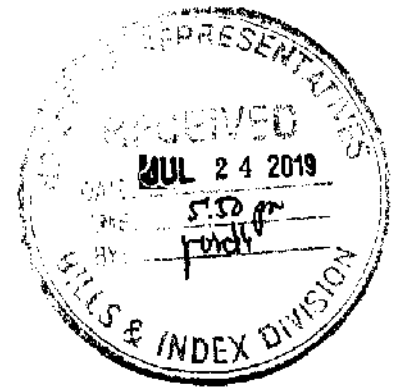




Republic of the Philippines
House of Representatives
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 2713



Introduced by Representative Jose Enrique S. Garcia III

EXPLANATORY NOTE

Several laws on the use of our country's land resources already exist. These laws include the Agriculture and Fisheries Modernization Act, the Comprehensive Agrarian Reform Law, the Indigenous Peoples Rights Act, the Urban Development and Housing Act, the Fisheries Code, and the National Integrated Protected Areas System, to mention a few. All these laws focus on certain areas and aim to address specific concerns. However, they tend to overlap and fail to address competing demands.

The Local Government Code also mandates the local government units to adopt and update their respective comprehensive land use plans (CLUPs). These CLUPs, though, are territory specific and lack the comprehensiveness of a cohesive, inclusive and synchronized land use plan with national perspective.


This bill seeks to institute a national land use and management policy to provide, among others, for a rational, holistic and just allocation, utilization, management and development of the country's land resources, strengthen the capacity of local government units to manage and maintain ecological balance within their territorial jurisdiction through informed and responsive zoning decisions, and institutionalize land use and physical planning as a mechanism for determining and evaluating appropriate land use and allocation patterns.

Similar measures have already passed the scrutiny of our colleagues in this Chamber and approved on third reading by the House of the 16th and 17th Congresses. Unfortunately, both measures failed to muster the consideration and approval of the Senate.

The scarcity of our land resources makes the adoption of a national land use and management policy imperative. An inclusive, comprehensive and encompassing national land use and management measure can provide a balance among competing and at times contradictory land uses and priorities. It gives continuity and

stability across agencies and sectors for addressing land issues, provides predictability, and encourages development free from any uncertainty.

The immediate passage of this bill is therefore urgent.


HON. JOSE ENRIQUE S. GARCIA III
Second District, Bataan



Republic of the Philippines
House of Representatives
Quezon City

EIGHTTEENTH CONGRESS
First Regular Session

House Bill No. 2715

Introduced by Representative Jose Enrique S. Garcia III

AN ACT
INSTITUTING A NATIONAL LAND USE AND MANAGEMENT
POLICY, PROVIDING THE IMPLEMENTING MECHANISMS, AND
APPROPRIATING FUNDS THEREFOR

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

CHAPTER I
INTRODUCTORY PROVISIONS

SECTION 1. *Title.* – This Act shall be known and cited as the “National Land Use and Management Act of the Philippines.”

SEC. 2. *Declaration of Policies and Principles.* – It is the policy of the State to:

- a. Provide for a rational, holistic and just allocation, utilization, management, and development for the country's land and water resources so that their use is consistent with the principles of equity, social justice, environmental integrity and sustainable development for the common good;
- b. Hold owners and users of land responsible for developing and conserving their lands thereby making these productive and supportive of sustainable development and environmental stability in accordance with the principle that use of land bears a social function and that all economic agents shall contribute to the common good;
- c. Treat groups of islands, including parts of islands, interconnecting waters and other natural features which are so closely interrelated, as forming an intrinsic geographical, economic and political entity, or which historically have been regarded as such entity;

- d. Strengthen the capacity of the local government units (LGUs) to manage and maintain ecological balance within their territorial jurisdiction, in partnership with the national government in accordance with the Philippine Constitution and Republic Act No. 7160 or the Local Government Code of 1991.

Toward this end, the State shall institutionalize land use and physical planning as a mechanism for identifying, determining, and evaluating appropriate land use and allocation patterns that promote and ensure:

- 1) Maintenance and preservation of environmental integrity and stability;
- 2) Sustainable and just management and utilization of natural resources;
- 3) Disaster risk reduction and climate risk-based planning;
- 4) Protection of prime agricultural lands for food security, with emphasis on self-sufficiency through efficient and sustainable use of land resources consistent with the principles of sound agricultural development, natural resources development, and agrarian reform;
- 5) Protection and conservation of the country's natural heritage, permanent forest lands, natural forests, critical watersheds and key biodiversity areas to ensure adequate forest cover to maintain ecological processes in the country;
- 6) Sustainable development and management of water resources;
- 7) Settlements, transportation and other infrastructure development in support of inclusive growth and rural, urban and regional development;
- 8) Improved access to affordable housing by increasing the supply thereof through direct allocation, better access to utilized lands, and increased production of multiple use and higher density projects, where appropriate;
- 9) Respect for and protection of the traditional resource right of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains; compliance with free and prior informed consent of ICCs/IPs; and recognition of customary laws and traditional resource use and management, knowledge, and practices in ancestral domains;
- 10) Equitable access to land through State intervention that guarantees its affordability to the disadvantaged sectors defined under Republic Act No. 8425 or the Social Reform and Poverty Alleviation Act;
- 11) Energy security of energy self-sufficiency;
- 12) Preservation and conservation of parks and protected areas to keep the scenery, the natural and historic objects, and the biodiversity therein in their natural state and prevent them from being damaged for purposes of public recreational use and employment; and

1 13) Meaningful and productive participation of the basic sectors.

2 **SEC. 3. Scope.** – This Act shall apply to all lands and all resources therein,
3 whether public, private, government-owned, and/or in the possession of any person,
4 whether natural or juridical and shall guide the rational, holistic and just allocation,
5 utilization, development and management of the country's land and water resources
6 including such activities that bear impact on said resources.

7 **SEC. 4. Definition of Terms.** – As used in this Act:

- 8 a. *Agricultural Land* refers to the sub-class of classified agricultural lands
9 devoted to or suitable for the cultivation of the soil, planting crops,
10 growing trees, raising of livestock, poultry, fish, or aqua-culture
11 protection, including the harvesting of such farm products, and other
12 farm activities and practices performed in conjunction with such farming
13 operations, by persons whether natural or juridical, and not classified
14 as residential land, commercial land, or industrial land;
- 15 b. *Agricultural Land Use Conversion* refers to the undertaking of any
16 development activity which modifies or alters the physical
17 characteristics of agricultural lands to render them suitable for non-
18 agricultural purposes under an approved order of conversion issued by
19 the appropriate government agency;
- 20 c. *Alienable and Disposable Lands of the Public Domain* refer to lands of
21 the public domain which have been delineated, classified, and certified
22 as such and available for disposition under Commonwealth Act No.
23 141, otherwise known as the Public Land Act, as amended;
- 24 d. *Ancestral Domains* refer to all areas generally belonging to indigenous
25 cultural communities/indigenous peoples as defined in Republic Act
26 No. 8371, otherwise known as the Indigenous Peoples Rights Act of
27 1997;
- 28 e. *Ancestral Domain Sustainable Development and Protection Plan*
29 (ADSDPP) refers to a plan formulated and pursued in accordance with
30 the rights of ICCs/IPs to manage and develop the land as well as
31 natural and human resources within their ancestral domains based on
32 their indigenous knowledge systems and practices on the principle of
33 self-determination;
- 34 f. *Classified Agricultural Land* refers to one of the four (4) classifications
35 of land under the Constitution not classified by law as mineral land,
36 forest land or national park and the only land classification subject to
37 alienation;
- 38 g. *Coastal Area/Zone* refers to a band of dry land and the adjacent ocean
39 space (water and submerged land) in which terrestrial processes and
40 uses directly affect oceanic processes and uses, and vice versa. Its
41 geographic extent may include areas within a landward limit of one (1)
42 kilometer from the shoreline at high tide to include mangrove swamps,
43 brackish water ponds, nipa swamps, estuarine rivers, sandy beaches
44 and other areas within a seaward limit of two hundred (200) meters

isobaths to include coral reefs, algal flats, seagrass beds, and other soft-bottom areas;

- h. *Comprehensive Land Use Plan (CLUP)* refers to a document embodying a set of policies, accompanied by maps and similar illustrations that serve as a policy guide for determining future use of lands and natural resources within the territorial jurisdiction of the LGUs. It represents the community-desired pattern of population distribution and proposes future allocation of land and resources to various activities. It includes the processes and criteria employed in such determination of allocation of land and resources. It is a plan for the long-term management of the local territory covering a period of minimum of ten (10) years, reviewable not earlier than every five (5) years based on the four (4) categories of land use planning provided in Section 6 of this Act;
- i. *Comprehensive Land Use Planning* refers to the act defining the allocation, utilization, development, and management of all lands within a given territory or jurisdiction according to the inherent characteristics of the land itself and supportive of sustainable, economic, demographic, socio-cultural and environmental objectives as an aid to decision-making and legislation;
- j. *Critical Watershed* refers to watersheds or forestlands that have been identified and evaluated to provide critical and vital natural, ecological, environmental and physical beneficial services such as water, biodiversity, energy, irrigation, social and cultural, among others to a specific area or community and whose biophysical condition demands immediate rehabilitation, protection and management to prevent its further denudation, deterioration and exploitation;
- k. *Cultural Heritage* refers to the totality of cultural properties, whether natural or human-made, preserved and developed through time, and passed on for posterity;
- l. *Customary Laws* refer to a body of written and/or unwritten rules, usages, customs and practices traditionally and continually recognized, accepted, and observed by respective ICCs/IPs consistent with the IPRA;
- m. *Danger Zones* refer to areas with high level of threat to the lives and well-being of people that cannot be addressed through scientific, physical and engineering methods, and are therefore not suitable for settlement and permanent structures. Areas can only be
- n. *Development Plan* refers to a document that defines the activities and measures that the national government or LGUs intend to implement over a specified period of time in order to achieve the defined set of development goals identified in the national or local physical framework plans. It integrates socioeconomic, financial, fiscal, legal and legislative, institutional and sectoral plans of the national government or any of its instrumentalities or a particular LGU, consistent with the objectives identified in spatial plans such as land use plans or physical

framework plans. It may include an analysis of problems and resources, definition of goals and objectives, policy guidelines, project and target achievements, and an implementation mechanism which defines the roles and contributions expected from the government and the private sector;

o. *Disaster-Prone Areas or Geo-Hazard Areas* refer to areas frequented by and/or vulnerable to experience weather, climatic, hydrologic, geologic, and other natural disturbances or calamities;

p. *Disaster Risk Reduction* refers to the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events;

q. *Ecologically Fragile Lands* refer to lands within critical watersheds, brackish and freshwater wetlands, pasturelands, inland rivers and waterways, coastal and settlement areas, and croplands which require rehabilitation, protection and whose continued unsustainable use would result in physical risks and threats to life and property, public health and safety, as well as adversely affect the productivity of lowland agricultural areas and stability of the upland system;

r. *Ecotourism* refers to a form of sustainable tourism within a natural and/or cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of the host community and satisfaction of visitors;

s. *Energy Resources* refer to surface or subsurface substances that serve as energy sources. These are traditionally mineral fuel deposits such as coal, petroleum, natural gas or renewable resources from geothermal, hydro reservoirs, or nonconventional sources including ocean waves, solar, wind, biomass, and other similar resources which serve the same purpose;

t. *Energy Resource Lands* refer to lands where naturally occurring or indigenous energy resources exist in sufficient quantity and/or quality as to be economically viable for exploration, development, production, utilization, and distribution purposes;

u. *Environmentally Critical Areas* refer to areas declared by law as: (i) areas for natural parks, watershed reserves, wildlife preserves, and sanctuaries; (ii) areas set aside for aesthetic and visual value; (iii) areas that constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife both flora and fauna; (iv) areas of unique historic, archaeological, or scientific interests; (v) areas that are traditionally occupied by ICCs/IPs; (vi) areas with critical slopes; (vii) areas frequented and/or hard hit by natural calamities such as, but not limited to, geologic hazards, floods, typhoons and volcanic

activities; (viii) recharge areas of aquifers; (ix) mangrove areas; (x) coral reefs; (xi) mossy and virgin forests; (xii) rivers and riverbanks; (xiii) swamp forests and marshlands; (xiv) foreshore lands; (xv) protected areas pursuant to Republic Act No. 7586 or the NIPAS Act of 1992; and (xvi) areas set aside as aesthetic potential tourist spots. This term shall also include other terrestrial, aquatic and marine areas that need special protection and conservation measures because they are ecologically fragile or they are needed for food security and food self-sufficiency as determined by concerned agencies and LGUs in consultation with the concerned stakeholders;

v. *Flood Plain* refers to the portion of a river valley adjacent to a river channel which is covered with water when the river overflows its banks at flood stages, and which usually consists of silt deposited by the stream;

w. *Flood-Prone Areas* refer to low-lying areas usually adjacent to large or active water bodies and which therefore experience regular or seasonal inundation as a result of changes in the mean water level of these bodies or because of land reclamation and other artificial interference with the natural processes;

x. *Foreshore Land* refers to a string of land margining a body of water, the part of a seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide often marked by a beach scarp or berm;

y. *Forest* refers to an ecosystem or an assemblage of ecosystems dominated by trees and other woody vegetation; a community of plants and animals interacting with one another and its physical environment;

z. *Forest Lands* refer to one of the four (4) classifications of land under the Constitution under the public domain classified and/or determined as suitable for forest purposes not classified as mineral land, national park and classified agricultural land. These include all permanent forest, forest reserves, forest reservations, and all the remaining unclassified lands of the public domain;

aa. *Forest Land Use Plan (FLUP)* refers to the allocation of forest lands into their appropriate uses consistent with existing biophysical conditions such as topography, soil type, land use, climate, water sources and socioeconomic, cultural and political realities. Forest land use planning should be able to delineate protection and production forests;

bb. *Forest Land Sub-classification* refers to the process of determining the most appropriate and sustainable use of forest lands primarily as protection forest and production forest. They may be further sub-classified as grazing/pasture land, recreational areas and other uses taking into account ecological, social and economic considerations;

cc. *Free, Prior and Informed Consent (FPIC)* refers to the consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from any external

manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community;

dd. *Geo-Hazards* refer to nature and human-induced geological processes that have potential to cause destruction and which pose a threat or risk to a person's life and property. These may include, but are not limited to, ground, water and weather-related conditions, volcanic and earthquake induced hazards such as ground shaking, ground rupture, earthquake-induced landslides, liquefaction and tsunami;

ee. *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)* refer to groups of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, nonindigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country at the time of conquest or colonization, or at the time of inroads of nonindigenous religions and cultures, or the establishment of present State boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains, or who may have resettled outside their ancestral domains;

ff. *Inland Waters* refer to waters, which are not coastal and marine waters, and not subject to acquisitive prescription consistent with the provisions of Presidential Decree No. 1067 or the Water Code of the Philippines;

gg. *Integrated Watershed Management* refers to a planning strategy or program for watershed areas that complement environmentally sound soil and water management practices with mechanisms for ensuring greater responsibility, involvement, or participation of individuals, groups, communities and other stakeholders benefiting from these areas and water-related infrastructure;

hh. *Key Biodiversity Areas (KBAs)* refer to the present most important sites for biodiversity conservation worldwide. These are places of international importance for the conservation of biodiversity through protected areas and other governance mechanisms. They are identified nationally using simple, standard criteria, based on their importance in maintaining species populations;

ii. *Land* refers to resources, both artificial and natural, found on the surface, below, and above the ground including inland waters and the air therein;

- 1 jj. *Land Sub-classification* refers to the act of determining and assigning
2 specific uses of classified lands such as forest lands, classified
3 agricultural lands, mineral lands and national parks in accordance with
4 existing laws and this Act;
- 5 kk. *Land Use* refers to the manner of allocation, utilization, management
6 and development of land;
- 7 ll. *Land Use Classification* refers to the act of delineating or allocating
8 lands according to protection land use, production land use,
9 settlements development and infrastructure development as defined
10 and provided for in this Act;
- 11 mm. *Marine Protected Area (MPA)* refers to a defined area of the sea
12 established and set aside by law, administrative regulation or any other
13 effective means in order to conserve and protect a part of or the entire
14 enclosed environment, through the establishment of management
15 guidelines. It includes all declared areas governed by specific rules or
16 guidelines in order to protect and manage activities within the enclosed
17 area;
- 18 nn. *Mineral Exploration* refers to the systematic searching or prospecting
19 for mineral resources including energy resources;
- 20 oo. *Mineral Lands* refer to lands of the public domain, excluding those in
21 permanent forestlands and protection lands, where mineral resources
22 are found in sufficient quantity and quality for extraction, development
23 and utilization;
- 24 pp. *Multiple Use of Land Resources* refer to the utilization or management
25 strategy for any land, which allows any activity, involving one or more
26 of its resources, depending on the result of prior evaluation on its
27 numerous beneficial use, that will produce the optimum benefits to the
28 development and progress of the country and the public welfare without
29 impairment or with the least injury to its other resources;
- 30 qq. *Municipal Waters* refers to not only streams, lakes, inland bodies of
31 water and tidal waters within the municipality which are not included
32 within the protected areas as defined under Republic Act No. 7586 of
33 the National Integrated Protected Areas System or the NIPAS Act of
34 1992, public forest, timber lands, forest reserves or fishery reserves,
35 but also marine waters included between two (2) lines drawn
36 perpendicular to the general coastline from points where the boundary
37 lines of the municipality touch the sea at low tide and a third line parallel
38 with the general coastline including offshore islands and fifteen (15)
39 kilometers from such coastline. Where the territory of a municipality
40 includes several islands, the outermost points of such islands shall be
41 used as base points and connected by archipelagic baselines,
42 irrespective of the lengths of such baselines from the main coastlines.
43 Where two (2) municipalities are situated on opposite shores that there
44 is less than thirty (30) kilometers of marine waters between them, the
45 third line shall be equally distant from opposite shore of the respective
46 municipalities;

- 1 rr. *National Integrated Protected Areas System* (NIPAS) refers to the
2 classification and administration of all designated protected areas to
3 maintain essential ecological processes and life-support systems, to
4 preserve genetic diversity, to ensure sustainable use of resources
5 found therein, and to maintain their natural conditions to the greatest
6 extent possible;
- 7 ss. *National Land Use Policy Council* (NLUPC) refers to the administrative,
8 policy-making, and regulatory body created under this Act;
- 9 tt. *National Park* refers to forest reservation essentially of natural
10 wilderness character which has been withdrawn from settlement,
11 occupancy or any form of exploitation except in conformity with
12 approved management plan and set aside as such exclusively to
13 conserve the area or preserve the scenery, natural and historic objects,
14 wild animals and plants therein and to provide enjoyment of these
15 features in such areas. It shall also refer to lands and waters of the
16 public domain classified as such in the 1987 Constitution which include
17 all areas under the NIPAS, pursuant to Republic Act No. 7586 or the
18 NIPAS Act of 1992, primarily designated for the conservation of native
19 plants and animals and associated habitats and cultural diversity;
- 20 uu. *Network of Protected Areas for Agriculture and Agro-industrial*
21 *Development* (NPAAAD) refers to agricultural areas identified by the
22 Department of Agriculture (DA) through the Bureau of Soils and Water
23 Management (BSWM) in coordination with the National Mapping and
24 Resource Information Authority (NAMRIA) in order to ensure the
25 efficient utilization of land for agriculture and agro-industrial
26 development and to promote sustainable growth. The NPAAAD covers
27 all irrigated areas; all irrigable lands already covered by irrigation
28 projects; all alluvial plains; lands highly suitable for agriculture whether
29 irrigated or not; agro-industrial croplands or lands planted to industrial
30 crops that support the validity of existing agricultural infrastructure and
31 agro-based enterprises; highlands or areas located at an elevation of
32 five hundred (500) meters or above and have the potential for growing
33 semi-temperate and high value crops; all agricultural lands that are
34 ecologically fragile the conversion of which will result in serious
35 environmental degradation; and all mangrove areas and fish
36 sanctuaries;
- 37 vv. *Permanent Forests or Forest Reserves* refer to lands of the private or
38 public domain which have been identified and determined to be needed
39 for protection, conservation, preservation and management as forests
40 and shall be reserved, conserved and protected into perpetuity for such
41 purpose;
- 42 ww. *Permanent Forestlands* refer to forestlands, within public lands, that
43 have been identified, determined and demarcated on the ground by the
44 State to serve such purpose and shall be protected, conserved,
45 preserved, maintained and managed as forestlands free from any form
46 of utilization, exploitation or development, and reserved permanently as
47 such for the benefit and use of future generations;

- xx. *Physical Framework Plans* refer to the national, regional or provincial indicative plans that outline the overall and macro-level physical development objectives, priorities, directions and strategies in its respective levels as prepared, reviewed, integrated and finalized by the national, regional and provincial land use councils/boards, respectively, based on the Comprehensive Land Use Plans (CLUPs) of the LGUs and the national policy guidelines relating to land use and environmental management to prevent or mitigate the adverse effects of inappropriate resource utilization on food security, the people's welfare, and their environment;
- yy. *Premature or Illegal Conversion* refers to any activity that modifies or alters the physical characteristics of agricultural lands to render them suitable for nonagricultural purposes without an approved order of conversion from the Department of Agrarian Reform (DAR) Secretary;
- zz. *Prime agricultural lands* refer to all contiguous irrigated areas and irrigable lands already covered by irrigation projects; all alluvial plain lands highly suitable for agriculture whether irrigated or not that have been identified to satisfy the country's needs for food self-sufficiency and security; agro-industrial croplands or lands presently planted and suitable to industrial and high value crops; highlands, or areas located at an elevation of five hundred (500) meters or above and have the potential for growing semi-temperature and high value crops outside of declared permanent forestlands and protection forests, and are not located in ecologically fragile and environmentally critical areas;
- aaa. *Production Forest* refers to forestland located in production lands managed primarily for the production of timber and other tree products;
- bbb. *Production Land Use* refers to the direct and indirect utilization of land to generate outputs resulting from the following activities: agricultural, fish farming or aquaculture, timber or agro-forestry, grazing and pasture, mining, indigenous energy resource development, industry, and tourism;
- ccc. *Protected Areas* refer to portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity, and protected against human exploitation. For purposes of this Act, these shall also include all natural forests and agricultural lands identified and delineated under this Act;
- ddd. *Protection Forests* refer to forests and forestlands, in both public and private lands, that have been identified and determined by the State for the beneficial use of present and future generations and shall be preserved, conserved, protected and maintained as such free from any form of utilization, exploitation or development;
- eee. *Protection Land Use* refers to the use of land primarily reserved for rehabilitation, conservation, and protection purposes and the promotion of the country's ecological and life-support systems;

- 1 fff. *Public Domain* refers to lands belonging to the State which may be
2 classified as agricultural, forest or timber, mineral, or national park as
3 provided for in the Constitution;
- 4 ggg. *Reclassification of Agricultural Lands* refer to the act of specifying how
5 agricultural lands shall be utilized for nonagricultural uses such as for
6 residential, industrial, or commercial purposes, through the local
7 planning and zoning processes pursuant to the Local Government
8 Code of 1991, and subject to the requirements and procedure for
9 conversion;
- 10 hhh. *Restoration* refers to returning forestland to its original forested state in
11 terms of species' composition, structure, function and productivity;
- 12 iii. *Restoration Zones* refer to forest areas where activities are conducted
13 to restore its forested state;
- 14 jjj. *River Basin* refers to the horizontal projection of area from which a river
15 and its tributaries receive surface water originating from precipitation;
- 16 kkk. *Settlements* refer to communities or built-up environment areas where
17 people prefer to live in;
- 18 III. *Settlements Development* refers to any improvement on existing
19 settlements or any proposed development of certain areas for
20 settlement purposes. It also involves the spatial distribution of
21 population, identification of the roles and functions of key urban centers,
22 determination of relationships among settlement areas, and the
23 provision of basic services and facilities of identified major settlement
24 areas or growth centers;
- 25 mmm. *Shoreline* refers to a strip of land covering at least one (1) kilometer
26 from the point where seawater reaches during the highest high tide;
- 27 nnn. *Spatial Data Infrastructure* refers to a system consisting of spatial data,
28 technology, policies, practices, relationships, people and resources
29 necessary to acquire, process, store and distribute spatial information
30 to improve sharing and use throughout all levels of the government and
31 private sector, among others, which shall be operationalized through
32 electronic system that provides access to a network of spatial data
33 sources and users and shall serve as the official linkage of the
34 government to international and regional spatial data infrastructure;
- 35 ooo. *Strategic Agriculture and Fisheries Development Zones (SAFDZs)* refer
36 to areas within the NPAAAD identified for production, agro-processing
37 and marketing activities to help develop and modernize, with the
38 support of government, the agriculture and fisheries sectors in an
39 environmentally and socio-culturally sound manner;
- 40 ppp. *Sub Classification or Reclassification of Agricultural Lands* refers to the
41 process undertaken by the LGUs of allocating declared agricultural
42 lands in their respective territorial jurisdictions to specific uses such as

residential, industrial or commercial purposes and may be used as a basis for application for land conversion by the owners thereof;

qqq. *Sustainable Development* refers to the development objective of meeting the needs of the present generation without compromising the ability of future generations to meet their own needs, consistent with the principles of social equity, efficiency, and environmental integrity;

rrr. *Sustainable Traditional Resource Rights* refer to the rights of ICCs/IPs to sustainably use, manage, protect and conserve: (1) land, air, water, and minerals; (2) plants, animals and other organisms; (3) collecting, fishing and hunting grounds; (4) sacred sites; and (5) other areas of economic, ceremonial and aesthetic value in accordance with their indigenous knowledge, beliefs, systems and practices;

sss. *Tourism Development Areas* refer to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans as well as those designated through legislative and executive issuances as tourist spots and tourist zones which can be developed into tourism estates or integrated resort, leisure, recreation complexes, and other tourism-related facilities;

ttt. *Tourism Ecozone* refers to tourism development areas, outside protection lands, which have been granted Special Economic Zone status, through the Philippine Export Zone Authority (PEZA) registration and issuance of the required Presidential Proclamation, with its metes and bounds delineated by said Proclamation, pursuant to Republic Act No. 7916 or The Special Economic Zone Act (SEZA) of 1995, as amended;

uuu. *Tourism Estates* refer to large tracts of land with well-defined boundaries in any area, excluding those in protection lands, identified in the Philippine tourism master plan and regional tourism master plan, by proclamation of the President and/or by acts of Congress and/or by local legislation and declared suited for the development of an integrated tourism and resort complex with prescribed carrying capacities and limits for its facilities and activities;

vvv. *Tourist Spot* refers to a particular area/site/spot, human-made or natural, known for its unique tourist/visitor-drawing attributes and activities and which may be classified according to its social, cultural, natural, historical, aesthetic, visual, scientific, religious, and recreational significance;

www. *Tourist Zone* refers to a geographic area with well-defined boundaries proclaimed as such by the President of the Philippines and/or by acts of Congress. No development projects for any purpose shall be initiated and introduced within the zone prior to the formulation of a tourism master development plan which shall be undertaken in coordination with the Department of Tourism (DOT) and the Tourism Infrastructure and Enterprise Zone Authority (TIEZA). A tourist zone is established for the enhancement and/or the conservation of cultural and historical

1 heritage and for the appreciation and enjoyment of the local population
2 and its visitors;

3 xxx. *Urban Areas* refer to all cities regardless of their population density and
4 to municipalities with a population density of at least five hundred (500)
5 persons per square kilometer;

6 yyy. *Urbanizable Areas* refer to sites and lands which, considering present
7 characteristics and prevailing conditions, display marked and great
8 potential of becoming urban areas within a period of five (5) years;

9 zzz. *Urban Forestry or Green Space* refers to the establishment or setting-
10 up of areas for mini-forest, eco-parks or small nature parks, in both
11 public and private lands: wetlands, human-made lagoons and lakes
12 systems, riverbanks and shores, grasslands, roof and rock gardens:
13 lining roads and highways with trees, shrubs, or ornamental plants, and
14 ground landscaping of schools, hospitals, and other government
15 agencies in order to improve the environment in urban areas;

16 aaaa. *Water Security* refers to the sufficient access throughout the year to the
17 minimum daily requirement of clean water to maintain a healthy life;

18 bbbb. *Water Use* refers to the appropriation of water for domestic, municipal,
19 irrigation, power generation, inland fisheries, poultry and livestock,
20 industrial and commercial, environmental, and recreational use;

21 cccc. *Watershed* refers to a topographically delineated area of land from
22 which rainwater can drain as surface run-off vis-a-vis a specific stream
23 or river system to a common outlet point which may be a dam, irrigation
24 system or urban water supply take-off point, or where the stream
25 discharges into a river, lake, or the sea;

26 dddd. *Zoning* refers to the regulatory tool for delineating the specific land uses
27 in accordance with the approved CLUP within the territorial jurisdiction
28 of a city/municipality and specifying the conditions for their regulation;
29 subject to the limitations imposed by law and competent authority; and

30 eeee. *Zoning Ordinance (ZO)* refers to a local law passed by the *Sangguniang*
31 *Bayan* or *Panlungsod* approving the development control/zoning plan
32 in accordance with an approved or adopted CLUP of the
33 city/municipality, providing for the regulations and other conditions on
34 the land uses including the limitation on the infrastructure that may be
35 placed within the city's/municipality's territorial jurisdiction. It
36 incorporates the protected areas, protected agricultural lands and
37 ancestral lands as provided for in this Act.

38 CHAPTER II 39 FRAMEWORK FOR LAND USE PLANNING

40
41 **SEC. 5.** *Basic Land Use Considerations.* – Various land uses as
42 categorized in the succeeding section shall be determined in a manner that promotes
43 the policies and principles defined in Section 2 of this Act and shall consider, among
44 others, the following elements of the framework:

- (a) Protection land use category as defined in Section 6 shall prevail over existing production land use category. The State shall undertake the necessary action in changing the classification of these production areas;
- (b) Preservation, conservation, rehabilitation and protection to perpetuity of permanent forestlands, critical watersheds, key biodiversity areas, environmentally critical and ecologically fragile areas and prime agricultural lands from any other land use, conversion, disposition, intrusion, utilization and development aside from their determined use and limits;
- (c) Protection of natural forests and natural resources ensures environmental stability, conserve biological diversity, improve ecosystem functions and provide long-term ecological and economic benefits. Designated restoration areas are designed to revive the ecosystem functions and services of forests as well as improve the economic and ecological benefits of local communities;
- (d) Protection of forest and wetlands from infrastructure development to preserve the ecological services they provide which are essential to economic development. These activities include, but not limited to, river channelization and dredging, large-scale irrigation and river diversions which reduce riverine habitat and alter flood patterns and natural flow regimes, reduce downstream water availability for agriculture and contribute to salinization through saltwater intrusion in coastal areas;
- (e) Resolution of land use conflicts which are life-threatening or threatening to public safety, sustainability of key production resources or employment activities and the delivery of basic services which are harmful or destructive to protected areas, flora, fauna, and other protected natural resources. Greater consideration shall be given to the human and tenorial rights of vulnerable groups in resolving land use conflicts;
- (f) Identification of geo-hazard prone areas and high-risk/danger zones and corresponding risk reduction measures to ensure the prioritization of life and safety: *Provided*, That specifically identified and assessed as extremely hazardous and high-risk/danger zones shall be similarly protected and cleared from all forms of human-made obstacles, obstructions and instructions to ensure and secure public health and safety;
- (g) Respect for existing customary rights and traditional land uses of ICCs/IPs;
- (h) Identification of settlement areas to check the demand for land and establish the location of employment-generating industries and basic services; and
- (i) The availability of natural resources including indigenous energy resources for energy security and self-sufficiency. However, infrastructure energy projects such as dams with large reservoirs in

1 natural ecosystems shall not be allowed if it would interrupt the
2 connectivity of river systems, disrupt fish spawning and migration, and
3 alter seasonal flood regimes.

4 **SEC. 6.** *Categories of Land Uses for Planning Purpose.* – In determining
5 and defining the national, regional and provincial framework plans and CLUPs, land
6 uses shall be grouped into four (4) major functional uses as follows:

- 7 (a) Protection Land Use refers to the use of land primarily reserved for
8 rehabilitation, conservation, and protection purposes and the promotion
9 of the country's ecological and life-support systems. Planning for
10 protection land use intends to achieve environmental stability and
11 ecological integrity, ensure a balance between resource use and the
12 preservation of some areas with environmental, aesthetic, educational,
13 cultural and historical significance, aid and protect people and human-
14 made structures from the ill-effects of natural hazards.

15 Areas under this category are those covered by the NIPAS Act of 1992
16 and other coastal and marine protected areas; areas outside NIPAS,
17 which include, but are not limited to:

- 18 (1) Natural and restored forests, which consist of:

- 19 (i) All existing areas within forestland containing primary and
20 secondary forests of whatever types or species;
21 (ii) All existing areas within forestland containing secondary-
22 growth or residual forests of whatever type or specie;
23 (iii) Areas identified as key biodiversity areas (KBAs);
24 (iv) Restoration areas;
25 (v) All mangrove forests;
26 (vi) All easement areas as defined under Presidential Decree
27 No. 1067, otherwise known as the Water Code of the
28 Philippines; and
29 (vii) All other areas that would be deemed appropriate for
30 protection, as designated by the Department of Environment
31 and Natural Resources (DENR), subject to the approval of
32 the NLUPC created pursuant to Section 55 hereof.

- 33 (2) Rehabilitated and/or reforested degraded mining areas;

- 34 (3) Critical ecosystems for protection, such as:

- 35 (i) Coral reefs;
36 (ii) Marshes and wetlands;
37 (iii) Lakes and rivers;
38 (iv) Caves; and

- 1 (v) Waterfalls.
- 2 (4) Disaster-prone areas that include areas subject to, or may be
3 subject to:
- 4 (i) Recurrent flooding;
- 5 (ii) Liquefaction;
- 6 (iii) Tsunamis;
- 7 (iv) Storm surges;
- 8 (v) Polar vortex;
- 9 (vi) Mass wasting;
- 10 (vii) Volcanic eruption;
- 11 (viii) Direct impact of seismic activity;
- 12 (ix) Other disasters caused by climatic conditions; and
- 13 (x) Other areas that pose high degree of hazard to human
14 occupation and activity.
- 15 (5) Critical watershed areas;
- 16 (6) Marine protected areas;
- 17 (7) All prime agricultural lands as defined under this Act;
- 18 (8) Ecologically fragile and environmentally critical areas whose
19 conversion will result to serious environmental problems and
20 threats to public health and safety;
- 21 (9) Natural and human-made areas/sites of cultural, historical
22 and anthropological significance, which are declared as such by
23 internationally recognized institutions; and
- 24 (10) All other areas not included and declared as production areas
25 shall become protected areas.
- 26 (b) Production Land Use refers to the most efficient, sustainable, and
27 equitable utilization, development and management of land for
28 productive purposes which are not classified for protection land use as
29 defined in this section. Areas included in this category are agricultural
30 lands, coastal and marine zones, production forest, mineral lands,
31 energy resource lands, industrial, and tourism development areas
32 where productive activities could be undertaken to meet the country's
33 requirements for economic growth and development. Production land
34 use shall comprise of, but shall not be limited to:
- 35 (1) Other agricultural lands not identified as prime agricultural lands.
36 They shall consist of, but shall not be limited to:

- 1 (i) Lands whose soils are suitable for agricultural development;
- 2 (ii) All alluvial plain lands that are suitable for agricultural
- 3 production and/or can be devoted to food production;
- 4 (iii) All lands that are traditional sources of staple food;
- 5 (iv) All croplands required to attain a certain scale of production
- 6 to sustain the economic viability of existing agro-based
- 7 industries in the municipality, city or province; and
- 8 (v) All lands in areas not highly prone to natural hazards that are
- 9 suitable for the production of tree crops and other cash
- 10 crops.
- 11 (2) Coastal, inland water and marine zones, such as fishponds;
- 12 (3) Production forests, such as:
 - 13 (i) All areas within forestland not classified as protection forests
 - 14 under Section 6(a) and shall be devoted to the production of
 - 15 timber and/or non-forest products or the establishment of
 - 16 industrial tree plantations, tree farms, woodlots, agro-
 - 17 forestry, or as multiple-use forests;
 - 18 (ii) All areas within forestlands considered as rangelands for
 - 19 grazing purposes; and
 - 20 (iii) All areas within forestlands managed under the community-
 - 21 based forest management in areas not classified as
 - 22 protection forests.
- 23 (4) Rangelands for grazing;
- 24 (5) Industrial development areas; and
- 25 (6) Tourism development areas, including potential small islands for
- 26 similar purposes.
- 27 (c) Settlements and Institutional Land Use refers to the use of urban and
- 28 rural lands for settlements development purposes and/or improvements
- 29 on existing settlements involving the spatial distribution of population,
- 30 identification of the roles and functions of key urban centers,
- 31 determination of relationships among settlement areas, and the
- 32 provision of basic services and facilities to such settlements.
- 33 It shall also include lands identified for institutional uses such as
- 34 educational, administrative, government, law enforcement, health care
- 35 and social services. Settlements and institutional land uses aim to
- 36 ensure for the present and future generation the:
 - 37 (1) Effective integration of activities within and among settlements,
 - 38 allowing efficient movement of people and production of
 - 39 commodities through the provision of appropriate land,
 - 40 infrastructure, and facilities; and

(2) Access of the population to housing, education, health care, recreation, transportation and communication, sanitation, and basic utilities such as water, power, waste disposal, and other services;

(d) Infrastructure Land Use refers to the use of land dedicated to the provision of basic services that foster economic and other forms of integration necessary for producing or obtaining the material requirements of Filipinos, in an efficient, responsive, safe and ecologically friendly built environment. It includes, among others, subsectors like: road networks, transportation and communication facilities, social services, environmental service facilities, and utilities.

Provided, That the determination of the functional uses of lands within ancestral domains should be consistent with the land use categories provided for in this Act: *Provided, further*, That other subcategories of land uses in delineated ancestral domains may be formulated by the concerned ICCs/IPs themselves in accordance with their particular needs and traditional resource and management systems.

SEC. 7. *Land Use Plans for Ancestral Domains.* – Land use plans for ancestral domains shall be formulated by the ICCs/IPs themselves in accordance with their particular needs and traditional resource and management systems with the assistance of the National Commission on Indigenous Peoples (NCIP), the LGUs and civil society organizations (CSOs) concerned. Such plans shall be recognized and adopted in the barangay, city/municipal, provincial, regional and national physical framework plans.

Physical framework plans made prior to the delineation of ancestral domains included in such plans or ordinances shall, without prejudice to the rights of the ICCs/IPs concerned, adopt different land use categories in accordance with their particular needs and traditional resource and management systems.

In cases where there are no ADSDPPs, the LGUs and the ICCs/IPs shall jointly formulate the land use plan within the ancestral domain until such time that the ICCs/IPs have formulated their ADSDPPs.

SEC. 8. *Adoption of Multiple Uses of Land.* – The primary and alternative uses of a specific land resource shall be determined and evaluated by the respective local land use boards prior to any decision for the assignment of its use. Areas feasible for sustainable land resource use may be considered multiple-use zones wherein settlements, tourism, agriculture, agro-forestry and extraction activities and other income-generating, or livelihood activities may be allowed, except areas under protection land use: *Provided*, That multiple uses of land resources shall be in accordance with priorities in land use allocation identified in the approved physical framework and land use plans wherein such multiple uses are compatible with the original land use and planning, and that no reclassification shall be allowed: *Provided, further*, That, where there are vested rights, titles, and claims prior to the enactment of this Act over the areas feasible for sustainable land resource use, the same shall be respected.

CHAPTER III SPECIAL AREAS OF CONCERN

1
2 ARTICLE ONE. LAND USE CLASSIFICATION
3

4 **SEC. 9.** *Review of Land Use Classification.* – The NLUPC shall review
5 and assess the current land use classification system and definitions used in the
6 country to ensure that it reflects the actual use of lands in the country.

7 The Land Management Bureau (LMB) shall provide the necessary technical
8 information, conduct the needed assessment of the status of the existing land use
9 classification and submit an assessment report to the NLUPC not later than ninety
10 (90) days from the establishment of the latter.

11 **SEC. 10.** *Consideration of Assessment Report.* – Upon validation and
12 affirmation by the local land use boards, the land use classification assessment
13 report submitted by the LMB shall be taken into consideration by the NLUPC in the
14 formulation of its planning guidelines.

15 ARTICLE TWO. NIPAS AREAS

16 **SEC. 11.** *Integrated Management Strategy.* – For more effective planning,
17 management, and protection of protected areas at the provincial and city/municipal
18 levels, the Protected Area Management Plan (PAMP) referred to in the NIPAS Law
19 shall be incorporated in the Provincial Physical Framework Plan (PPFP) and CLUPs
20 if applicable, wherein protected area zoning shall be reflected.

21 ARTICLE THREE. AGRICULTURAL LANDS

22 **SEC. 12.** *Priority Areas for Agricultural Development.* – The priority areas
23 for agricultural development are the areas distributed under agrarian reform, areas
24 that can be covered by the Comprehensive Agrarian Reform Program (CARP), and
25 those identified as part of the NPAAAD. The mapping of the NPAAAD under the
26 Agriculture and Fisheries Modernization Act (AFMA) shall be completed not later
27 than one (1) year from the effectivity of this Act.

28 **SEC. 13.** *Conversion of Agricultural Lands.* – All lands considered and
29 identified as prime agricultural lands shall be maintained, managed and protected for
30 agricultural use and shall not be subjected to any form of conversion or
31 reclassification.

32 All other agricultural lands not identified as prime agricultural lands can only
33 be converted to nonagricultural uses upon issuance of a DAR conversion order:
34 *Provided,* That such conversion shall not drastically change the nature of the overall
35 land uses in the surrounding and adjacent areas from their existing land use.

36 *Provided, further,* That consistent with the State policy on giving priority to the
37 completion of the CARP, lands covered under compulsory acquisition/voluntary offer
38 to sell, production or profit-sharing subject to CARP shall also be protected from
39 conversion pending the distribution and/or installation of the farmer beneficiaries.

40 *Provided, finally,* That pending the completion of mapping activities of the
41 specific areas under the NPAAAD and the SAFDZs under the AFMA and their
42 incorporation in the National Physical Framework Plan (NPFP), the application for

conversion of these areas shall not be given due course by the appropriate government agency.

ARTICLE FOUR. ANCESTRAL DOMAIN

SEC. 14. *Priority Areas for Agricultural Development Within Ancestral Domain.* – Agricultural lands within ancestral domain shall be developed in accordance with their ADSDPP.

SEC. 15. *Respect for Ancestral Domains.* – The Ancestral Domain Management Plan (ADMP) or ADSDPP shall be adopted and integrated into the CLUP and/or other plans that the LGU is mandated to produce. The extent of ancestral domains shall be reflected in the land use plan, and shall be zoned as such in the zoning ordinance. It shall be co-managed by the LGU and ICC/IP community. Additionally, the ADMP/ADSDPP shall be included in the investment plans of the LGU.

SEC. 16. *Ancestral Domain Policy Adoption.* – Ancestral domain policies shall be adopted in the LGUs' land use policy framework. However, in the event that the ADMP/ADSDPP is still in the formulation stage or remains to be formulated, the right to self-determination, and the observance of traditional resource and management systems and processes shall be upheld at all times, as provided for under Republic Act No. 3871.

ARTICLE FIVE. FOREST LANDS AND RESERVATION OF WATERSHED

SEC. 17. *Permanent Forestlands.* – All forestlands are classified as forest or timberlands. Titles, settlements, permits, leases, and/or agreements within critical habitats, critical watershed areas, protected areas and KBAs shall be reviewed, and their legality affirmed. All erroneous titles, settlements, permits, leases and/or agreements within permanent forestlands shall be cancelled or revoked in due course. Noncompliance with and violations of these instruments shall be grounds for their cancellation or revocation: *Provided*, That the applicable provisions of Republic Act No. 3871 shall be respected.

Upon recommendation by the LGU, or the Forest Board, the DENR Secretary shall revoke the abovementioned instruments.

SEC. 18. *Additional Areas to be Included as Permanent Forestlands.* – The following lands are needed for environmental protection and forestry purposes and shall not be reclassified as agricultural lands or for any other land use:

- (a) Isolated patches of forest, regardless of size and/or area, with rocky terrain or which protect a spring/water source for communal use;
- (b) All mangroves and swamplands including twenty (20)-meter wide strips facing oceans, lakes and other bodies of water not yet classified as alienable and disposable lands;
- (c) Ridge tops and plateaus regardless of size found within or surrounded wholly or partially by forestlands where headwaters emanate;

- (d) Twenty (20)-meter wide strips of land from the edge of the normal high waterline of rivers and streams with channels of at least five (5) meters width which are not yet classified as alienable and disposable;
- (e) Areas needed for public interest such as research or experimental purposes; and
- (f) Areas considered as environmentally critical because of their vulnerability to damage from landslides, volcanic eruptions, and other natural causes.

SEC. 19. *Reversion of Alienable and Disposable Lands to Forestlands.* – Upon the recommendation of the DENR Secretary, duly reviewed and endorsed by the NLUPC, and after due consultations with the concerned LGUs and the affected parties, Congress may authorize the reversion of alienable and disposable lands of the public domain or portion thereof to forestlands.

SEC. 20. *Critical Watershed Areas.* – The DENR, in coordination with the DA, the LGUs concerned, and other government agencies, including government-owned and controlled corporations, and after mandatory public hearings/consultations, shall identify and delineate critical watershed areas that need to be protected, rehabilitated, enhanced, and/or withdrawn from uses that contribute to their further degradation.

SEC. 21. *Formulation and Implementation of Integrated Watershed Management Plans.* – With the assistance of the DENR and upon mandatory consultations with the concerned sectors and communities, the LGUs, through their local land use boards, shall prepare their watershed management plans which shall be integrated into their respective CLUPs. The formulation and integration of the plan shall be guided, among others, by the principle of the management and development of inland water resources at the watershed level and shall be consistent with the National Forestry Master Plan (NFMP).

The DENR and the concerned LGUs shall jointly implement the watershed management plan subject to regular consultations with and involvement of the community and other stakeholders in the implementation of the plan.

SEC. 22. *Establishment and Management of National Parks.* – All areas proclaimed by the President and Congress to be under the NIPAS, unless disestablished, including those identified initial components of the NIPAS as KBAs shall comprise the National Parks classification of the public domain. The DENR and concerned LGUs shall ensure that such areas are integrated in the CLUPs and physical framework plans: *Provided, however,* That the preparation of management plans of protected areas and national parks shall be in accordance with the provisions of the NIPAS Act and other laws establishing or declaring specific areas as protected areas.

SEC. 23. *Establishment of Restoration Zones.* – Restoration areas shall be designated in the management plan as such. Designation of restoration zones is compulsory in all forest management plans and for all LGUs.

ARTICLE SIX. COASTAL ZONES

SEC. 24. *Criteria for the Allocation and Utilization of Lands Within the Coastal Zones.* – The allocation and utilization of lands within the coastal zones shall be subject to the following guidelines:

- (a) Areas vegetated with mangrove species shall be protected, preserved and managed as mangrove forestland and shall not be converted to other uses;
- (b) Areas that meet all accepted criteria on elevation, soil type, soil depth topography, supply for successful fishpond development, and are not identified as mangrove protected areas, shall be utilized for aquaculture purposes as long as a 4:1 ratio for mangroves and fishponds is maintained to support ecological processes in mangrove ecosystems;
- (c) Areas subclassified as mangrove and still suitable for use as such, or due to environmental conditions need to be preserved as mangroves but are devoid of mangrove stands, shall not be converted to other uses. The DENR shall ensure that these lands shall be reforested within a given period of time;
- (d) Areas accessible to the sea and identified for fisherfolk settlement and housing but are not part of or are not within any protected land use areas shall be allocated to traditional fisherfolk who are inhabitants of the coastal communities, members of registered fisherfolk organizations, holders of stewardship lease contracts or titles to ancestral domains or any form of property right arrangements who participate in coastal resource management initiatives, subject to the usual census procedures of the Housing and Urban Development Coordinating Council (HUDCC): *Provided*, That the government shall issue marine tenurial rights to organizations concerned based on a criteria to be established by the NLUPC;
- (e) Areas that are neither subclassified as mangrove, fisherfolk settlement nor fishpond may be devoted to recreational or tourism purposes: *Provided*, That such undertaking will not result in environmental degradation and displacement of small fisherfolk;
- (f) Areas which are considered as traditional fishing grounds shall be used primarily for such purpose;
- (g) Areas shall be allocated for small infrastructure needed by municipal fisherfolk and for fishing gear, boats, and post-harvest facilities; and
- (h) Areas which form part of foreshore lands as defined in this Act, including those under lease agreements or arrangements shall undergo zoning and evaluation so their boundaries, actual sizes and corresponding uses can be determined while ensuring that mangrove protection or restoration zones are considered to keep the required 4:1 ratio between mangroves and fishponds.

SEC. 25. Coastal Land Zone Subclassification. – All public lands in the coastal zones shall be subclassified into any of the following: fishponds, mangroves, protection from tidal surge for preservation of biodiversity, habitats and sanctuaries for endangered wildlife, fisherfolk settlement, or recreational/tourism areas. No subclassification of coastal zones to different uses shall be done without the following:

(a) Conduct of a comprehensive inventory and resource and environmental assessment by the DENR with respective LGUs and accredited nongovernment organizations/peoples organizations (NGOs/ POs) within their jurisdiction. The result of such assessment along with a list of all existing applications and expired Foreshore Lease Agreements shall be posted in three (3) conspicuous places in the affected localities; and

(b) Prior consultation with local Fisheries and Aquatic Resource Management Councils (FARMCs) formed pursuant to Republic Act No. 8550 or The Philippine Fisheries Code of 1998.

SEC. 26. Zoning of Coastal Areas. – The LGUs, in coordination with the DENR, the FARMCs, local fisherfolk organizations and other concerned stakeholders such as women and the youth, shall prepare the Coastal Zoning Resource Management Plan (CZRMP) which shall be incorporated in the CLUP. Management zones defined in the CZRMP should be reflected in the CLUP and the subsequent ZO.

SEC. 27. Tourism and Recreation Zone. – The designation of areas for tourism and resorts near or over fishery areas or ports thereof shall be with the consent of the concerned LGUs and FARMCs, and shall comply with the policies and guidelines set forth in this Act.

SEC. 28. Protection of Waterways, Easements and Flood Plains. – Structures of any kind shall not be built in waterways and easements. Pursuant to Presidential Decree No. 1067 or the Water Code of the Philippines, the banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins are subject to the easement of public use only in the interest of recreation, navigation, floatage, fishing and salvage.

The protection of flood plains shall adopt a river basin management approach, in order to come up with integrated flood mitigation interventions. Development within flood plains and other flood-prone areas must be controlled or, if allowed, must be so sited, constructed and serviced that the lives of occupants are not put at risk and that disruptions during floods are minimized. The identification and characterization of flood-prone areas and flood plains shall be an integral part of the CLUP preparation. The LGUs shall establish land use regulations to mitigate flood risks through the CLUPs and ZOs.

To promote the best interest and the coordinated protection of flood plains, the Department of Public Works and Highways (DPWH), in coordination with the Department of Science and Technology (DOST) and the DENR, shall declare flood control areas, as necessary, and shall prohibit or control activities that could damage

1 or cause deterioration of lakes and dikes, obstruct the flow of water, change the
2 natural flow of rivers, increase flood losses or aggravate flood problems pursuant to
3 the Water Code of the Philippines.

4 **SEC. 29.** *Disposition of Public Lands for Fishponds.* – Upon the effectivity
5 of this Act, but subject to existing rights and the preceding section, no fishpond lease
6 agreement (FLA) shall be issued for tidal swamps, mangroves and oilier swamps,
7 marshes, ponds, foreshore lands, and coastal areas within public lands, including
8 those presently declared available for fishpond development. The NLUPC, in
9 coordination with the DENR, the DA, the FARMCs and the LGUs shall set aside a
10 portion of available public lands for fish propagation, fish sanctuary, conservation,
11 ecological purposes and fisherfolk settlement areas. Fishponds covered by existing
12 FLAs, but are abandoned or are not operating efficiently and are found suitable for
13 mangroves shall be reforested with mangroves.

14 **SEC. 30.** *Immediate Restoration of Converted Mangrove Areas.* – The
15 DENR, in coordination with the FARMCs and other concerned agencies, shall
16 immediately take steps in the restoration of all abandoned, undeveloped and
17 underutilized fishponds to their original state as mangrove forests.

18 ARTICLE SEVEN. MINERAL LANDS

19 **SEC. 31.** *Policies on Mineral Lands.* – Land use policies for mineral lands
20 shall be geared towards the rational, ecologically sound, and sustainable use of
21 mineral resources which shall promote economic growth for the local economy and
22 uphold the human rights of indigenous peoples and local communities in the affected
23 areas.

24 **SEC. 32.** *Criteria for the Allocation and Utilization of Lands for Mining*
25 *Purposes.* – The allocation and utilization of lands for mining purposes shall be
26 guided by the following:

- 27 (a) The principles of sustainable development shall be observed at all
28 times;
- 29 (b) In case of small-scale mining, adequate and acceptable safeguards
30 shall be instituted by the holders of mining rights or permits to prevent
31 environmental degradation of the mining sites and adjacent areas;
- 32 (c) Mineral reservations which have become nonoperational for more than
33 ten (10) years as determined by the Mines and Geosciences Bureau
34 (MGB) shall be placed under appropriate surface management by the
35 DENR; and
- 36 (d) Ancestral domains declared as protected by virtue of their ADSDPP as
37 well as all watershed areas shall be closed to mining.

38 **SEC. 33.** *Reversion of Mineral Lands.* – All mineral lands with exhausted
39 mineral resources, as determined by the MGB, shall automatically revert to their
40 original land classification, that is, as forest land or agricultural land. The concerned
41 mining companies shall bear the full cost of rehabilitation of these areas.

1 ARTICLE EIGHT. ENERGY RESOURCES

2 **SEC. 34.** *Guidelines for the Allocation and Utilization of Lands for Energy*
3 *Resource Exploration, Development, Production, Utilization, and Distribution*
4 *Purposes.* – To ensure that the objectives of maintaining ecological balance and
5 maximizing the power potential from indigenous energy resources in the most
6 economical and environmentally acceptable means are realized, the allocation and
7 utilization of lands shall be guided by the following, consistent with existing laws and
8 regulations on energy resources:

- 9 (a) Indigenous energy resource exploration and development, for the
10 purpose of creating a National Energy Resource Inventory and
11 Database as well as an Energy Resource Block Map shall be allowed
12 subject to the implementation of complementary watershed and other
13 land management plans;
- 14 (b) Indigenous energy resource exploration, development production,
15 utilization, and distribution shall be subject to the appropriate
16 requirements and processes of the Philippine Environmental Impact
17 Statement (EIS) system. Each project shall secure an Environmental
18 Compliance Certificate (ECC) prior to project implementation to ensure
19 that adequate and appropriate environmental management measures
20 and optimum methods for resource access and recovery are used;
- 21 (c) Protected areas as defined in Section 4 hereof shall be closed to any
22 kind of energy resource development;
- 23 (d) Energy reservations or portions thereof which have become or have
24 been established to be non-economically viable to operate or are no
25 longer used for energy purposes shall be reclassified to other land
26 uses, subject to existing laws covering energy reservations; and
- 27 (e) Renewable energy shall be preferred over other energy resource.

28 **SEC. 35.** *Reversion of Energy Resource Lands.* – All exhausted
29 indigenous energy resource lands as determined by the Department of Energy
30 (DOE), which are not covered by proclamations shall automatically revert to the
31 category of forestlands or agricultural lands open to disposition, whichever is
32 appropriate, unless the DENR shall classify such areas for other purposes.
33 Exhausted energy resource lands shall refer to specific energy resource sites whose
34 energy reserves of the desired type/s are no longer in sufficient quantity or quality to
35 justify additional expenditure for their extraction and utilization.

36 ARTICLE NINE. SETTLEMENTS DEVELOPMENT

37 **SEC. 36.** *Municipalities, Cities, and Settlements Development.* – The
38 development of municipalities, cities, and settlements through CLUP and
39 implemented by the ZOs of cities and municipalities shall be guided by urban zoning
40 standards designed to maximize existing urban spaces taking into account studies
41 of pertinent government agencies on climate change.

42 **SEC. 37.** *Settlements Within Geo-hazard Areas and/or High Risk/Danger*
43 *Zones.* – Settlements within geo-hazard areas and/or high risk/danger zones shall

1 not be allowed. In cases where there are existing settlements within geo-hazard
2 areas and/or high risk/danger zones, the concerned government agencies shall
3 provide assistance to concerned LGUs and settlers in instituting safety and corrective
4 measures to address the potential danger or risk.

5 **SEC. 38. *Designation of Waste and Environment Management Site.*** –
6 Each city or municipality shall identify and designate an area to serve as waste and
7 environment management, waste disposal, and facilities within one (1) year from the
8 effectivity of this Act. The LGUs, in coordination with the DENR or any other
9 competent authority, shall identify sanitary landfill in order to fast-track the conduct
10 of the Environmental Impact Assessment (EIA) study and to facilitate the processing
11 of the ECC. The site or area shall be identified in the city's or municipality's CLUP.
12 For this purpose, cities and municipalities shall establish their solid waste
13 management program, pursuant to Republic Act No. 9003, otherwise known as the
14 "Ecological Solid Waste Management Act of 2000". Likewise, as provided under
15 Section 33 of the Local Government Code of 1991, cities and municipalities may,
16 through appropriate ordinances, bind themselves towards the establishment of a
17 common solid waste management program.

18 Within ninety (90) days from the effectivity of this Act, the DENR, in
19 coordination with concerned agencies, shall promulgate the necessary guidelines
20 and standards for the formulation and establishment of solid waste management
21 programs by cities and municipalities, and shall submit the same to the NLUPC for
22 review and approval.

23 **SEC. 39. *Designation and Zoning of Socialized Housing Sites.*** – Each city
24 or municipality in urban, urbanizable and rural areas shall designate, through the
25 CLUP, adequate lands for housing or residential purposes, including socialized
26 housing and resettlement areas for the immediate and future needs of the local
27 population as well as the underprivileged and homeless in their territory, pursuant to
28 existing laws and regulations. In order to ensure adequate availability of land for the
29 housing needs of the local population, the CLUP may be revised at the minimum of
30 ten (10) years, and reviewable not earlier than every five (5) years.

31 The designated sites for socialized housing shall be located in residential
32 zones, and shall be zoned as socialized housing zones that are integrated in the
33 city's or municipality's ZO, duly approved by the NLUPC, pursuant to existing laws
34 and regulations. Preference shall be given to lands proximate to public transportation
35 facilities which may include, among others, railways and public terminals.

36 The location of resettlement areas may either be on-site or off-site and may
37 be within the city or municipality: *Provided*, That designated settlement and
38 socialized housing areas shall consider the proximity and accessibility of the affected
39 community to employment, economic activities and social services.

40 Within ninety (90) days from the effectivity of this Act, the NLUPC, in
41 coordination with concerned agencies, pursuant to HUDCC Resolution No. 521,
42 Series of 1992; Executive Order No. 124, Series of 1993; and other pertinent
43 guidelines on the matter, shall promulgate the necessary guidelines for the
44 identification and designation of socialized housing sites. All cities and municipalities
45 in urban and urbanizing areas shall identify and designate their socialized housing
46 sites within one (1) year from the effectivity of this Act and must submit the list of

these sites and their respective areas to the HUDCC. These sites shall be used exclusively for socialized housing as defined in the UDHA.

SEC. 40. Zoning of Identified Sites for Socialized Housing. – The identified sites for socialized housing shall be located in residential zones identified by the city's or municipality's CLUP and ZO duly approved by the NLUPC. However, for cities and municipalities where the identified sites are not within the said residential zones, the location shall be within the priority sites and conform with the suitability criteria as defined in Sections 6.3 and 6.4 of the Guidelines in HUDCC Resolution No. 521, Series of 1992, or as may be defined in subsequent issuances. The identified sites shall be zoned as socialized housing zones as defined herein.

The current ZO of LGUs shall be reviewed and revised such that the socialized housing component shall be integrated thereto.

SEC. 41. Valuation of Lands for Socialized Housing. – Equitable land valuation guidelines for socialized housing shall be set by the Department of Finance (DOF) on the basis of the market value reflected in the zonal valuation, or in its absence, on the latest real property tax declaration. For sites already occupied by qualified beneficiaries under the UDHA, and sites identified as socialized housing zones as defined in this Act, the DOF shall factor into the valuation, the blighted status of the land as certified by the LGU or the National Housing Authority (NHA).

SEC. 42. Guidelines for Identification of Settlement Sites. – In identifying settlement areas, prospective sites should be:

- (a) Within alienable and disposable lands but not in environmentally critical, geo-hazard or other protection areas;
- (b) Along established urban growth directions;
- (c) With provisions for or can be provided with basic services and utilities;
- (d) Within the 0 to 8% slope range; and
- (e) Accessible from existing built-up areas and other employment centers through existing or proposed roads and other transportation facilities.

SEC. 43. Urban Forest or Green Space. – Each city or highly-urbanizing municipality shall identify, designate, and allocate lands owned by the city or municipality as urban forest or green space, based on the guidelines and standards to be issued by the DENR and approved by the NLUPC.

SEC. 44. Protection of Ecological Harmony. – To ensure the ecological harmony of towns, cities and settlements, certain projects that can alter the present use of a zoned area shall not be issued a building permit, business permit, and/or development permit. The identification of these projects shall be done in coordination with the LGU concerned. All LGUs shall be required to designate restoration areas in their forest land use plans.

ARTICLE TEN. INDUSTRIAL DEVELOPMENT AREAS/SITES

SEC. 45. Criteria for Designating Industrial Development Areas. – The identification and establishment of industrial development areas shall conform to the

provisions of Republic Act No. 7916 or the SEZA of 1995 as amended by Republic Act No. 8748, Republic Act No. 6657 or the Comprehensive Agrarian Reform Law (CARL) as amended by Republic Act No. 9700 or the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER), Republic Act No. 8371 or the IPRA, Republic Act No. 7279 or the UDHA, Republic Act No. 8550 or the Philippine Fisheries Code as amended by Republic Act No. 10654, and Republic Act No. 8435 or the AFMA, taking into consideration the following:

- (a) Identified network of areas for agricultural development and protected agricultural areas pursuant to Republic Act No. 8435;
- (b) National policies on the regional dispersal of industries and agri-based industrial development;
- (c) Identified growth areas and corridors in the National Development Plan;
- (d) NIPAS and non-NIPAS areas such as, but not limited to, KBAs and restored areas that require protection;
- (e) National and Urban Development and Housing Framework;
- (f) Identified Socialized Housing Zones; and
- (g) National Framework for Physical Planning and other existing national programs and policies.

The designated industrial development areas shall be located only in production land use areas and shall become an integral part of the land use plan and ZO of the city or municipality where these areas are located. Republic Act No. 9700, Republic Act No. 8371, Republic Act No. 7279, Republic Act No. 8550, Republic Act No. 8435, and Republic Act No. 7160 shall apply to all Special Economic Zones and Free Ports.

ARTICLE ELEVEN. TOURISM DEVELOPMENT AREAS

SEC. 46. *Designating Tourism Development Areas.* – The identification, selection, and development of tourism development areas, and tourism enterprise zones (TEZs) shall be done in consultation and coordination with the concerned LGUs, the TIEZA, the DOT, and other concerned national government agencies, the private sector and the affected communities, subject to the provisions of Republic Act No. 9593 or the Tourism Act of 2009. Tourism development areas shall likewise include those covered by legislative and executive issuances such as tourist spots, tourist zones and tourism ecozones which can be developed into tourism estates or integrated resort, leisure and recreation complexes and other tourism-related facilities as well as those identified in the national, regional, and area-specific tourism master plans and other sector plans, such as ecotourism and agritourism sites: *Provided*, That such sites designated for tourism development are outside of areas identified for protection land use. As much as practicable, community-based tourism shall be the principal mode of tourist spot operation. Republic Act No. 9700, Republic Act No. 8371, Republic Act No. 7279, Republic Act No. 8550, Republic Act No. 8435, and Republic Act No. 7160 shall apply. Executive Order No. 111, Series of 1999 which provided for the National Ecotourism Strategy shall likewise apply to all tourist zones and tourist development areas.

1 Designated areas for tourism development shall become part of the CLUPs
2 and ZOs of the cities or municipalities where these are located.

3 **SEC. 47.** *Identification and Preservation of Cultural Heritage.* – In
4 accordance with Republic Act No. 10066 or the National Cultural Heritage Act of
5 2009, the National Historical Commission of the Philippines (NHCP), the National
6 Museum (NM), and the National Commission for Culture and the Arts (NCCA) in
7 coordination with other concerned agencies, local communities, and the private
8 sector, shall identify and declare areas and structures which shall be protected and
9 preserved as part of Philippine cultural heritage.

10 The NHCP and the NM, in consultation with the NCCA and the HLURB, shall
11 designate heritage zones to protect the historical and cultural integrity of a
12 geographical area that is significant to national history.

13 The LGUs, in consultation with the NHCP, the NM, and the NCCA, shall
14 designate heritage zones to protect the historical and cultural integrity of
15 geographical areas and cultural spaces of intangible cultural properties, which are
16 significant to a city or municipality and the community.

17 ARTICLE TWELVE. INFRASTRUCTURE DEVELOPMENT

18 **SEC. 48.** *Allocation and Use of Land for Infrastructure Development.* –
19 Land, whether public or private, shall be allocated and utilized for priority
20 infrastructure projects that are supportive of national or local development objectives.
21 The National Economic and Development Authority (NEDA), in consultation with the
22 concerned national government agencies, LGUs, and the private sector, shall identify
23 and periodically review, update and/or revise the list of priority infrastructure projects
24 under an overall national strategic infrastructure development plan subject to the
25 provisions of this Act, Republic Act No. 8435 and Republic Act No. 8371: *Provided,*
26 That such national strategic infrastructure development plan shall be consistent and
27 integrated in the objectives and directions of the NPFP.

28 In determining and evaluating the list of priority infrastructure projects,
29 consideration shall be given to those that:

- 30 (a) Respond to immediate and vital requirements of the national and
31 regional economy with priority to improving production-market
32 integration, inter-modal transport, conveyance and logistics linkages,
33 rural infrastructure and the development of the agriculture and fisheries
34 sectors;
- 35 (b) Upgrade existing facilities to international public safety standards;
- 36 (c) Address the need for sustainable settlements development; and
- 37 (d) Mitigate the destructive effects of natural disaster-causing phenomena
38 or those that shall serve as alternatives to existing infrastructure found
39 in natural hazard-prone areas.

40 *Provided,* That the provision and implementation of infrastructure support shall
41 be made compatible with existing environmental conditions and the physical, whether
42 natural or human-made, and cultural character of the area. Mandatory public
43 consultations pursuant to existing laws and regulations shall be held prior to the

1 conduct of all infrastructure projects that will necessarily involve dislocation or
2 displacement of people in the area.

3 *Provided, further,* That the proponent of the infrastructure project shall follow
4 the rules on just and humane eviction or demolition under Section 28 of Republic Act
5 No. 7279 as a last resort, notwithstanding the provisions of Republic Act No. 8975,
6 prohibiting lower courts from issuing temporary restraining orders, preliminary
7 injunctions, or preliminary mandatory injunctions, and that the proponent shall follow
8 the provisions of Republic Act No. 8371, particularly those pertaining to the rights of
9 ICCs/IPs in case of displacement.

10 *Provided, finally,* That national government infrastructure projects shall
11 provide budgetary allocations for the adequate relocation of displaced
12 communities.

13 **SEC. 49. Infrastructure Projects Within Geo-hazard Areas.** –
14 Construction of priority infrastructure projects within hazard-prone areas shall be
15 allowed: *Provided,* That mitigating and/or preventive measures are adopted and
16 implemented to address the potential adverse economic, sociocultural, and
17 environmental impacts that will emanate from these infrastructure projects, subject
18 to the findings and recommendations of a feasibility study/EIA in accordance with
19 Presidential Decree No. 1586 (EIS System) and Republic Act No. 4846 or the
20 Cultural Properties Preservation and Protection Act.

21 Existing projects that were undertaken without the required EIA and which
22 pose a threat to the environment, or to the integrity of historic, archaeological, or
23 scientifically significant areas, or impinge on critical ecosystems, may be terminated
24 immediately, or gradually phased-out and relocated, or maintained within their life
25 span subject, however, to mitigating measures: *Provided,* That the rules on
26 mandatory public hearings/consultations and just and humane eviction or demolition
27 shall also be observed prior to the termination, gradual phase-out, or relocation of
28 projects that will necessarily involve dislocation or displacement of people in the area.

29 CHAPTER IV 30 PHYSICAL FRAMEWORK AND LAND USE PLAN

31
32 **SEC. 50. National Land Use Planning Process.** – The physical framework
33 and land use planning process shall be participatory, following a combined bottom-
34 up and top-down approach, with mandatory public hearings/consultations conducted
35 at all levels, and shall consider available and updated multidisciplinary scientific
36 information of land uses.

37 A set of national policy guidelines and standards for physical planning shall be
38 formulated by the NLUPC. These shall guide the preparation and formulation of the
39 NPFP, Regional and Provincial Physical Framework Plans (RPPFPs).

40 These standards shall give due consideration to conflicting uses and areas
41 being used, declared or designated for agrarian reform, protected areas, coastal
42 resource management and/or ancestral domains.

43 The NPFP shall define the national strategy and objectives of the country's
44 urban, rural and regional development. It shall guide the rational distribution of

1 population, access to economic opportunities and social services, sustainable
2 utilization of resources, and maintenance of environmental integrity.

3 Furthermore, it shall consider the existing Regional Physical Framework Plans
4 (RPFPs) and the Provincial Physical Framework Plans (PPFPs).

5 The RPFPs, the PPFPs and the CLUPs, which cover the physical
6 development of their respective territories, shall be consistent with the NPFP:
7 Provided, That the integration and harmonization of physical framework plans at all
8 levels shall be iterative to ensure that the concerns of both top and bottom levels of
9 government are considered in the NPFP, the RPFPs, the PPFPs and the CLUPs.

10 The physical framework and land use plans prepared at all levels shall be
11 consistent with each other, specifically on the linkages of the major land use
12 categories to ensure their complementation in the utilization, development and
13 management of resources.

14 The period of coverage of the national, regional and provincial framework
15 plans shall be thirty (30) years with regular review and updating every ten (10) years.

16 **SEC. 51.** *National Physical Framework Plan.* – The NPFP shall guide the
17 planning and management of the country's land and other physical resources at the
18 national and sub-national levels, and indicate broad spatial directions and policy
19 guidelines on protection land use, production land use, settlement development and
20 infrastructure development. The NPFP shall be the basis for adopting the land use
21 and physical planning-related guidelines, including zoning and other land use control
22 standards that will guide the formulation of city/municipal ZOs.

23 The NLUPC, in consultation with concerned sectors and communities shall
24 update the NPFP after such period that objectives and goals set by the NPFP have
25 been substantially achieved. It shall also formulate and issue the appropriate
26 planning guidelines and standards through which all physical planning, land use and
27 management of resources shall be reviewed, prepared, formulated and monitored.

28 The resulting land use plan/physical framework shall be the basis for the
29 identification, formulation and development of national and local development plans,
30 programs, projects and activities of government at all levels.

31 **SEC. 52.** *Regional Physical Framework Plan (RPFP).* – The RPFP shall
32 provide broad spatial directions and policy guidelines on protection land use,
33 production land use, settlement development, and infrastructure development at the
34 regional level and guide the formulation of the PPFPs. The RPFP shall consider the
35 existing PPFPs and the CLUPs of LGUs within the territorial jurisdiction of the region.

36 The Regional Land Use Policy Council (RLUPC), created under Section 59 of
37 this Act, shall formulate and periodically update the RPFP based on the guidelines
38 issued by the NLUPC, in a manner consistent with and following the objective of the
39 NPFP. Likewise, the Medium-Term Regional Development Plan (MTRDP) and the
40 Medium-Term Regional Development Investment Program (MTRDIP) shall be
41 guided by and made consistent with the objectives identified in the RPFP.

42 **SEC. 53.** *Provincial Physical Framework Plan (PPFP).* – The PPFP shall
43 determine the physical development of the entire provincial territory, consolidate and

1 harmonize the comprehensive land use plans of component cities and municipalities,
2 consistent with the RPPF. It shall reflect the indicative land use management and
3 physical development direction of the province.

4 Further, the PPF shall serve as basis for other sectoral and development
5 plans related to land, natural resources, and infrastructure facilities, including the
6 development plan of the province; the reconciliation and rationalization of land use
7 proposals among component cities and municipalities with the higher level
8 framework plan; guiding development agencies and private developers, particularly
9 those that undertake large-scale projects; and providing a basis for resolving conflicts
10 arising from the implementation of land use plans and development projects involving
11 two (2) or more municipalities.

12 The PPF shall serve as the basis for the preparation of the Provincial
13 Development Plan (PDP) and the Provincial Development Investment Program
14 (PDIP). The PPF, the PDP, the PDIP and/or the Provincial Physical Framework and
15 Development Plan (PPFDP) shall serve as the basis for the formulation of sectoral
16 action plans of national government agencies in the province and all LGUs within its
17 jurisdiction. The province may opt to prepare their PDP alongside the preparation
18 of PPF and consolidate them into a PPFDP: *Provided, That PPFDP shall remain*
19 *consistent with the PPF: Provided, further, That any review or changes in the PPF*
20 *shall coincide with the overall review process of the PPF.*

21 The Provincial Land Use Planning and Management Board (PLUPMB)
22 created under this Act shall ensure that the PPF is consistent with the national
23 and regional planning framework and guidelines issued by the NLUPC/RLUPC. The
24 PPF shall be presented to the Provincial Development Council (PDC) for
25 endorsement to the *Sangguniang Panlalawigan*, which shall formally adopt and
26 approve the PPF. The approved PPF shall be submitted to the RLUPC for
27 consolidation and integration into the RPPF.

28 Under the general supervision of the PLUPMB, the Provincial Planning and
29 Development Coordinator/Office (PPDC/PPDO) shall provide technical, secretariat
30 and administrative support in the preparation, consultation, integration and
31 formulation process of the PPF.

32 **SEC. 54.** *City and Municipal Comprehensive Land Use Plans (CLUPs).* –
33 All barangays shall provide their sectoral, temporal and spatial data for the CLUP
34 which shall serve as the foundation for the formulation of the city/municipal CLUPs.
35 The data shall be provided by the *Sangguniang Pambarangay* through stakeholder
36 consultations. The CLUP shall determine the specific uses of land and other physical
37 and natural resources, both private and public, within their territorial jurisdiction
38 including areas co-managed with the national government and, as appropriate,
39 management plans for ancestral domains, critical watersheds, river basins, and
40 protected areas.

41 The CLUP shall delineate actual boundaries on the ground within the territorial
42 jurisdiction, embody the desired land use patterns of the barangay, city or
43 municipality, translate and integrate sectoral plans, and provide appropriate policies
44 for each of the four (4) land use planning categories. The spatial directions prescribed
45 in the CLUP shall serve as the basis for the preparation and formulation of the

1 Comprehensive Development Plan (CDP) and Local Development Investment
2 Program (LDIP) of the LGUs.

3 Consistent with the national standards and guidelines prescribed in Section
4 50 of this Act, the cities and municipalities shall, in consultation with the concerned
5 sectors, prepare their respective CLUPs. The City/Municipal Land Use Planning and
6 Management Board (C/MLUPMB) created under this Act shall be responsible for the
7 preparation and formulation of the CLUP and ensure its consistency with national
8 and regional physical planning guidelines and standards. Under the general
9 supervision of the respective C/MLUPMB, the City/Municipal Planning and
10 Development Office/Coordinator (C/MPDO/C) shall provide technical, secretariat
11 and administrative support in the preparation, consultation, integration and
12 formulation process of the respective CLUPs of each city or municipality.

13 The CLUPs shall be submitted by the city/municipal local development
14 councils (LDCs) for adoption and approval of the *sanggunian* concerned. The
15 approved CLUPs shall be submitted to the province for integration into the PFP.

16 CHAPTER V 17 IMPLEMENTING STRUCTURE AND MECHANISM 18

19 **SEC. 55.** *Creation of the National Land Use Policy Council (NLUPC).* –
20 The National Land Use Committee (NLUC) under the NEDA Board (NB) is hereby
21 abolished and in its stead, the NLUPC shall be created. It shall exercise the powers
22 and responsibilities identified under this Act and assume the functions of the NEDA
23 Board-National Land Use Committee (NB-NLUC). It shall further exercise the powers
24 and functions pertaining to land use planning vested by law on the Housing and Land
25 Use Regulatory Board (HLURB), except the following which shall remain as official
26 functions of the HLURB:

- 27 (a) Formulate land use planning guidelines in the preparation of the CLUPs
28 and ZOs of LGUs to ensure compliance with the national policies,
29 objectives, priorities and directions set by the NLUPC;
- 30 (b) Provide technical and other forms of planning assistance to, including
31 capacity-building for, LGUs and zoning boards; and
- 32 (c) Act as the appellate body on decisions of local zoning bodies on
33 locational clearance applications and/or oppositions thereto and other
34 zoning issues involving private rights.

35 The NLUPC shall act as the highest policy-making body on land use and shall
36 resolve land use policy conflicts between or among agencies, branches, or levels of
37 the government. It shall integrate efforts, and monitor developments relating to land
38 use and the evolution of policies.

39 **SEC. 56.** *Composition of the NLUPC.* – The NLUPC shall be headed by
40 the Director General of the NEDA as Chairperson. It shall choose a Vice Chairperson
41 from among the members of the Council, who shall assume the functions of the
42 Chairperson in case of absence. The NLUPC shall meet at least once every quarter.

43 The members of the Council shall be the following:

- (a) The Secretary of the DAR;
- (b) The Secretary of the DA;
- (c) The Secretary of the DENR;
- (d) The Secretary of the Department of the Interior and Local Government (DILG);
- (e) The Chairperson of the NCIP;
- (f) The Chairperson of the HUDCC;
- (g) The Chief Executive Officer of the HLURB;
- (h) The Administrator of the NAMRIA;
- (i) The President of the League of Cities of the Philippines (LCP);
- (j) The President of the League of Municipalities of the Philippines (LMP);
- (k) Two (2) representatives each from four (4) basic sectors directly involved in land use, namely: urban poor, peasants, fisherfolk, and indigenous peoples who shall be appointed by the respective National Anti-Poverty Commission (NAPC) sectoral councils. Of the eight (8) sectoral representatives, at least four (4) shall be women, provided that one of whom shall be from the Moro sector;
- (l) Four (4) representatives from the developers' associations, the accredited associations of professionals dealing with land use such as, but not limited to, urban and regional planners, environmental planners, architects, geologists and geodetic engineers, the business or private sectors; and
- (m) The Head of the NLUPC Secretariat who shall be a nonvoting *ex officio* member.

The members of the Council who are Cabinet Secretaries may designate their duly authorized and permanent representatives whose ranks shall in no case be lower than Undersecretary.

SEC. 57. *Powers and Functions of the NLUPC.* – The NLUPC shall have the following powers and functions:

- (a) Guide the determination and identification of the country's strategic land use development and physical planning objectives, priorities and direction, as well as recommend the adoption, passage, or amendment of laws to ensure that plans, programs, projects, and activities, including local government initiatives affecting land use are consistent with national development objectives;
- (b) Formulate the necessary national policy guidelines in the preparation of the country's physical framework plans, including the setting of limits/target key land uses needed for protection, production, settlements and infrastructure for present and future needs;

- (c) Ensure that policies, guidelines and standards on land use and physical planning, including zoning, shall be followed by the RLUPC, local land use boards and concerned national agencies, and that the RPFP, the PPFP and the CLUPs shall be consistent with the NPFP;
- (d) Ensure the consistency of other national development and sectoral plans and programs, including the Medium-Term Philippine Development Plan (MTPDP) and Public Investment Program (PIP), with the NPFP;
- (e) Integrate and harmonize all laws and policies relevant to land use in order to come up with a rational, cohesive, and comprehensive national land use framework, and if warranted, recommend to Congress the adoption, passage or amendment of laws to ensure that sectoral plans, projects and activities, including local government initiatives affecting land use are consistent with national development objectives;
- (f) Resolve policy conflicts on land uses between or among agencies, branches, or levels of government and unresolved land use policy conflicts at the regional level;
- (g) Issue locational clearances for projects of national significance;
- (h) Call on any department, bureau, office, agency, or instrumentality of the government and or private entities and organizations for cooperation, support, and assistance in the performance of its functions;
- (i) Review the NPFP every ten (10) years;
- (j) Advise the President of the Philippines and the NEDA Board on all matters concerning land use and physical planning;
- (k) Adopt rules of procedures for the orderly and expeditious conduct of meetings and other business of the Council; and
- (l) Perform such other acts and functions and exercise such other powers as may be necessarily implied, inherent, incidental, or related to the foregoing.

SEC. 58. *NLUPC Secretariat.* – The Land Use and Physical Planning Division of the NEDA shall act as the NLUPC Secretariat which shall perform functions such as, but not limited to, managing information, gathering of data, coordinate the monitoring of government agencies and LGUs, ensuring multi-stakeholder participation towards formation of local land use policy boards, sharing of database and mapping systems, and reinforcing relevant assessment tools and capability-building programs.

CHAPTER VI REGIONAL AND LOCAL LAND USE POLICY BODIES

SEC. 59. *Regional Land Use Policy Council (RLUPC).* – At the regional level, the Regional Land Use Committee (RLUC) is hereby abolished and in its stead, the RLUPC shall be created. The RLUPC shall be institutionalized, replicating the

1 NLUPC structure and composition. It shall be chaired by the NEDA Regional Director
2 and shall exercise the following functions:

- 3 (a) Formulate regional policies and guidelines which are consistent with
4 the national planning guidelines issued by the NLUPC in the
5 preparation and formulation of the respective provincial physical
6 planning and CLUPs of LGUs within its jurisdiction;
- 7 (b) Prepare and periodically update the RPFP, taking into consideration
8 national policies and lower level plans;
- 9 (c) Review, prior to adoption by respective *sanggunians*, the PPFPs and
10 the CLUPs of highly urbanized and independent component cities to
11 ensure consistency with the RPFP and national policies set forth by the
12 NLUPC;
- 13 (d) Decide and resolve policy conflicts on land use planning, classification,
14 and allocation that may arise between or among regional line agencies,
15 provinces and cities/municipalities;
- 16 (e) Monitor changes in land use and other physical resources in the region;
- 17 (f) Coordinate and monitor the land use activities of regional line agencies
18 and LGUs;
- 19 (g) Evaluate consistency of major programs and projects of regional
20 agencies and entities with the RPFP and their impact on land use and
21 the environment; and
- 22 (h) Perform other related functions as may be directed by the NLUPC.

23 In forest land use management, where the watershed area/continuum covers
24 several municipalities across different provinces, an inter-LGU task force composed
25 of representatives from the RLUPC and the concerned municipal LGUs where the
26 watershed area is located shall be formed. With the assistance of the DENR and
27 upon mandatory consultations with the concerned sectors, the inter-LGU task force
28 shall formulate the Watershed Management Plan for the said watershed area.

29 **SEC. 60.** *Provincial Land Use Planning and Management Board*
30 *(PLUPMB).* – The Provincial Land Use Committee (PLUC) is hereby abolished. The
31 Provincial Land Use Planning and Management Board or PLUPMB is created in all
32 provinces under this Act to oversee the preparation, integration, adoption and
33 approval of the PPFP and shall ensure its consistency with approved national and
34 regional planning guidelines. The PLUPMB shall also be directly responsible for the
35 effective management and implementation of the approved PPFP and ensure that
36 any existing and future development initiatives, programs and projects introduced
37 within its jurisdiction are consistent with and supportive of the land use resource
38 management and physical planning objectives, directions and character identified in
39 the approved PPFP.

40 **SEC. 61.** *Powers and Responsibilities of the Provincial Land Use*
41 *Planning and Management Board.* – The following are the powers and
42 responsibilities of the PLUPMB:

- (a) Formulate necessary provincial planning guidelines and/or implementing policies for the preparation and formulation of the respective CLUPs within its jurisdiction consistent with approved national and regional planning policies and guidelines;
- (b) Submit to the PDC the draft CLUP for its transmission to the *Sangguniang Panlalawigan* and for the PDC to use it as reference for consistency and complementation with other development plans;
- (c) Review, monitor and assess the implementation and operationalization of the approved CLUP and its consistency with physical planning and land use management objectives and goals identified in the CLUP;
- (d) After an appropriate period of time or upon instruction and advice by the NLUPC, conduct and initiate a progress review of the PPFP and the achievement of its stated objectives and goals and update the PPFP;
- (e) Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among cities/municipalities and facilitate the resolution of any unresolved land use conflict, including political boundary conflicts, at the city/municipality level;
- (f) Advise the *Sangguniang Panlalawigan* on all matters pertaining to land use and physical planning;
- (g) Promote cooperation and sharing of resources between and among component LGUs of the province or with neighboring LGUs to address common land use and development issues including those related to geo-physical hazards, watershed and river basin management, coastal and marine waters, climate change impact and disaster risks; and
- (h) Assist the *Sangguniang Panlalawigan* in reviewing the submitted CLUPs of component cities/municipalities to ensure consistency with the PPFP.

In cases where the watershed areas transcend the boundaries of a particular municipality, an inter-LGU task force composed of representatives from the PLUPMB of the municipal LGUs where the watershed area is located shall be formed.

SEC. 62. *Composition of the PLUPMB.* – The PLUPMB shall be composed of the following fifteen (15) members to be selected based on the rules to be formulated by the NLUPC as provided in this Act:

- (a) The Provincial Planning and Development Coordinator (PPDC);
- (b) The Chairperson of the *Sangguniang Panlalawigan* Committee on Environment and Natural Resources;
- (c) The Provincial Chapter President - League of Municipalities and/or League of Cities;
- (d) The Provincial Agrarian Reform Officer (PARO);
- (e) The Provincial Environment and Natural Resources Officer (PENRO);

- (f) The Provincial Agricultural Officer (PAO);
- (g) The NCIP Provincial Officer;
- (h) The HLURB Regional Officer;
- (i) Three (3) representatives from the local business or private sector; the developers' association and accredited associations of professionals dealing with land use such as, but not limited to, urban and regional planners, environmental planners, architects, geologists, geodetic engineers, and chamber of commerce, who shall be appointed from among the accredited organizations within their respective development councils;
- (j) Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers, indigenous peoples): *Provided*, That at least two (2) representatives shall be women: *Provided, further*, That the representatives shall be appointed from among the accredited organizations within their respective development councils: *Provided*, finally, That in predominantly Muslim areas, one shall be from the Moro sector; and

The Board Chairperson shall be chosen from among the members.

Except for *ex officio* members, the members of the PLUPMB shall be appointed for a term of three (3) years, subject however to the elected office held, government employment and/or official designation of the LGU, national agency and/or local business/private sector association or basic sector group representation in the Board. The NLUPC, within ninety (90) days from its establishment, shall formulate the rules for the selection of the Chairperson and the members of the PLUPMB. The Provincial Planning and Development Coordinator/Office (PPDC/PPDO) shall provide technical secretariat and administrative support and resources for the effective operation of the PLUPMB.

Aside from the PPDO, the PLUPMB may call upon other local and national government offices and agencies such as the local Engineer, Assessor, and local field representatives of the DA, the DPWH, the DOTr, the DOT, the DENR, the DAR, the DepED, the NCIP and other concerned national agencies to assist the PLUPMB in the performance of its roles and mandates.

The appropriations for the regular operation and activities of the PLUPMB shall be included in the annual budget proposal of the PPDO: *Provided*, That other funds and resources, including grants, applicable service fees and charges collected, contributions, donations, and other funds to support its operations and activities may be accepted and received by the PLUPMB subject to existing auditing and reporting procedures.

SEC. 63. *City/Municipal Land Use Planning and Management Board (C/MLUPMB).* – A City/Municipal Land Use Planning and Management Board or C/MLUPMB is hereby created under this Act in all municipalities and cities, including highly urbanized and component cities, to oversee the preparation, integration, adoption and approval of their respective CLUPs. It shall issue a Certificate of Compliance prior to the submission of the CLUP to the *sanggunian* to ensure the

consistency of such plans with approved national, regional and provincial planning guidelines. The C/MLUPMB shall also be directly responsible for the effective management and implementation of the approved CLUP and for ensuring that existing and future local policies, including ZOs, development initiatives, programs and projects introduced within its jurisdiction are consistent with and supportive of the land use resource management and physical planning objectives, directions and character identified by the approved CLUP.

SEC. 64. Powers and Responsibilities of the City/Municipal Land Use Planning and Management Board. – The C/MLUPMB shall exercise the following powers and functions:

- (a) Ensure the inclusion of the input of the barangays within the jurisdiction of the respective city/municipality on sectoral, temporal and spatial dimensions of the plan and its consistency with approved national, regional and provincial planning guidelines;
- (b) Review, monitor and assess the implementation and operationalization of the approved CLUP and its consistency with physical planning and land use management objectives and goals identified in the CLUP;
- (c) Issue a Certificate of Compliance to the *sanggunian* as proof that the CLUP is compliant with national land use policies, guidelines and standards;
- (d) Submit to the LDC the draft CLUP for its transmission to the *sanggunian* and for the LDC to use it as basis for consistency and complementation with other development plans;
- (e) Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among barangays and facilitate the resolution of any unresolved land use conflict, including boundary conflicts, involving barangays;
- (f) Based on the CLUP, review and endorse for approval/disapproval applications for locational clearances, building and zoning permits and/or other planning-related requirement for any project, both private and public, that is submitted to the LGU for issuance;
- (g) Advise the *sanggunian* on all matters pertaining to land use and physical planning; and
- (h) Promote cooperation and sharing of resources between and among its barangays and neighboring LGUs to address common land use and development issues including those related to geo-physical hazards, watershed and river basins, coastal and marine waters, climate change impact and disaster risks.

SEC. 65. Composition of the C/MLUPMB. – The C/MLUPMB shall be composed of the following thirteen (13) members and shall be headed by a Chairperson:

- (a) The City/Municipal Planning and Development Coordinator (C/MPDC);

- (b) The Chairperson, *sanggunian* Committee on Environment and Natural Resources;
- (c) The President of the Association of Barangay Captains (ABC);
- (d) The City/Municipal Agrarian Reform Officer (C/MARO);
- (e) The LGU Environment and Natural Resources Officer (City/Municipal ENRO);
- (f) The City/Municipal Agriculture Officer (C/MAO);
- (g) Three (3) representatives from the local business/private sector, the developers' associations, and the accredited associations of professionals dealing with land use such as, but not limited to, urban and regional planners, environmental planners, architects, geologists and geodetic engineers, and chamber of commerce, who shall be appointed from among the accredited organizations within their respective development councils;
- (h) Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers and indigenous peoples): *Provided*, That at least two (2) representatives shall be women: *Provided, further*, That the representatives shall be appointed from among the accredited organizations within their respective development councils: *Provided*, finally, That in predominantly Muslim areas, one shall be from the Moro sector; and

The Board Chairperson shall be chosen from among the members.

Except for *ex officio* members, the members of the C/MLUPMB shall be appointed to a term of three (3) years, subject to the continued tenure of the member in the elective office held, government employment and/or official designation in the LGU, national agency and/or local business/private sector association or basic sector group representation in the Board. The NLUPC, within ninety (90) days from its establishment, shall formulate the rules for the selection of the Chairperson and members of the C/MLUPMB. The City/Municipal Planning and Development Office/Coordinator (C/MPDO/C) shall provide technical secretariat and administrative support and resources for the effective operation of the C/MLUPMB.

Aside from the C/MPDO/C, the C/MLUPMB may call upon other local and national government offices and agencies such as the local Engineer, Assessor, and local field representatives of the DA, the DPWH, the DOTr, the DOT, the DENR, the DAR, the DepED and other concerned national agencies to assist the C/MLUPMB in the performance of its roles and mandates.

The annual appropriations for the operation and activities of the C/MLUPMB shall be included in the annual budget proposal of the C/MPDO/C: *Provided*, That other funds and resources, including grants, applicable service fees and charges collected, contributions, donations, and other funds to support its operations and activities may be accepted and received by the PLUPMB subject to existing auditing and reporting procedures.

1 LGUs shall create and/or activate their respective C/MLUPMB upon
2 guidelines issued by the NLUPC for such purposes, not later than six (6) months from
3 the effectivity of this Act.

4 CHAPTER VII
5 ADOPTION, APPROVAL AND REVIEW OF
6 LOCAL LAND USE AND PHYSICAL FRAMEWORK PLANS
7

8 **SEC. 66.** *Approval and Review of PPFP and CLUPs.* – The respective
9 PPFP and CLUPs of the cities/municipalities, including highly urbanized cities and
10 independent component cities shall be submitted by the local land use boards to the
11 LDCs for transmission to the local *sanggunian* for approval.

12 **SEC. 67.** *Approval of RPFP and NPFP.* – The RPFP and NPFP shall be
13 submitted for review and approval of the RLUPC and NLUPC, respectively, upon the
14 conduct of appropriate stakeholder and agency consultations: *Provided, That* such
15 processes and guidelines shall be prepared and issued by the NLUPC within six (6)
16 months from the effectivity of this Act.

17 CHAPTER VIII
18 MAPPING AND DATA MANAGEMENT FOR LAND USE PLANNING
19

20 **SEC. 68.** *National Mapping and Spatial Data Infrastructure Program*
21 *(NMSDIP).* – A national mapping program shall be implemented, coordinated and
22 monitored by the Interagency Technical Committee (ITC) which is hereby created. It
23 shall be composed of the NAMRIA as the lead agency, the BSWM, the Forest
24 Management Bureau (FMB), the LMB, the Land Registration Authority (LRA), the
25 Protected Areas and Wildlife Bureau (PAWB), the MGB, the Philippine Institute of
26 Volcanology and Seismology (PHIVOLCS), the DAR, the DA, the NCIP, the National
27 Water Resources Board (NWRB), the DOE, the National Disaster Risk Reduction
28 and Management Council (NDRRMC), the NEDA, and other concerned government
29 agencies. The ITC shall be constituted, and the mapping and spatial data
30 infrastructure program shall be initiated within thirty (30) days from the effectivity of
31 this Act. The program shall be responsible for the production of base and decision
32 maps and associated spatial databases for all planning levels based on the
33 guidelines of the NLUPC.

34 Under the program, all government stakeholders concerned in the production
35 of maps of various themes shall collaboratively formulate the government's spatial
36 data infrastructure master plan and respective government agency/stakeholders'
37 spatial data infrastructure plans which shall be the basis for subsequent funding and
38 eventual project implementation and/or operation.

39 All pertinent and updated thematic maps/data from supporting agencies of the
40 program shall be submitted to the NAMRIA for compilation and integration into a
41 national geospatial database established under the program.

42 The NAMRIA shall finish its base mapping program within two (2) years upon
43 the effectivity of this Act and provide updates thereof to support the implementation
44 of the spatial data infrastructure program.

45 The spatial and non-spatial data generated by these activities shall be
46 transmitted to the LGU as soon as practicable. Existing land information data

1 available to the national government agencies as of the effectivity of this Act shall be
2 immediately transmitted to the LGUs.

3 For purposes of uniformity and standardization, the LGUs, assisted by the
4 appropriate agencies of the national government, shall likewise prepare their
5 respective maps using scales, symbols, and other indicators to be prescribed in
6 accordance with this Act. The completed maps shall be integrated in the NPFP
7 pursuant to Section 51 of this Act.

8 **SEC. 69. Maps for Planning.** – Within one (1) year after the NLUPC's
9 approval of the Guidelines and Standards for planning at all levels, available NAMRIA
10 maps and all maps made available to NAMRIA by supporting agencies shall be
11 submitted to the NLUPC for national, provincial, cities and municipalities planning.
12 The NLUPC shall forward these maps to the respective PLUPMBs and C/MLUPMBs
13 after it has reviewed and approved them. Pertinent maps to be produced through the
14 NMSDIP shall include, among others:

- 15 (a) Topographic Maps;
- 16 (b) Geologic Maps;
- 17 (c) Hydrologic Maps;
- 18 (d) Climate Maps;
- 19 (e) Soils Maps;
- 20 (f) Slope Maps;
- 21 (g) Mineral Resource Maps;
- 22 (h) Existing Land Use Maps;
- 23 (i) Land Suitability Maps for:
 - 24 (1) Settlements;
 - 25 (2) Agriculture;
 - 26 (3) Industrial areas; and
 - 27 (4) Others.
- 28 (j) Agricultural Maps:
 - 29 (1) Network of Protected Areas for Agricultural and Agro-industrial
 - 30 Development;
 - 31 (2) Commodity Specific Development Guide Maps;
 - 32 (3) Land Limitation Maps;
 - 33 (4) Cropping System Zones Maps;
 - 34 (5) Hydro-ecological Conditions Map; and
 - 35 (6) Irrigation Systems Maps.

- 1 (k) Land Classification Maps;
- 2 (l) Municipal Waters Delineation Maps and MPAs;
- 3 (m) Geo-Hazard Maps:
 - 4 (1) Flood-Prone Areas;
 - 5 (2) Hazard Zonation Maps for Volcanoes;
 - 6 (3) Map of Fault Systems;
 - 7 (4) Tsunami-Prone Areas; and
 - 8 (5) Erosion Prone Areas.
- 9 (n) Tourism Maps;
- 10 (o) Transportation Maps;
- 11 (p) Traffic Flow;
- 12 (q) Maps Designating Areas Served by:
 - 13 (1) Power;
 - 14 (2) Telecommunications; and
 - 15 (3) Water.
- 16 (r) Maps indicating the following facilities:
 - 17 (1) Health;
 - 18 (2) Education; and
 - 19 (3) Power.
- 20 (s) Domestic Water Supply;
- 21 (t) Industrial Areas;
- 22 (u) Population Distribution Map;
- 23 (v) Ancestral Domain Map;
- 24 (w) NIPAS Areas;
- 25 (x) Areas Suitable for Urban Expansion;
- 26 (y) Watershed Areas; and
- 27 (z) Forest Lands:
 - 28 (1) Protection Areas;
 - 29 (2) Production Areas; and
 - 30 (3) Restoration Areas:

(i) Key Biodiversity Areas; and

(ii) Marine Protected Areas.

SEC. 70. *Ground Delineation of the Country's Permanent Forest Line.* – Pursuant to the Constitution and as provided under this Act, the final determination and ground delineation of the country's permanent forest line shall be completed within one (1) year from the effectivity of this Act: *Provided*, That appropriations for the fulfillment of this provision shall be included in the annual appropriations of the DENR: *Provided, further*, That the complete report on the delineation of the country's permanent forest line shall be submitted to the NLUPC for appropriate integration in the country's strategic land use development plan and policies.

SEC. 71. *Completion and Updating of Existing Cadastral Surveys.* – The completion of incomplete cadastral surveys of LGUs and the updating of existing surveys shall be given priority consideration and allocation of resources in the implementation of this Act. The DENR shall include in its annual appropriations the completion and updating of all incomplete and existing cadastral surveys of all LGUs in the country: *Provided*, That such surveys and maps shall be integrated into the National Spatial Database Information and Mapping System.

In cases of ancestral domains, self-delineation by ICCs/IPs of their ancestral lands shall be employed to determine boundaries as provided for under Republic Act No. 8371.

SEC. 72. *Ground Delineation of Land Use.* – For effective planning to take place at the local level and for easy enforcement of the ZO of each city/municipality, land uses must be identifiable both on the map and on the ground. A Joint Committee comprised of the LGU, as represented by its C/MLUPMB, and of the national government agency concerned, to be assisted by the C/MPDC, shall identify and delineate on the ground the land uses within their jurisdiction. The following shall be given priority:

(a) Forest Lands:

(1) Protection; and

(2) Production.

(b) Ancestral Domains:

(c) NIPAS Areas:

(1) Strict Protection Zone; and

(2) Multiple Use Zone.

(d) Watershed Areas:

(1) Critical; and

(2) Multiple Use.

(e) Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAAD);

- (f) Socialized Housing Sites and Settlement Expansion Areas;
- (g) Extents of Environmentally Constrained Areas;
- (h) Easement Areas;
- (i) Critical Coastal Areas:
 - (1) Mangroves; and
 - (2) Sea grass.

Critical marine resources shall also be delineated both on the map and in the waters. Perimeters of critical offshore areas, such as coral reefs, shall be marked in accordance with the coastal resource management plans concerned.

All maps shall be updated as new important information and data become available or as determined by urgent need. Updating of maps shall be undertaken not more often than every ten (10) years.

SEC. 73. National Geo-hazard Mapping Program. – Within thirty (30) days from the effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated jointly through the NLUPC by the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, the MGB, and the DOE, in coordination with the NDRRMC, the Regional Disaster Risk Reduction and Management Councils, and other concerned government agencies. The program shall include the generation of indicative geo-hazard zoning maps that will outline areas in the Philippines which are prone to liquefaction, landslides, flooding, lahar, ground rupturing, tsunami, river erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, pyroclastic flow, base surge, and other natural hazards.

For purposes of uniformity and standardization and in order to develop a safe-built environment, the LGUs shall subsequently incorporate and integrate the generated geo-hazard zoning maps into their respective CLUPs and ZOs. Said geo-hazard maps shall serve as guide for all the LGUs in the preparation of their own hazards-constrained development plans. The NPFP shall incorporate these geo-hazard maps.

All entities conducting infrastructure activities including real estate and subdivision projects and the development of tourist spots requiring an ECC shall submit an Engineering Geological and Geo-hazard Assessment Report (EGGAR).

SEC. 74. Scope and Nature of Responsibilities of Other National Government Agencies. – All concerned national government agencies/bodies shall periodically report to the NLUPC on the various activities and accomplishments on land use. Likewise, they shall provide their respective sectoral/development plans and provide technical and administrative support if called upon by the NLUPC for the implementation of the provisions of this Act.

SEC. 75. Submission of Annual Report on the Implementation of CLUPs and ZOs. – The local land use boards shall submit their annual report on the implementation of their land use plans to their respective *sanggunians* which shall

1 submit the same to the RLUPCs for consolidation. The RLUPC shall thereafter
2 transmit the consolidated reports to the NLUPC for monitoring and evaluation.

3 CHAPTER IX 4 TRAINING, EDUCATION AND VALUES FORMATION

5
6 **SEC. 76.** *Values Formation.* – In order to develop a well-informed,
7 responsible and committed citizenry who value the protection, conservation and
8 development of the country's limited land, and other physical resources, the State
9 shall mandate the inclusion of sustainable land use education or any subject related
10 thereto in the curricula of primary, secondary and tertiary education.

11 **SEC. 77.** *Information/Education Campaign and Capacity-Building.* – The
12 NLUPC shall undertake a nationwide information/education campaign on land use
13 and physical planning to be implemented by local and national government agencies.
14 The DILG and concerned agencies shall formulate and implement a land use
15 management capability-building program for national and local government officials,
16 community leaders, representatives of NGOs, POs, the religious sector, and the
17 general public.

18 CHAPTER X 19 INCENTIVES, SANCTIONS AND PENALTIES

20 21 ARTICLE ONE. INCENTIVES AND AWARDS

22
23 **SEC. 78.** *Formulation of a System of Incentives and Awards.* – The
24 NLUPC shall come up with a system of incentives and awards to LGUs that regularly
25 update their CLUPs/ZOs once every eight (8) years.

26 **SEC. 79.** *Priority in Giving Technical Assistance to LGUs.* – In providing
27 technical assistance and other forms of support related to land use management and
28 implementation of development plans, national government agencies shall give
29 priority to cities and municipalities with approved CLUPs and ZOs.

30 ARTICLE TWO. SANCTIONS AND PENALTIES

31 **SEC. 80.** *Fine for Failure to Commence or Complete the Development of*
32 *Agricultural Lands With Approved Conversion Order.* – For agricultural lands with
33 approved conversion orders, the provisions of Republic Act No. 6657 (CARL), as
34 amended by Republic Act No. 9700, shall apply. A landowner and/or the designated
35 developer or duly authorized representative who fail to commence and/or complete
36 the development plan defined in the conversion order shall be jointly and severally
37 penalized. The following fines based on the latest zonal value or the fair market value
38 of the land, whichever is higher, shall be imposed:

39 (a) Failure to commence development within three (3) years from the date
40 of the conversion order:

41 (1) Three percent (3%) for the first three (3) hectares;

42 (2) Ten percent (10%) for the next three (3) hectares; and

43 (3) Fifteen percent (15%) for the remaining area.

1 In such case, the order of conversion shall be revoked by operation of
2 law. The land shall revert to its original use as agricultural land and may be
3 covered by the DAR through compulsory acquisition for distribution to qualified
4 beneficiaries.

5 (b) Failure to complete sixty percent (60%) of the approved conversion
6 plan within a specified time frame shall result in the automatic
7 revocation by the DAR of the conversion plan on the undeveloped
8 portion. The land shall be reverted to its original use as agricultural land
9 and may be covered under the CARP for land distribution.

10 **SEC. 81.** *Persons Abetting Illegal Conversion.* – Any person initiating,
11 causing, inducing, or abetting illegal conversion with intent shall be punished with
12 imprisonment or a fine in accordance with Act No. 3815, as amended by Republic
13 Act No. 10951, or Republic Act No. 3019, or both, at the discretion of the court.

14 If the offender is a public official or employee, whether elected or appointed,
15 the penalty shall also include dismissal from the service, forfeiture of all benefits and
16 entitlements accruing to the public position, and perpetual disqualification to run or
17 apply for any elective or appointive public office.

18 If the offender is a juridical person, the penalty of imprisonment shall be
19 imposed on the president, chief executive officer, manager, chairperson and all the
20 members of the Board, and other responsible officers thereof. The imposable fine
21 shall be equivalent to the zonal value of the land or forty percent (40%) of the
22 shareholders' equity, whichever is higher. Furthermore, the land shall be forfeited in
23 favor of the State and sold through public auction. The proceeds of the sale shall
24 automatically accrue to the Agrarian Reform Fund.

25 **SEC. 82.** *Penalty for Reclassification of Protected Agricultural Lands and*
26 *Exceeding the Limit of Areas Allowed for Reclassification.* – Any person initiating,
27 causing, inducing, or abetting the reclassification to nonagricultural uses of protected
28 agricultural areas as defined in Section 13 hereof shall be penalized with
29 imprisonment of twelve (12) years or a fine of not less than one hundred thousand
30 pesos (P100,000.00), or both, at the discretion of the court.

31 If the offender is a public official or employee, whether elected or appointed,
32 the penalty shall also include dismissal from the service, forfeiture of entitlements
33 accruing to the public position, and perpetual disqualification to run or apply for any
34 elective or appointive public position.

35 If the offender is a juridical person, the penalty shall be imposed on the
36 president, chief executive officer, manager, chairperson and all the members of the
37 Board, and other responsible officers thereof.

38 The same penalty shall be applicable to persons who will be responsible for
39 exceeding the limits set forth under Section 20 of the Local Government Code
40 pertaining to reclassification of lands.

41 **SEC. 83.** *Payment of Disturbance Compensation.* – Following the order of
42 priority stated in Section 22 of Republic Act No. 6657, as amended by Republic Act
43 No. 9700, agricultural lessees and share tenants, regular farmworkers, seasonal
44 farmworkers, other farmworkers, actual tillers or occupants of public lands, collective,

1 or cooperative of the above beneficiaries, and others directly working on the land
2 affected by agricultural land use conversion, shall be entitled to the payment of
3 disturbance compensation equivalent to five (5) times the average of the gross
4 harvests on the landholding during the preceding five (5) calendar years or a certain
5 percentage of the converted land, whichever is higher, as determined by the DAR.

6 **SEC. 84.** *Authority to Impose Fine.* – The DAR shall have the authority to
7 impose the fines provided under Sections 80, 81, 82 and 83 of this Act.

8 **SEC. 85.** *Withdrawal of Local Development Permits and/or Licenses.* –
9 Upon receipt of notice from the DAR, the concerned agencies, cities or municipalities
10 shall withdraw and/or revoke any development permit and/or other licenses that may
11 be necessary to develop the agricultural land subject of conversion.

12 **SEC. 86.** *Utilization of Fines.* – The fines collected under Section 84
13 hereof shall automatically accrue to the Agrarian Reform Fund consistent with the
14 provisions of the CARL, as amended.

15 **SEC. 87.** *Failure to Formulate, Implement and/or Enforce the CLUPs and*
16 *ZOs.* – Consistent with due process, the NLUPC, in coordination with the DILG,
17 shall evaluate, review, and recommend the filing of charges against local chief
18 executives and other local officials and employees responsible for the formulation,
19 implementation and/or enforcement of the CLUPs for the following acts:

- 20 (a) Failure of the CLUPs/ZOs to conform to the guidelines provided in the
21 NPFP;
- 22 (b) Failure to complete the preparation of the CLUP despite the availability
23 of funds, resources, and support by the *sanggunian* concerned;
- 24 (c) Failure to provide appropriate budgetary allocation to effect its
25 implementation; and
- 26 (d) Failure to implement and enforce the CLUP/ZO due to negligence of
27 duty.

28 Any public official or employee, whether elected, appointed or holding
29 office/employment in a casual, temporary, holdover, permanent, or regular capacity,
30 found to be responsible for any of the foregoing acts, shall be punished with
31 forfeiture of salaries and allowances, and suspension from:

- 32 (1) Three (3) to six (6) months, in case of non-completion of the CLUP; or
33 (2) Three (3) to six (6) months, in case of nonconformity with the NPFP; or
34 (3) Six (6) to nine (9) months, in case of non-implementation of the CLUP.

35 Failure to comply with the provisions of Republic Act No. 8371 on the
36 formulation of CLUP shall be penalized according to Section 72 of Republic Act No.
37 8371.

38 **SEC. 88.** *Illegal Conversion of City or Municipal Parks, Communal*
39 *Forests, and Tree Parks in Subdivisions.* – Penalties in the amount of one hundred
40 thousand pesos (P100,000.00) to five hundred thousand pesos (P500,000.00), or

1 imprisonment of six (6) years and one (1) day to twelve (12) years, or both, at the
2 discretion of the court, shall be imposed for each of the following offenses:

- 3 (a) Illegally converting or causing the conversion of a city/municipal park,
4 communal forest, or tree parks within subdivisions established
5 pursuant to Presidential Decree No. 953, requiring the planting of trees
6 in certain places, into other uses including the construction of
7 permanent buildings;
- 8 (b) Destroying or causing damage to the timberlands and other forest
9 products found in the abovementioned forest and parks;
- 10 (c) Setting the abovementioned forest and parks on fire, or negligently
11 permitting a fire to be set therein; and
- 12 (d) Assisting, aiding or abetting another person to commit the offenses
13 stated in this section.

14 The offender shall likewise be imposed a fine equivalent to eight (8) times the
15 commercial value of the forest products destroyed without prejudice to payment of
16 the full cost of rehabilitation of the areas as determined by the DENR.

17 The maximum penalty prescribed shall be imposed upon the offender who
18 repeats the same offense, and double the maximum penalty upon the offender who
19 commits the same offense for the third time or more.

20 All improvements made therein, as well as all vehicles, domestic animals, and
21 equipment of any kind used in the commission of the offense shall be forfeited in
22 favor of the government.

23 If not suitable for use by the DENR, said improvements, vehicles, domestic
24 animals and equipment shall be sold at public auction, the proceeds from which shall
25 accrue to the Forest Conservation and Development Fund (FCDF).

26 CHAPTER XI 27 TRANSITORY AND FINAL PROVISIONS 28

29 **SEC. 89.** *Mandatory Review Every Ten (10) Years.* – The Congress
30 shall undertake a mandatory review of this Act at least once every ten (10) years
31 from its effectivity or as often as it may be deemed necessary to ensure that land use
32 policies and guidelines remain responsive to changing circumstances.

33 For this purpose, the Congress may call upon the NLUPC to undertake the
34 necessary researches and consultations.

35 **SEC. 90.** *Convening of the NLUPC.* – Within thirty (30) days from the
36 effectivity of this Act, the Chairperson shall convene the NLUPC and the Head of the
37 NLUPC Secretariat shall immediately assume office.

38 **SEC. 91.** *Implementing Rules and Regulations.* – Within ninety (90) days from
39 the effectivity of this Act, the NLUPC shall promulgate its implementing rules and
40 regulations (IRR) including the rules on the selection of the members of the
41 C/MLUPMB and the PLUPMB. It shall take effect fifteen (15) days after its complete

1 publication in the Official Gazette or in at least two (2) newspapers of national
2 circulation.

3 **SEC. 92.** *Transfer of Powers and Functions.* – The functions of the
4 HLURB on land use planning as provided for under Sections 5a, 5b, 5c, 5d, 5e, and
5 5f of Executive Order No. 648, Series of 1991; and Executive Order No. 72, Series
6 of 1993, shall be immediately transferred to the NLUPC and its appropriate
7 subnational LGU structures, except as provided in Section 55 hereof. Nothing in this
8 Act shall be construed to transfer or limit the functions embraced within the said
9 provisions that pertain to or relate to HLURB non-planning functions.

10 **SEC. 93.** *Review of Existing Land Use Plans.* – Provinces, cities, and
11 municipalities with existing land use plans shall review, revise, reconcile, and
12 harmonize the same with the guidelines and standards issued by the NLUPC within
13 one (1) year from the effectivity of this Act.

14 **SEC. 94.** *Access to Information.* – Access to records and documents
15 pertaining to official acts, transactions, or decisions as well as to data used as basis
16 for policy development by the NLUPC shall be made available to the public.

17 **SEC. 95.** *Appropriations.* – The amount necessary for the initial
18 implementation of this Act shall be charged against the current year's appropriations
19 of the NEDA Board-National Land Use Committee (NB-NLUC). Thereafter, such
20 sums as may be necessary for the continued implementation of this Act shall be
21 included in the annual General Appropriations Act.

22 **SEC. 96.** *Congressional Oversight Committee on the Land Use Act.* – A
23 Congressional Oversight Committee on the Land Use Act shall be created. It shall
24 be composed of seven (7) members from the Senate and seven (7) members from
25 the House of Representatives. The Members from the Senate shall be appointed by
26 the Senate President based on proportional representation of the parties or coalitions
27 therein, with at least two (2) Senators representing the minority. The Members from
28 the House of Representatives shall be appointed by the Speaker of the House of
29 Representatives, also based on proportional representation of the parties or
30 coalitions therein, with at least two (2) Members representing the minority.

31 The Oversight Committee shall function for a period of not more than three (3)
32 years to oversee the implementation of this Act. The secretariat of the Oversight
33 Committee shall be drawn from the existing secretariat personnel of the committees
34 comprising the oversight.

35 **SEC. 97.** *Non-impairment Clause.* – Nothing in this Act shall be construed
36 as to diminish, or impair rights recognized, granted, or available to marginalized or
37 the basic sectors under existing laws including, but not limited to, Republic Acts
38 Numbered 7279 and 6657, as amended by Republic Acts Numbered 7942, 8371,
39 8550 and 9700.

40 **SEC. 98.** *Repealing Clause.* – Section 10 of Republic Act No. 8435 and
41 Sections 447 (a2vii) and 458 (a2viii) of Republic Act No. 7160 and related laws and
42 administrative issuances are hereby modified by Section 13 hereof. The pertinent
43 provisions of Executive Order No. 648; Executive Order No. 72, Series of 1993; and
44 Executive Order No. 770, Series of 2008, amending Letter of Instruction (LOI) No.
45 1350, are also modified accordingly. Section 11 of Republic Act No. 8435 as to the

1 penalty for agricultural inactivity and premature conversion is also modified by
2 Section 83 hereof. LOI No. 1350, Series of 1983; Presidential Proclamation No.
3 2282, Series of 1983; and all other general and special laws, acts, decrees, executive
4 orders, proclamations and administrative regulations, or any part thereof which are
5 inconsistent with this Act are hereby repealed or modified accordingly.

6 All republic acts, executive orders, rules and regulations, and other issuances
7 or parts thereof which are inconsistent with the provisions of this Act are hereby
8 repealed, amended, or modified accordingly.

9 **SEC. 99.** *Separability Clause.* – If, for any reason, any section or
10 provision of this Act is declared unconstitutional or invalid, the other sections or
11 provisions not affected thereby shall remain in full force and effect.

12 **SEC. 100.** *Effectivity.* – This Act shall take effect fifteen (15) days after its
13 publication in the Official Gazette or in at least two (2) national newspapers of general
14 circulation.

15 **Approved,**