survival is unlikely if the casual factors continue operating.

*Endemic* – species and subspecies of wildlife with distribution restricted only to an area.

*Habitat Protection Zone (HPZ)* – extends over the important mangrove habitat areas within the Protected Area. These are 'primary producer' ecosystems of great interest and scientific value. In addition, they are important habitats for a range of fauna (terrestrial and aquatic), and as such represent a vital ecosystem linkage between the terrestrial and marine environments. An additional nominated HPZ is the bat roost area, which has significance as a habitat of international importance within the Protected Area. The HPZ also specifically identifies and covers the major watercourses that extend through the SUZ.

Doc. Ref.: ISODF-EC -006 Rev. No.: 0

Effectivity Date: 05/09/03

### Doc. Title: GUIDELINES FOR ALLOWABLE TREE CUTTING AND TREE TRIMMING WITHIN THE SUBIC BAY FREEPORT ZONE

*Law Enforcement Department* – the entity within SBMA responsible for enforcement of any and all rules and regulations related to natural resources protection as may be promulgated by the SBMA or as may be applicable under Philippine law.

*Log* - a piece of wood having an average diameter of at least 15 centimeters and a length of at least 1.5 meters.

*Maintenance Team* – the entity within SBMA responsible for the regular ground maintenance activity within the SBFZ.

*Mangroves* - trees growing on tidal flat along the sea coast extending along streams where the water is brackish.

*Mangrove rehabilitation* - the rehabilitation of mangrove forest through a series of mangrove planting activity and maintenance.

*Multiple Use Zone (MUZ)* – principally confined to two locations in the northern and eastern portion of the Protected Area, and which cover areas of largely cleared, open country with varying vegetation cover (remnant vegetation cover, particularly along streamlines and larger watercourses). In particular the larger MUZ covers an area identified for 'multiple use' in the Pastolan Ayta strategy plan. The intent is to designate appropriate areas that have been subjected to change and are supporting a variety of land use activities, to recognize the need to accommodate such activity, but within a consistent framework of Protected Area control and management.

*Pastolan Ayta Community* – the Indigenous People residing at Pastolan Village. Pastolan Village is located within the former Subic Naval Reservation Area and nestled at the southeastern portion of Mt. Sta. Rita. It is also within the northwestern boundary of the Subic Watershed Forest Reserve.

*Plantation* - an area planted to forest trees and fruit trees under a Reforestation Program.

*Premium species* – are tree species the wood of which has some special characteristics such as strength or durability, scarcity or rarity, beauty, or is used for special purposes.

*Public safety* - the protection of the public from danger or hazard, including injury or loss of life and property.

*Rare* – species and subspecies of wildlife found only in one particular area or only in a few areas in the Philippines in very highly specialized habitat types but occur only in very small numbers and are therefore, seldom met with, even within their preferred habitat types. Their populations are not at present endangered or vulnerable but are at risk.

Recreation Zone (RZ) – within the Protected Area there are both existing recreation/tourism developments as well as formerly modified sites with excellent potential to provide sites for appropriate recreational development. It is important to recognize both the legitimacy of existing appropriate recreational activities within the Protected Area and to enable the provision of additional sites suitable for eco-tourism and other nature based recreational activities/developments. The RZ zones include the naval magazine sites, the Golf course and equestrian center/club at Binictican, and two small 'industrial' sites. It also includes a specific node in the Hill 394 location. This is the cleared summit of Hill 394, which is identified as an eco-tourism development node allowing the potential for acceptable visitor 'penetration' into what is otherwise a restricted access zone.

*Reforestation program* - the rehabilitation of denuded forestlands through tree planting activities and maintenance.

Restoration Zone (RZ) – includes a number of locations with either partially or extensively degraded/modified environments, but that owing to either their location or the habitat type involved, have a high priority for restoration. The areas include an extensive reforestation area in the vicinity of the Pastolan community, mangrove communities on the foreshore, and portions of the former naval magazines. A number of non-specific restoration zones in the south of the CEZ are also identified.

*Sapling* – a young tree or plant having a woody or succulent stem with a height of 1.1-3.0 meters.

Seedling – a young plant having a woody or succulent stem with a height of 1 meter or less.

*Special Use Zone (SPZ)* – A dilemma was presented by the existence of intense and conflicting land uses. Ideally they would be placed outside the Protected Area, and more appropriately occur within a buffer zone, as for example is the case with the airport and Subic Port developments (e.g. the proposed container terminal). However, because the natural processes and important environments of value (e.g. mangroves, rivers/streams) extend around and beyond some other of these land use developments (e.g. Binictican residential area, Cubi tourist area), it was considered essential for their inclusion within the Protected Area. The SPZ is therefore designated to cover the major areas of 'non-conforming' land use that exist within the designated Protected Area outer boundary. The zone effectively separates out the industrial park, some foreshore commercial land use activities, hospital complex, residential and tourist accommodation areas, etc. The purpose of the SPZ is to alienate these activities and land uses from the Protected Area, but designate them to a zone that allows some level of control over them to ensure they have the lowest impact possible upon Protected Area values.

*Sustainable Use Zone (SUZ)* – extends over the major portion of the remaining terrestrial forest environment lying between the CEZ to the east and the foreshore of Subic Bay to the west. It also extends (wraps) around the edge of the CEZ and creates a buffer of high conservation and low usage. The SUZ includes the remaining intact forest environment running down from the higher inland slopes down to the foreshore. This zone extends around several areas of intense development and small nodes of infrastructure and land use activity, as does the forest ecosystem itself. The SUZ is critical in landscape and scenic terms, providing the major visible forest backdrop to the BSFZ.

Tree – a perennial plant with usually a single woody stem or trunk and a more or less definite crown, attaining a height of at least 10 feet (3 meters), except for mangrove species which is considered a tree regardless of size.

Trimming - the cutting away of parts or branches of a tree or woody plant.

*Utilities Department* – the entity within SBMA responsible for the maintenance of the power lines and other electrical facilities within the SBFZ.

*Visual Amenity* – refers to the aesthetic character of a place.

*Wildling* – a young plant of any size, having a woody or succulent stem, originating and growing naturally in the wild.

### Section 4. Type of Activity/Action Subject to these Guidelines

These guidelines specifically address the cutting/trimming of trees under justifiable circumstances within the SBFZ.

If the cutting or damaging trees is necessary or unavoidable, it should be covered by a Permit issued by the Ecology Center. Permits issued may specify conditions such as restoration, replanting and other remedial measures deemed reasonable by the Ecology Center.

### Section 5. Kinds of Permits Subject to these Guidelines

- 1. Tree Cutting Permit authorizing the holder to cut or remove trees if such is necessary or unavoidable in connection with the implementation of vital infrastructure projects or SBMA facilities, or to protect public safety;
- 2. Tree Trimming Permit authorizing the holder to trim undesirable parts or overgrown branches of trees and shrubs for the protection of public safety and maintenance of

facilities (e.g. power transmission and distribution lines), and enhancement of visual amenity.

### Section 6. Eligible Applicants for Permits

Permits may be issued to:

Any person, corporation, partnership, firm, association or party authorized to transact business in the Philippines and SBFZ. These include the following or their duly authorized representatives:

- 1. Registered residents of the SBFZ;
- 2. Registered locators/contractors of the SBFZ;
- 3. Heads of the SBMA offices; and
- 4. Other agencies with relevant activities within the SBFZ.

Section 7. Procedures for the Issuance of Permits

Permits may be issued or granted only after the following requirements and procedures have been complied with:

- 1. The applicant for a Cutting or Trimming Permit shall apply in writing or fill up an application form at the Ecology Center stating the reasons for the activity. The applicant shall provide information such as, name and contact address/phone/fax, location of the site and tree(s) affected, species and sizes, and other information deemed relevant to facilitate review of the request.
- 2. The Ecology Center upon receipt of a formal request from the applicant, shall inspect the site through its Protected Area Division (PAD) and endorse the request to the Head of the Ecology Center. The inspection shall be conducted jointly by the PAD personnel and the applicant or his representative.
- 3. If the reasons stated are found to be valid, the Ecology Center Department Head shall issue the appropriate Permit, which in the case of a cutting permit will include conditions for remediating damage through area restoration, replanting in substitute areas, or reasonable alternative measures. The PAD shall advise the applicant on proper procedures for tree cutting or trimming.
- 4. The PAD shall conduct monitoring and inspection during and after the cutting and/or trimming operations.
- 5. For the trimming of trees affecting power lines, the SBMA Utilities Department must show that the trimming operation is part of a planned, regularly scheduled

maintenance program. These guidelines also apply to other agencies/departments, that conduct regular tree trimming operations within the SBFZ.

6. In case of immediate danger to public safety the above procedure for obtaining a Permit may be dispensed. In this event the party responsible should file an application retroactively to facilitate an investigation by the Ecology Center of the event. If it cannot be proven that the cutting or trimming was justified in order to protect public safety, prescribed fines and penalties will be applied.

### Section 8. Duties and Responsibilities

- 1. Ecology Center shall:
  - a. Receive and evaluate all applications/requests for cutting or trimming of trees and shrubs within SBFZ.
  - b. Issue permits for application/requests found to be valid and justifiable, and provide copy to the Law Enforcement Department.
  - c. Conduct monitoring and check progress of the approved activities. For this purpose, Ecology Center personnel shall be deemed to be agents of the Law Enforcement Department (LED) capable of performing the duties and responsibilities of the LED as hereunder enumerated.
  - d. Cause the release of equipment seized by its personnel or the LED found to be used for unauthorized cutting or trimming of trees upon proof of payment of imposed fine/s or penalty/ies by the responsible person or entity and forfeiture thereof in case of the latter's failure to pay within thirty (30) days from the date of imposition of such fine/s of penalty/ies.
  - e. Take hold and deliver to the Procurement and Property Management Department (PPMD) usable portions of trees cut or trimmed with or without permit.
- 2. SBMA Law Enforcement Department shall:
  - a. Apprehend any person conducting unauthorized cutting, trimming, or other activities that may damage trees and other vegetation within SBFZ.
  - b. Check persons who are actively engaged or appear to be engaged in any activity that might be in violation of these guidelines to ensure that they have the appropriate permits.
  - c. Through its Sentry on Duty, check for the permits or other legal documents necessary for the transport of tree parts outside the SBFZ.
  - d. Seize and turn over to the Ecology Center any equipment found to be used for unauthorized cutting or trimming of trees.
  - e. Secure the possession of usable portions of trees cut or trimmed.

- 3. Pastolan Ayta community shall:
  - a. Provide contract labor for the establishment and maintenance of reforestation areas.
  - b. Provide surveillance of illegal cutting and trimming activities, and report violations to the SBMA Law Enforcement Department or the Ecology Center.
- 4. SBMA Treasury Department shall:
  - a. Collect all payments due to SBMA in connection with imposition of fines for violations.
  - b. Ensure proper collection and issuance of official receipts for all payments.
- 5. SBMA Utilities Department shall:
  - a. Secure Tree Trimming Permit from the Ecology Center for all areas affected by power lines.
  - b. Submit a trimming schedule to the Ecology Center prior to the conduct of the trimming operation.
  - c. Endorse to the Ecology Center any request for tree trimming by other national agencies or departments such as TRANSCO, whose transmission facilities are also located inside the SBFZ. Once endorsed, these agencies shall coordinate directly with the Ecology Center.
  - d. Turn over to the PPMD usable portions of the trimmed trees and cause the proper disposal of the unusable portions.
- 6. SBMA Maintenance Department shall:

Ensure that an appropriate permit from the Ecology Center has been secured by any resident, locator, and SBMA department requesting the service of the Maintenance Department for cutting or trimming of trees and other vegetation.

- 7. SBMA Procurement and Property Management Department (PPMD) shall:
  - a. Provide a depository area for the tree parts.
  - b. Prepare and issue guidelines on the utilization and proper disposition of tree parts.
- 8. Permit Holders of any of the permits mentioned in Section 5 of these Guidelines shall:
  - a. Perform only the activities that are allowed by the permits.
  - b. Ensure public safety first when performing the allowed activities.
  - c. Minimize disturbance or damage to surrounding areas when conducting permitted activities.

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 ISODF-EC -006
 Rev. No.:
 0
 Effectivity Date:
 05/09/03

 Doc.
 Title:
 GUIDELINES FOR ALLOWABLE TREE CUTTING AND TREE

### TRIMMING WITHIN THE SUBIC BAY FREEPORT ZONE

- d. For the number of trees allowed to be cut and for other trees damaged in the process, provide replacement in accordance with Section 9 of these Guidelines.
- e. Report to the Ecology Center any untoward, negative incident affecting the condition of the subject trees, shrubs and other plants during the conduct of the allowed activities.
- f. Notify the Ecology Center prior and after the conduct of the allowed activities.
- g. For trimming operation, apply enamel paint on the cut/exposed portion of the tree branches to avoid fungal/bacterial attack.
- h. Turn over to the Ecology Center usable portions of the tree/s that was/were cut or trimmed and dispose the unusable portions at the SBMA Landfill, for which purpose a Dumping Permit should be obtained from the Ecology Center.
- i. Comply with all other conditions stated in the permits.

### Section 9. Replacement Requirements

All trees that have been cut or damaged under a Tree Cutting Permit shall be replaced with saplings of indigenous species according to replacement ratios shown below. The replacement ratios are based on three factors:

- 1. Species value as determined by the intrinsic ecological value of the tree species; rare and endangered species have higher replacement requirements compared to common species. Annex A provides the list of the species found in the SBFZ.
- 2. Habitat value as determined by the SBPAMP management zone classification of the area where the cutting activity will take place; areas designated as core ecological zones are critical for protection and thus entail higher replacement requirements.
- 3. Commercial value as determined mainly by the size of the tree cut, and other market factors (premium or non-premium wood).

In addition to providing replacement saplings, the permit holder shall be required to pay a fee for planting and maintenance (for a period of three years) to be undertaken by SBMA.

### The replacement ratios are set as follows:

### A. Based on Type of Tree Species and Habitat Value (Please see Annex A for the SBPA Map):

	Ecological Status of Tree Species
SBPAMP	

Management Zone Where Cutting is Done	Common	Rare/Endemic	Endangered
Restoration/ Buffer Zone	10	20	30
Multiple Use/ Special Use	15	25	35
Recreational/ Sustainable	20	30	40
Core Ecological/ Habitat Protection	30	40	50

### **B.** Based on Size and Wood Quality Value

The replacement ratios derived from the table above are further adjusted according to the percentages specified below, based on wood quality and size of tree cut.

	Size of Tree Cut (DBH in cm.)	
Quality of Wood	5 - 15	> 15
Premium	Add 15%	Add 30%
Non-premium	No adjustment	Add 15%

C. The added fee to cover cost of planting and three-year maintenance of the replacement seedlings is **PhP 50.00<sup>1</sup> per sapling**. The Ecology Center shall have the option to increase the price by 10 % each year.

D. When the tree to be cut is Ipil-ipil, replacement shall only apply when the DBH is greater than 15 cm.

E. Cutting dead or decaying trees need not be replaced with saplings, however, a written permit shall be obtained from the Ecology Center. The same procedure as stated in Section 7 of these Guidelines applies.

### Section 10. Reforestation Activities

If the computed replacement saplings is more than 1,100 (based on a one-hectare reforestation area), the permit holder has the option to conduct a reforestation program at his own expense. He shall then submit a Reforestation Plan to be approved by the Ecology Center prior to the conduct of such undertaking. If the permit holder chose not to reforest, the Ecology Center shall contract out the replanting/reforestation activities to the Pastolan Aytas and adjacent communities using fees collected above, including fines imposed on violators.

### Section 11. Special Provision on Mangroves

Strips or patches or groups or individual mangroves or associate mangrove species growing along shoreline, shoreline roads, river mouths, and coastal areas shall at all cost be maintained and protected. They must be kept free from artificial obstruction and any injury or damage. No mangroves shall be cut or damaged.

#### Section 12. Other Provisions

All trees cut shall remain the property of SBMA and shall be turned over to the PPMD thru the Ecology Center. It shall be the responsibility of the permit holder to transfer and deliver the tree parts involved to a depository area designated by the PPMD and to pay the corresponding fees to SBMA Treasury Department.

These guidelines, however, do not apply to the Pastolan Aytas for whom there is a separate, mutually agreed policy on extraction of forest products.

#### Section 13. Fines and Penalties

Any person or entity caught in violation of any of the provisions of these Guidelines shall be fined and penalized with twice the replacement ratios and fees as provided for in Section 9.

<sup>&</sup>lt;sup>1</sup>This figure is based on the 1998 DENR cost estimate of P43,146.00/ha for a plantation with 2m x 3m spacing. The cost is adjusted to a 10% increase per annum. Thus, P64,718.52/ha  $\div$  1,666 seedlings/ha ~ P50.00/seedling.

### Section 14. Repealing Clause

All administrative orders, executive issuances and parts thereof, which are inconsistent herewith, are hereby repealed or amended accordingly.

#### Section 15. Effectivity

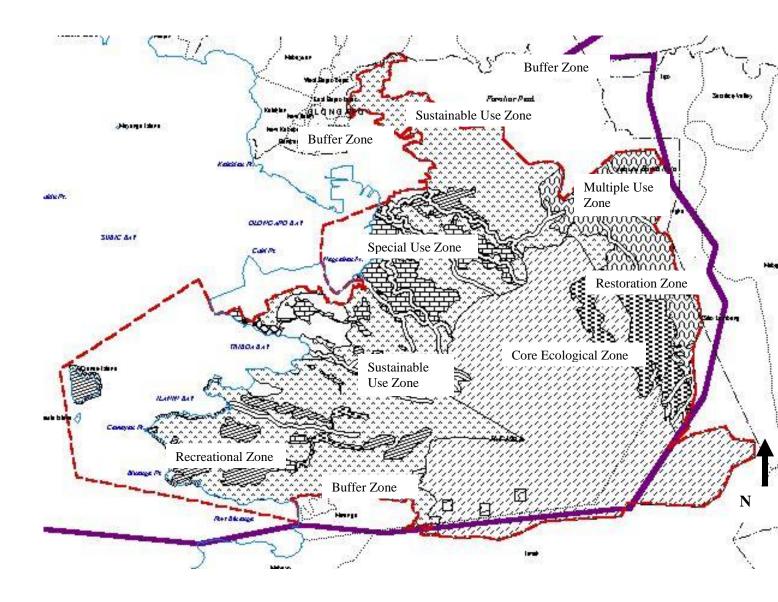
These Guidelines shall take effect immediately.

### Section 16. Board Approval

Approved by the SBMA Board on May 9, 2003 in its 164<sup>th</sup> meeting.

### ANNEX A

### MAP OF THE SUBIC BAY PROTECTED AREA



#### ANNEX B

### LIST OF ENDANGERED SPECIES \*

Almon	Shorea almon
Apitong	D. grandiflorus
Bagtikan	Parashorea malaan
Balitbitan	Cynometra ramiflora
Broad-winged Apitong	D. kunstleri
Dungon	Heritiera sylvatica
Gisok-gisok	H. philippinensis
Guijo	S. guiso
Hagakhak	D. validus
Igem dagat	Podocarpus costalis
Ilang-ilang	Cananga odorata
Ipil	Instia bijuga
Kalantas	Toona calantas
Kaliot	H. malibato
Kamagong	Diospyros philippensis
Malapanau	D. kerrii
Manggachapui	Hopea acuminata
Mayapis	S. palosapis
Narig	Vatica mangachapoi
Panau	Dipterocarpus gracilis
Red lauan	S. negrosensis
Saplungan	H. plagata
Tanguile	S. polysperma
Tindalo	Afzelia rhomboida
Yakal	S. astylosa

#### LIST OF RARE SPECIES \*

Alahan	Guioa koelreuteria
Bagarbas	Hydnocarpus sumatrana
Baguilumbang	Reutealis trisperma
Bakauan gubat	Carallia brachiata
Bayag-usa	Voacanga globosa
Bayok	Pterospermum diversifolium
Bolon	Alphonsea arborea
Dalingdingan	Hopea foxworthyi
Kalomata	Clausena brevistyla
Kulis	Memecylon ovatum
Nino	Morinda bracteata
Puso-puso	Neolitsea vidalii
Salingkugi	Albizia saponaria

Rev. No.: 0

Effectivity Date: 05/09/03

### Doc. Ref.: ISODF-EC -006 Doc. Title: GUIDELINES FOR ALLOWABLE TREE CUTTING AND TREE TRIMMING WITHIN THE SUBIC BAY FREEPORT ZONE

Taluto Pterocymbium tinctorium Tailed-leaf Apitong Dipterocarpus caudatus LIST OF ENDEMIC SPECIES \*

Alahan	Guioa koelreuteria
Alpay	Litchi chinensis
Amuyong	Goniothalamus amuyon
Antipolo	Artocarpus blancoi
Anyatan	Cleistanthus blancoi
Balanti	Homalanthus populneus
Basikong kalauang	Ficus botryocarpa
Bayanti	Aglaia rimosa
Duguan	Myristica philippensis
Hairy-leaf Apitong	Dipterocarpus Philippinensis
Hauili	Ficus septica
Kalimatas	Phaeanthus ebracteolatus
Kaliuas	Kayea paniculata
Kalukoi	Ficus callosa
Katmon	Dillenia philippinensis
Kilah	Canarium hirsutum
Kolalabang	Saurauia latibractea
Kulispakatan	Dimorphocalyx luzoniensis
Lamio	Dracontomelon edule
Mabunot	Gomphandra luzoniensis
Magabuyo	Celtis luzonica
Malasapsap	Ailanthus integrifolia
Maniknik	Palaquium tenuipetiolatum
Niog-niogan	Ficus pseudopalma
Palosapis	Anisoptera thurifera
Patangis	Talauma villariana
Salaking pula	Aglaia elliptica
Tadiang anuang	Canthium monstrosum
Tagotoi	Palaquium foxworthyi
Tagpo	Ardisia squamulosa
Takip-asin	Macaranga grandifolia
Takulao	Miliusa vidalii
Talitan	Casearia fuliginosa
Tanglin	Adenanthera intermedia
Tsaang gubat	Carmona retusa
White lauan	Shorea contorta

### LIST OF COMMON SPECIES \*

African tulip	Spathodea campanulata
Amamali	Leea aculeata
Anabiong	Trema orientalis
Anang	Diospyros pyrrhocarpa
Anubing	Artocarpus ovatus
Banaba	Lagerstroemia speciosa
Balete	Ficus benjamina
Balukanag	Chisocheton cumingianus
Big-leaf Mahogany	Swietenia macrophylla
Binunga	Macaranga tinarius
Dalunot	Pipturus arborescens
Governor's plum	Flacourtia jangomas
Guava	Psidium guajava
Gubas	Endospermum peltatum
Ipil-ipil	Leucaena leucocephala
Kalios	Streblus asper
Kamachile	Pithecellobium dulce
Kamuning	Murraya paniculata
Kasoy	Anacardium occidentale
Lumbang	Aleurites moluccana
Mangga	Mangifera indica
Moluccan sau	Paraserianthes falcataria
Pandakaki	Ervatamia pandacaqui
Papaya	Carica papaya
Pototan	Bruguiera sexangula
Putat	Barringtonia racemosa
Rimas	Artocarpus altilis
Saging-saging	Aegiceras corniculatum
Santol	Sandoricum koetjape
Talisai	Terminalia catappa
Tangisang bayawak	Ficus variegata
Teak	Tectona grandis
Tibig	Ficus nota

\* partial list, and subject to change based on recent findings and international standards