

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 108



Introduced by
Hon. Kaka Bag-ao, Hon. Teddy Brawner Baguilat, Jr., Hon. Jorge B. Banal

EXPLANATORY NOTE

At the core of erratic climate change with worsening of disasters, the looming food and water crises, foreign land grabbing and conflicting claims calls a strong and immediate proper utilization and management of land resources as the key to national development in the 21st Century. On this, the country's capacity to meet the present and future needs of the people, which include among others the need for healthy environment, sustainable agricultural production and food security, decent and affordable housing, jobs and industry.

With the population steadily increasing and given the finite character of land, it is unfortunate that the country's land resources are fast becoming entangled into conflicting demands, abuses, and misuses from commercial pressures.

The State's intervention is thus necessary to rationalize land use. This is based on the premise that land is more than an economic object. It has a social function such that any exercise of ownership or access rights to entails social responsibility. Indiscriminate use of lands without regard to its adverse effect on society and the environment must be regulated in the interest of the general welfare of the present and future generations.

In this regard, we are endorsing the adoption of the proposed National Land Use and Management Policy. This proposed policy seeks to harmonize the reasonable claims of all those who hold interest on land and safeguards and promotes the general welfare of both existing and future generations through the proper management of land resources. It provides guidelines and criteria for land use based on the assessment of the development needs of various sectors in a participatory bottom-up top-bottom approach.

In particular, the bill provides for the:

- (1) Mechanism to harmonize conflicting land laws;
- (2) Adherence to the principle of sustainable development and just management, and utilization of natural resources;
- (3) Clear delineation of land use categories;
- (4) Protection of prime agricultural lands for food security and sufficiency;
- (5) Integration and institutionalizing people's participation in land use planning and applies the combined bottom-up top-bottom approach in land use planning;
- (6) National Physical Framework Plan which shall define the national strategy and objective of the country's urban, rural, and regional development.
- (7) Creation of the National Spatial Database Information and Mapping Inter-Agency Support System;
- (8) Final determination and ground delineation of the country's permanent forest line and completion the Geohazard Mapping Program to effectively provide adequate and up to date information necessary for land use planning; and

More importantly however, the bill seeks to integrate and institutionalise people's participation and gender mainstreaming in defining the framework and guiding principles of land allocation and utilization. It provides for the mandatory participation of stakeholders in key decision making bodies on land use policy at all levels. The bill itself is the result of a painstaking process of consultations and validation with and among different basic sectors.

In view of the foregoing, the immediate passage of the bill is earnestly sought.



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**AN ACT INSTITUTING A NATIONAL LAND USE AND MANAGEMENT POLICY, PROVIDING
THE IMPLEMENTING MECHANISMS THEREFOR, AND FOR OTHER PURPOSES**

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

CHAPTER 1. INTRODUCTORY PROVISIONS

SECTION 1. Title. This Act shall be known and cited as the "National Land Use and Management Act of the Philippines."

SECTION 2. Declaration of Policies and Principles. It is the policy of the State to:

1. Provide for a rational, holistic and just allocation, utilization, management, and development of 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;
2. 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 the use of land bears a social function and that all economic agents shall contribute to the common good;
3. 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;
4. 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 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
- 2 1. Maintenance and preservation of environmental integrity and stability;
- 3
- 4 2. Sustainable and just management and utilization of natural resources;
- 5
- 6 3. Disaster risk reduction and climate risk-based planning;
- 7
- 8 4. Protection of prime agricultural lands for food security, with emphasis on self-sufficiency
- 9 through efficient and sustainable use of land resources consistent with the principles of
- 10 sound agricultural development, natural resources development, and agrarian reform;
- 11
- 12 5. Protection and conservation of the country's natural heritage, permanent forest lands,
- 13 natural forests, critical watersheds and key biodiversity areas to ensure adequate forest
- 14 cover to maintain ecological processes in the country;
- 15
- 16 6. Sustainable development and management of water resources.
- 17
- 18 7. Settlements, transportation and other infrastructure development in support of inclusive
- 19 growth and rural, urban and regional development;
- 20
- 21 8. Improved access to affordable housing by increasing its supply through direct allocation,
- 22 better access to unutilized lands, and multiple use and higher densities, where
- 23 appropriate;
- 24
- 25 9. Respect for and protection of the traditional resource right of the Indigenous Cultural
- 26 Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains; compliance with
- 27 free and prior informed consent of ICCs/IPs; and recognition of customary laws and
- 28 traditional resource use and management, knowledge, and practices in ancestral
- 29 domains;
- 30
- 31 10. Equitable access to land through State intervention that guarantees its affordability to
- 32 the basic sectors;
- 33
- 34 11. Energy security or energy self-sufficiency; and
- 35
- 36
- 37 12. Meaningful participation of the basic sectors.
- 38
- 39

40 **SECTION 3. Scope.** This Act shall apply to all lands and all resources therein, whether public,

41 private, government-owned, and/or in the possession of any person(s), whether natural or

42 juridical and shall guide the rational, holistic and just allocation, utilization, development and

43 management of the country's land and water resources including such activities that bear

44 impact on said resources.

45

46

47 **SECTION 4. Definition of Terms**

48

- 49 a. **Agricultural Land** refers to lands devoted to or suitable for the cultivation of the soil,
- 50 planting of crops, growing of trees, raising of livestock, poultry, fish or aqua-culture

1 production, including the harvesting of such farm products, and other farm activities
2 and practices performed in conjunction with such farming operations, by persons
3 whether natural or juridical, and not classified by law as mineral land, forest land,
4 residential land, commercial land, or industrial land;

5
6 b. **Agricultural Land Use Conversion** refers to the undertaking of any development
7 activity which modifies or alters the physical characteristics of agricultural lands to
8 render them suitable for non-agricultural purposes with an approved order of
9 conversion issued exclusively by the Department of Agrarian Reform (DAR);

10
11 c. **Alienable and Disposable Lands of the Public Domain** refers to lands of the
12 public domain which have been delineated, classified, and certified as such and
13 available for disposition under Commonwealth Act No.141, otherwise known as the
14 Public Land Act, as amended;

15
16 d. **Ancestral Domains** refer to all areas generally belonging to ICCs/IPs as defined in
17 Republic Act (R.A.) No. 8371, otherwise known as the Indigenous Peoples Rights
18 Act (IPRA) of 1997;

19
20 e. **Ancestral Domain Sustainable Development and Protection Plan (ADSDPP)**
21 refers to a plan formulated and pursued in accordance with the rights of ICCs/IPs to
22 manage and develop the land as well as natural and human resources within their
23 ancestral domains based on their indigenous knowledge systems and practices on
24 the principle of self-determination;

25
26 f. **Coastal Area/Zone** refers to a band of dry land and the adjacent ocean space (water
27 and submerged land) in which terrestrial processes and uses directly affect oceanic
28 processes and uses, and vice versa. Its geographic extent may include areas within
29 a landward limit of one (1) kilometer from the shoreline at high tide to include
30 mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy
31 beaches and other areas within a seaward limit of 200 meters isobath to include
32 coral reefs, algal flats, seagrass beds, and other soft-bottom areas;

33
34 g. **Comprehensive Land Use Plan (CLUP)** refers to a document embodying a set of
35 policies, accompanied by maps and similar illustrations that serve as a policy guide
36 for determining the future use of lands and natural resources within the territorial
37 jurisdiction of the LGUs. It represents the community-desired pattern of population
38 distribution and proposes future allocation of land and resources to various activities.
39 It includes the processes and criteria employed in such determination of allocation of
40 land and resources. It is a plan for the long-term management of the local territory
41 covering a period of thirty (30) years based on the four (4) categories of land use
42 planning provided in Section 6 of this Act;

43
44 h. **Comprehensive Land Use Planning** refers to the act of defining the allocation,
45 utilization, development, and management of all lands within a given territory or
46 jurisdiction according to the inherent characteristics of the land itself and supportive
47 of sustainable, economic, demographic, socio-cultural and environmental objectives
48 as an aid to decision-making and legislation;

49
50 i. **Critical Watershed** refers to watersheds or forestlands that have been identified and
51 evaluated to provide critical and vital natural, ecological, environmental and physical

- 1 beneficial services such as water, biodiversity, energy, irrigation, social and cultural,
2 among others to a specific area or community and whose existing biophysical
3 condition demands immediate rehabilitation, protection and management to prevent
4 its further denudation, deterioration and exploitation;
5
- 6 j. **Cultural Heritage** refers to the totality of cultural properties whether natural or
7 human-made, preserved and developed through time, and passed on for posterity;
8
- 9 k. **Customary Laws** refer to a body of written and/or unwritten rules, usages, customs
10 and practices traditionally and continually recognized, accepted, and observed by
11 respective ICCs/IPs consistent with the IPRA;
12
- 13 l. **Danger Zones** refer to areas with high level of threat to the lives and well-being of
14 people that cannot be addressed through scientific, physical and engineering
15 methods, and are not suitable for settlement and permanent structures. Areas can
16 only be declared as Danger Zones after conducting proper technical studies and
17 public consultations with affected families;
18
- 19 m. **Development Plan** refers to a document that defines the activities and measures
20 that the national government or LGUs intend to implement over a specified period of
21 time in order to achieve the defined set of development goals identified in the
22 national or local physical framework plans. It integrates socio-economic, financial,
23 fiscal, legal and legislative, institutional and sectoral plans of the national government
24 or any of its instrumentality or a particular LGU, consistent with the objectives
25 identified in spatial plans such as land use plans or physical framework plans. It may
26 include an analysis of problems and resources, definition of goals and objectives,
27 policy guidelines, project and target achievements, and an implementation
28 mechanism which defines the roles and contributions expected from the government
29 and the private sector;
30
- 31 n. **Disaster-prone Areas or Geo-hazard Areas** refer to areas frequented by and/or
32 vulnerable to experience weather, climatic, hydrologic, geologic, and other natural
33 disturbances or calamities;
34
- 35 o. **Disaster Risk Reduction** refers to the concept and practice of reducing disaster
36 risks through systematic efforts to analyze and manage the causal factors of
37 disasters, including reduced exposure to hazards, lessened vulnerability of people
38 and property, wise management of land and the environment, and improved
39 preparedness for adverse events;
40
- 41 p. **Ecologically-fragile Lands** refer to lands within critical watersheds, brackish and
42 freshwater wetlands, pasture lands, inland rivers and waterways, coastal and
43 settlement areas, and croplands which require rehabilitation, protection and whose
44 continued unsustainable use would result in physical risks and threats to life and
45 property, public health and safety, as well as adversely affect the productivity of
46 lowland agricultural areas and stability of the upland system;
47
- 48 q. **Ecotourism** refers to a form of sustainable tourism within a natural and/or cultural
49 heritage area where community participation, protection and management of natural
50 resources, culture and indigenous knowledge and practices, environmental

education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host community and satisfaction of visitors;

- r. **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;
- 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 non-conventional sources including ocean waves, solar, wind, biomass, and other similar resources which serve the same purpose;
- t. **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 forest and marshlands; and (xiv) foreshore lands;
- u. **Exhausted Mineral Resources** refer to a situation where the mineral resources in specific sites are no longer in sufficient quantity or quality to justify additional expenditure for extraction or utilization;
- 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 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. **Food Security** refers to the policy objective of meeting the food availability, accessibility, and affordability requirements of the present and future generations of Filipinos in a sustainable manner, through local production or importation in cases of shortage based on a micro level situation, or both, and taking into account the country's existing and potential resource endowments and related production advantages, and consistent with the overall national development objectives and policies;
- y. **Food Self-sufficiency** refers to the policy objective of meeting the food requirements through intensive local food production in a sustainable manner based on the country's existing and potential resources and related production advantages;

- 1 z. **Forest** refers to an ecosystem or an assemblage of ecosystems dominated by trees
2 and other woody vegetation; a community of plants and animals interacting with one
3 another and its physical environment;
4
- 5 aa. **Forestlands** refer to lands of the public domain which have been inventoried,
6 assessed and classified as public forest, permanent forest or forest reserves and
7 forest reservations;
8
- 9 bb. **Forest Land Use Plan (FLUP)** refers to the allocation of forest lands into their
10 appropriate uses consistent with existing biophysical conditions such as topography,
11 soil type, land use, climate, water sources and socioeconomic, cultural and political
12 realities. Forest land use planning should be able to delineate protection and
13 production forests;
14
- 15 cc. **Forest Land Sub-classification** refers to the process of determining the most
16 appropriate and sustainable use of forestlands such as protection forest, production
17 forest, national parks, recreation areas, grazing/pasture and other uses taking into
18 account ecological, social and economic considerations;
19
- 20 dd. **Foreshore Land** refers to a string of land margining a body of water, the part of a
21 seashore between the low-water line usually at the seaward margin of a low tide
22 terrace and the upper limit of wave wash at high tide often marked by a beach scarp
23 or berm;
24
- 25 ee. **Free, Prior and Informed Consent (FPIC)** means the consensus of all members of
26 the ICCs/IPs to be determined in accordance with their respective customary laws
27 and practices, free from any external manipulation, interference and coercion, and
28 obtained after fully disclosing the intent and scope of the activity, in a language and
29 process understandable to the community;
30
- 31 ff. **Geo-hazards** refer to nature and human-induced geological processes that have
32 potential to cause destruction and pose a threat or risk to a person's life and
33 property. These may include but are not limited to ground, water and weather-related
34 conditions, volcanic and earthquake induced hazards such as ground shaking,
35 ground rupture, earthquake-induced landslides, liquefaction and tsunami;
36
- 37 gg. **Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)** refer to groups
38 of people or homogenous societies identified by self-ascription and ascription by
39 others, who have continuously lived as organized community on communally
40 bounded and defined territory, and who have, under claims of ownership since time
41 immemorial, occupied, possessed and utilized such territories, sharing common
42 bonds of language, customs, traditions and other distinctive cultural traits, or who
43 have, through resistance to political, social and cultural inroads of colonization, non-
44 indigenous religions and cultures, became historically differentiated from the majority
45 of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous
46 on account of their descent from the populations which inhabited the country, at the
47 time of conquest or colonization, or at the time of inroads of non-indigenous religions
48 and cultures, or the establishment of present State boundaries, who retain some or
49 all of their own social, economic, cultural and political institutions, but who may have
50 been displaced from their traditional domains or who may have resettled outside their
51 ancestral domains;

- 1
2 hh. **Inland Waters** refer to waters, which are not coastal and marine waters, and not
3 subject to acquisitive prescription consistent with the provisions of Presidential
4 Decree No. 1067 or the Water Code of the Philippines;
5
6 ii. **Integrated Watershed Management** refers to a planning strategy or program for
7 watershed areas that complement environmentally-sound soil and water
8 management practices with mechanisms for ensuring greater responsibility,
9 involvement, or participation of individuals, groups, communities and other
10 stakeholders benefiting from these areas and water-related infrastructure;
11
12 jj. **Key Biodiversity Areas (KBAs)** represent the most important sites for biodiversity
13 conservation worldwide. These are places of international importance for the
14 conservation of biodiversity through protected areas and other governance
15 mechanisms. They are identified nationally using simple, standard criteria, based on
16 their importance in maintaining species populations;
17
18 kk. **Land** refers to resources, both artificial and natural, found on the surface, below,
19 and above the ground including inland waters and the air therein;
20
21 ll. **Land Sub-classification** refers to the act of determining and assigning specific uses
22 of classified lands of the public domain, such as forest or timber lands, alienable or
23 disposable agricultural lands, national parks, and mineral lands in accordance with
24 existing laws and this Act;
25
26 mm. **Land Use** refers to the manner of allocation, utilization, management and
27 development of land;
28
29 nn. **Land Use Classification** refers to the act of delineating or allocating lands
30 according to protection land use, production land use, settlements development and
31 infrastructure development as defined and provided for in this Act;
32
33 oo. **Land Use Policy Council (LUPC)** refers to the administrative, policy-making, and
34 regulatory body created under this Act;
35
36 pp. **Mandatory Public Hearings/Consultations** refer to the mechanism to ensure the
37 involvement of affected sectors and communities in land use planning, from the
38 barangay to the national level. To ensure the social acceptability of the plans, it
39 should involve giving notice of hearing/consultation to affected sectors through
40 publication or posting in conspicuous places, conduct of a reasonable number of
41 hearings, solicitation of positions to arrive at a consensus. Public presentation and
42 validation of the planning results shall also be undertaken before the final adoption of
43 the plans;
44
45 qq. **Marine Protected Area (MPA)** refers to a defined area of the sea established and
46 set aside by law, administrative regulation or any other effective means in order to
47 conserve and protect a part of or the entire enclosed environment, through the
48 establishment of management guidelines. It includes all declared areas governed by
49 specific rules or guidelines in order to protect and manage activities within the
50 enclosed area;
51

- 1 rr. **Mineral Exploration** refers to the systematic searching or prospecting for mineral
2 resources including energy resources;
- 3
- 4 ss. **Mineral Lands** refer to lands of the public domain, excluding those in permanent
5 forestlands and protection lands, where mineral resources are found in sufficient
6 quantity and quality for extraction, development and utilization;
- 7
- 8 tt. **Multiple Use of Land Resources** refer to the utilization or management strategy for
9 any land, which allows any activity, involving one or more of its resources, depending
10 on the result of prior evaluation on its numerous beneficial use that will produce the
11 optimum benefits to the development and progress of the country and the public
12 welfare without impairment or with the least injury to its other resources;
- 13
- 14 uu. **Municipal Waters** include not only streams, lakes, inland bodies of water and tidal
15 waters within the municipality which are not included within the protected areas as
16 defined under Republic Act No. 7586 of the National Integrated Protected Areas
17 System or the NIPAS Act of 1992, public forest, timber lands, forest reserves or
18 fishery reserves, but also marine waters included between two (2) lines drawn
19 perpendicular to the general coastline from points where the boundary lines of the
20 municipality touch the sea at low tide and a third line parallel with the general
21 coastline including offshore islands and fifteen (15) kilometers from such coastline.
22 Where the territory of a municipality includes several islands, the outermost points of
23 such islands shall be used as base points and connected by archipelagic baselines,
24 irrespective of the lengths of such baselines from the main coastlines. Where two (2)
25 municipalities are situated on opposite shores that there is less than thirty (30)
26 kilometers of marine waters between them, the third line shall be equally distant from
27 opposite shore of the respective municipalities;
- 28
- 29 vv. **National Integrated Protected Areas System (NIPAS)** refers to the classification
30 and administration of all designated protected areas to maintain essential ecological
31 processes and life-support systems, to preserve genetic diversity, to ensure
32 sustainable use of resources found therein, and to maintain their natural conditions
33 to the greatest extent possible;
- 34
- 35 ww. **National Park** refers to forest reservation essentially of natural wilderness character
36 which has been withdrawn from settlement, occupancy or any form of exploitation
37 except in conformity with approved management plan and set aside as such
38 exclusively to conserve the area or preserve the scenery, natural and historic
39 objects, wild animals and plants therein and to provide enjoyment of these features
40 in such areas. It shall also refer to lands and waters of the public domain classified
41 as such in the 1987 Constitution which include all areas under the NIPAS pursuant to
42 the NIPAS Act of 1992, primarily designated for the conservation of native plants and
43 animals and associated habitats and cultural diversity;
- 44
- 45 xx. **Network of Protected Areas for Agriculture and Agro-industrial Development**
46 **(NPAAAD)** refers to agricultural areas identified by the Department of Agriculture
47 (DA) through the Bureau of Soils and Water Management (BSWM) in coordination
48 with the National Mapping and Resource Information Authority (NAMRIA) in order to
49 ensure the efficient utilization of land for agriculture and agro-industrial development
50 and promote sustainable growth. The NPAAAD covers all irrigated areas; all
51 irrigable lands already covered by irrigation projects; all alluvial plains; lands highly

- 1 suitable for agriculture whether irrigated or not; agro-industrial croplands or lands
2 planted to industrial crops that support the validity of existing agricultural
3 infrastructure and agro-based enterprises; highlands or areas located at an elevation
4 of five hundred (500) meters or above and have the potential for growing semi-
5 temperate and high value crops; all agricultural lands that are ecologically fragile the
6 conversion of which will result in serious environmental degradation; and all
7 mangrove areas and fish sanctuaries;
8
- 9 yy. **Permanent Forests or Forest Reserves** refer to lands of the public domain which
10 has been identified and determined to be needed for protection, conservation,
11 preservation and management as forests and shall be reserved, conserved and
12 protected into perpetuity for such purpose;
13
- 14 zz. **Permanent Forestlands** refer to forestlands, within public or private lands, that have
15 been identified, determined and demarcated on the ground by the State to serve
16 such purpose and shall be protected, conserved, preserved, maintained and
17 managed as forestlands free from any form of utilization, exploitation or
18 development, and reserved permanently as such for the benefit and use of future
19 generations;
20
- 21 aaa. **Physical Framework Plans** refer to the national, regional or provincial indicative
22 plans that outline the over-all and macro-level physical development objectives,
23 priorities, directions and strategies in its respective levels as prepared, reviewed,
24 integrated and finalized by the national, regional and provincial land use
25 councils/boards, respectively, based on the Comprehensive Land Use Plans
26 (CLUPs) of the LGUs and the national policy guidelines relating to land use and
27 environmental management to prevent or mitigate the adverse effects of
28 inappropriate resource utilization on food security, the people's welfare, and their
29 environment;
30
- 31 bbb. **Premature or Illegal Conversion** refers to any activity that modifies or alters the
32 physical characteristics of agricultural lands to render them suitable for non-
33 agricultural purposes without an approved order of conversion from the DAR
34 Secretary;
35
- 36 ccc. **Prime Agricultural Lands** refer to all contiguous irrigated areas and irrigable lands
37 already covered by irrigation projects; all alluvial plain lands highly suitable for
38 agriculture whether irrigated or not that have been identified to satisfy the country's
39 needs for food self-sufficiency and security; agro-industrial croplands or lands
40 presently planted and suitable to industrial and high value crops; highlands, or areas
41 located at elevation of 500 meters or above and have the potential for growing semi-
42 temperature and high value crops outside of declared permanent forestlands and
43 protection forests and not located in ecologically-fragile and environmentally-critical
44 areas.
45
- 46 ddd. **Production Forest** refers to forestland located in production lands managed
47 primarily for the production of timber and other tree products;
48
- 49 eee. **Production Land Use** refers to the direct and indirect utilization of land to generate
50 outputs resulting from the following activities: agricultural, fish farming or

- 1 aquaculture, timber or agro-forestry, grazing and pasture, mining, indigenous energy
2 resource development, industry, and tourism;
- 3
- 4 fff. **Protected Areas** refer to portions of land and water set aside by reason of their
5 unique physical and biological significance, managed to enhance biological diversity,
6 and protected against human exploitation. For purposes of this Act, these shall also
7 include all natural forests and agricultural lands identified and delineated under this
8 Act;
- 9
- 10 ggg. **Protection Forests** refer to forests and forestlands, in both public and private lands,
11 that have been identified and determined by the State for the beneficial use of
12 present and future generations and shall be preserved, conserved, protected and
13 maintained as such free from any form of utilization, exploitation or development;
- 14
- 15 hhh. **Protection Land Use** refers to the use of land primarily reserved for rehabilitation,
16 conservation, and protection purposes and the promotion of the country's ecological
17 and life-support systems;
- 18
- 19 iii. **Public Domain** refers to lands belonging to the State which may be classified as
20 agricultural, forest or timber, mineral, or national park as provided for in the
21 Constitution;
- 22
- 23 jjj. **Reclassification of Agricultural Lands** refer to the act of specifying how
24 agricultural lands shall be utilized for non-agricultural uses such as residential,
25 industrial, or commercial through the local planning and zoning processes pursuant
26 to the Local Government Code of 1991 and subject to the requirements and
27 procedure for conversion. It is equivalent to land sub-classification as defined in this
28 Act for classified lands of the public domain and also includes the reversion of non-
29 agricultural lands to agricultural use;
- 30
- 31 kkk. **Resettlement Sites** refer to areas identified by the appropriate national agency or by
32 the local government unit, with respect to areas within its jurisdiction, which shall be
33 used for the relocation of the underprivileged and homeless, as defined under
34 Republic Act No. 7279 or the Urban Development and Housing Act (UDHA);
- 35
- 36 lll. **Restoration** refers to returning forestland to its original forested state in terms of
37 species' composition, structure, function and productivity;
- 38
- 39 mmm. **Restoration Zones** refer to forest areas where activities are conducted to restore
40 its forested state;
- 41
- 42 nnn. **River Basin** refers to the horizontal projection of area from which a river and its
43 tributaries receive surface water originating from precipitation;
- 44
- 45 ooo. **Settlements** refer to communities or built-up environment areas where people prefer
46 to live in;
- 47
- 48 ppp. **Settlements Development** refers to any improvement on existing settlements or any
49 proposed development of certain areas for settlement purposes. It also involves the
50 spatial distribution of population, identification of the roles and functions of key urban

- 1 centers, determination of relationships among settlement areas, and the provision of
2 basic services and facilities of identified major settlement areas or growth centers;
3
- 4 qq. **Shoreline** refers to a strip of land covering at least one (1) kilometer from the point
5 where seawater reaches during the highest high tide;
6
- 7 rrr. **Socialized Housing Zones** refer to lands identified and designated by LGUs as
8 sites for socialized housing pursuant to Article IV of the UDHA and its implementing
9 guidelines;
10
- 11 sss. **Strategic Agriculture and Fisheries Development Zones (SAFDZs)** refer to areas
12 within the NPAAAD identified for production, agro-processing and marketing
13 activities to help develop and modernize, with the support of government, the
14 agriculture and fisheries sectors in an environmentally and socio-culturally sound
15 manner;
16
- 17 ttt. **Sub-classification or Reclassification of Agricultural Lands** refers to the process
18 undertaken by the LGUs of allocating declared agricultural lands in their respective
19 territorial jurisdictions to specific uses such as residential, industrial or commercial
20 purposes. It is only one of the bases for application for land conversion by the
21 owners thereof;
22
- 23 uuu. **Sustainable Development** refers to the development objective of meeting the needs
24 of the present generation without compromising the ability of future generations to
25 meet their own needs consistent with the principles of social equity, efficiency, and
26 environmental integrity;
27
- 28 vvv. **Sustainable Traditional Resource Rights** refer to the rights of ICCs/IPs to
29 sustainably use, manage, protect and conserve a) land, air, water, and minerals; b)
30 plants, animals and other organisms; c) collecting, fishing and hunting grounds; d)
31 sacred sites; and e) other areas of economic, ceremonial and aesthetic value in
32 accordance with their indigenous knowledge, beliefs, systems and practices;
33
- 34 www. **Tourism Development Areas** refer to specific sites for tourism development located
35 in areas identified as priorities in the national and regional tourism master plans as
36 well as those designated through legislative and executive issuances as tourist spots
37 and tourist zones which can be developed into tourism estates or integrated resort,
38 leisure, recreation complexes, and other tourism related facilities;
39
- 40 xxx. **Tourism Ecozone** refers to tourism development areas, outside protection lands,
41 which have been granted Special Economic Zone status, through the Philippine
42 Export Zone Authority (PEZA) registration and issuance of the required Presidential
43 Proclamation, with its metes and bounds delineated by said Proclamation, pursuant
44 to Republic Act 7916 or the Special Economic Zone Act of 1995, as amended;
45
- 46 yyy. **Tourism Estates** refer to large tracts of land with well-defined boundaries in any
47 area, excluding those in protection lands, identified in the Philippine tourism master
48 plan and regional tourism master plan, by proclamation of the President and/or by
49 Acts of Congress and/or by local legislation and declared suited for the
50 development of an integrated tourism and resort complex with prescribed carrying
51 capacities and limits for its facilities and activities;

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3 **zzz. Tourist Spot** refers to a particular area/site/spot, man-made or natural, known for its
4 unique tourist/visitor-drawing attributes and activities. It may be classified according
5 to its social, cultural, natural, historical, aesthetic, visual, scientific, religious, and
6 recreational significance;
7
8 **aaaa. Tourist Zone** refers to a geographic area with well-defined boundaries proclaimed
9 as such by the President of the Philippines and/or by Acts of Congress. No
10 development projects for any purpose shall be initiated and introduced within the
11 zone prior to the formulation of a tourism master development plan which shall be
12 undertaken in coordination with the Department of Tourism (DOT) and the Philippine
13 Tourism Authority (PTA). A tourist zone is established for the enhancement and/or
14 the conservation of cultural and historical heritage and for the appreciation and
15 enjoyment of the local population and its visitors;
16
17 **bbbb. Urban Areas** refer to all cities regardless of their population density and to
18 municipalities with a population density of at least five hundred (500) persons per
19 square kilometer;
20
21 **cccc. Urbanizable Areas** refer to sites and lands which, considering present
22 characteristics and prevailing conditions, display marked and great potential of
23 becoming urban areas within a period of five (5) years;
24
25 **dddd. Urban Forestry or Green Space** refers to the establishment or setting-up of areas
26 for mini-forest, eco-parks or small nature parks, in both public and private lands:
27 wetlands, man-made lagoons and lakes systems, riverbanks and shores, grasslands,
28 roof and rock gardens: lining roads and highways with trees, shrubs, or ornamental
29 plants, and ground landscaping of schools, hospitals, and other government
30 agencies in order to improve the environment in urban areas;
31
32 **eeee. Water Security** refers to the sufficient access throughout the year to the minimum
33 daily requirement of clean water to maintain a healthy life;
34
35 **ffff. Water Use** refers to the appropriation of water for domestic, municipal, irrigation,
36 power generation, inland fisheries, poultry and livestock, industrial and commercial,
37 environmental, and recreational use;
38
39 **gggg. Watershed** refers to a topographically delineated area of land from which rainwater
40 can drain as surface run-off *vis-a-vis* a specific stream or river system to a common
41 outlet point which may be a dam, irrigation system or urban water supply take-off
42 point, or where the stream discharges into a river, lake, or the sea;
43
44 **hhhh. Zoning** refers to the regulatory tool for delineating the specific land uses in
45 accordance with the approved CLUP within the territorial jurisdiction of a
46 city/municipality and specifying the conditions for their regulation; subject to the
47 limitations imposed by law and competent authority; and
48
49 **iiii. Zoning Ordinance** refers to a local law passed by the *Sangguniang Bayan* or
50 *Panlungsod* approving the development control/zoning plan in accordance with an
51 approved or adopted CLUP of the city/municipality, and providing for the regulations

1 and other conditions on the land uses including the limitation on the infrastructure
2 that may be placed within the city's/municipality's territorial jurisdiction. It
3 incorporates the protected areas, protected agricultural lands and ancestral lands as
4 provided for in this Act.
5
6

7 CHAPTER 2. FRAMEWORK FOR LAND USE PLANNING 8

9 **SECTION 5. Basic Land Use Considerations.** Various land uses as categorized in the
10 succeeding section shall be determined in a manner that promotes the policies and principles
11 defined in Section 2 of this Act and shall consider the following elements therein, among others:
12

- 13 1. Protection land use category as defined in Section 6 shall prevail over existing
14 production land use category. The State shall undertake the necessary action in
15 changing the classification of these production areas;
16
- 17 2. Preservation, conservation, rehabilitation and protection to perpetuity of permanent
18 forestlands, critical watersheds, key biodiversity areas, environmentally-critical and
19 ecologically-fragile areas and prime agricultural lands from any other land use,
20 conversion, disposition, intrusion, utilization and development aside from its determined
21 use and limits;
22
- 23 3. Protection of natural forests and natural resources ensures environmental stability,
24 conserve biological diversity, improve ecosystem functions and provide long-term
25 ecological and economic benefits. Designated restoration areas are designed to revive
26 the ecosystem functions and services of forests as well as improve the economic and
27 ecological benefits of local communities;
28
- 29 4. Protection of forest and wetlands from infrastructure development to preserve the
30 ecological services they provide which are essential to economic development. These
31 activities include, but not limited to river channelization and dredging, large scale
32 irrigation and river diversions which reduce riverine habitat and alters flood patterns and
33 natural flow regimes, reduce downstream water availability for agriculture and contribute
34 to salinization through saltwater intrusion in coastal areas;
35
- 36 5. Resolution of land use conflicts which are life-threatening or threatening to public safety,
37 sustainability of key production resources or employment activities and the delivery of
38 basic services and are harmful or destructive to protected areas, flora, fauna, and other
39 protected natural resources. Greater consideration shall be given to the human and
40 tenorial rights of vulnerable groups in resolving land use conflicts;
41
- 42 6. Identification of geo-hazard prone areas and high risk/danger zones and corresponding
43 risk reduction measures to ensure the prioritization of life and safety; *Provided, That*
44 *specifically identified and assessed extremely hazardous and high-risk/danger zones*
45 *shall be similarly protected and cleared from all forms of human-made obstacles,*
46 *obstructions and instructions to ensure and secure public health and safety;*
47
- 48 7. Respect for existing customary rights and traditional land uses of ICCs/IPs;
49
- 50 8. Identification of settlement areas to check the demand for land and establish the location

of employment-generating industries and basic services; and

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

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

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

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

a. Natural and Restored Forests, which consist of:

- i. All existing areas within forestland containing primary and secondary forests of whatever types of species;
- ii. All existing areas within forestland containing secondary-growth or residual forests of whatever types of species;
- iii. Areas identified as Key Biodiversity Areas;
- iv. Restoration areas;
- v. All mangrove forests;
- vi. All easement areas as defined by PD 1067, otherwise known as the Water Code of the Philippines; and
- vii. All other areas that would be deemed appropriate for protection, as defined by the Department of Environment and Natural Resources (DENR), subject to the approval of the National Land Use Policy Council (NLUPC) described in Section 55 hereof.

b. Rehabilitated and/or reforested degraded mining areas;

c. Critical Ecosystems for protection, such as:

- i. Coral Reefs;

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- ii. Marshes and wetlands;
 - iii. Lakes and Rivers;
 - iv. Caves; and
 - v. Waterfalls.
 - d. Disaster-prone areas that include areas subject to, or maybe subject to:
 - i. Recurrent flooding;
 - ii. Liquefaction;
 - iii. Tsunamis;
 - iv. Mass wasting;
 - v. Volcanic eruption;
 - vi. Direct impact of seismic activity; and
 - vii. Other areas that pose a high degree of hazard to human occupation and activity.
 - e. Critical watershed areas;
 - f. Marine Protected Areas;
 - g. All prime agricultural lands as defined under this Act;
 - h. Ecologically fragile and environmentally-critical areas whose conversion will result to serious environmental problems and threats to public health and safety;
 - i. Natural and human-made areas/sites of cultural, historical and anthropological significance, which are declared as such by internationally recognized; and
 - j. All other areas not included and declared as production areas shall become protection areas.
2. **Production Land Use** refers to the most efficient, sustainable, and equitable utilization, development and management of land for productive purposes which are not classified for protection land use defined in this section. Areas included in this category are agricultural lands, coastal and marine zones, production forest, mineral lands, energy resource lands, industrial, and tourism development areas where productive activities could be undertaken to meet the country's requirements for economic growth and development. Production land use shall comprise of but shall not be limited to:
- a. Other agricultural lands not identified as prime agricultural lands. They shall consist of but shall not be limited to:

- i. Lands whose soils are suitable for agricultural development;
 - ii. All alluvial plain lands that are suitable for agricultural production and/or can be devoted to food production;
 - iii. All lands that are traditional sources of staple food;
 - iv. All crop lands required to attain a certain scale of production to sustain the economic viability of existing agro-based industries in the municipality, city or province; and
 - v. All lands in areas not highly prone to natural hazards that are suitable for the production of tree crops and other cash crops.
- b. Coastal, Inland water and Marine Zones, such as Fishponds;
- c. Production Forests, such as:
- i. All areas within forestland not classified as protection forests in Section 6 (a) and shall be devoted to the production of timber and/or non-forest products or the establishment of industrial tree plantations, tree farms, woodlots, agro-forestry, or as multiple-use forests;
 - ii. All areas within forestlands considered as rangelands for grazing purposes;
 - iii. All areas within forestlands managed under the community based forest management in areas not classified as protection forests.
- d. Rangelands for grazing;
- e. Industrial Development Areas; and
- f. Tourism Development Areas, including potential small islands for similar purposes.

3. Settlements and Institutional Land Use refers to the use of urban and rural lands for settlements development purposes and/or improvement on existing settlements involving the spatial distribution of population, identification of the roles and functions of key urban centers, determination of relationships among settlement areas, and the provision of basic services and facilities to such settlements.

It shall also include lands identified for institutional uses such as educational, administrative, government, law enforcement, health care and social services. Settlements and institutional land uses aim to ensure for the present and future generation the: i) effective integration of activities within and among settlements, allowing efficient movement of people and production of commodities through the provision of appropriate land, infrastructure, and facilities; and ii) 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;

4. 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 sub-sectors 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 sub-categories 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.

SECTION 7. Land Use Plans for Ancestral Domains. Land use plans of ancestral domains shall be formulated by the ICCs/IP themselves in accordance with their particular needs and traditional resource and management systems with the assistance of the 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/IP 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 LGU and the ICCs/IP shall jointly formulate the land use plan within the ancestral domain until such time that the ICCs/IPs have formulated their ADSDPPs.

SECTION 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 3. SPECIAL AREAS OF CONCERN

1 **Article One. Land Classification**

2
3 **SECTION 9. Review of Land Classification.** The NLUPC shall review and assess the current
4 land classification system and definitions used in the country to ensure that it reflects the actual
5 use of lands in the country.
6

7 The Land Management Bureau (LMB) shall provide the necessary technical information and
8 conduct the needed assessments of the status of the existing land use classification and shall
9 submit an assessment report to the NLUPC not later than ninety (90) days upon the
10 establishment of the latter.
11

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13 **SECTION 10. Adoption of Assessment Report.** Upon validation and affirmation by local land
14 use boards, the land classification assessment report submitted by the LMB shall be adopted by
15 the NLUPC in the formulation of its planning guidelines.
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17
18 **Article Two. NIPAS Areas**

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20 **SECTION 11. Integrated Management Strategy.** For more effective planning, management,
21 and protection of protected areas at the provincial and municipal/city levels, the Protected Area
22 Management Plan (PAMP) referred to in NIPAS Law shall be incorporated in the PPFP and
23 CLUPs if applicable, wherein protected area zoning shall be reflected.
24

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26 **Article Three. Agricultural Lands**

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28 **SECTION 12. Priority Areas for Agricultural Development.** Priority areas for agricultural
29 development are the areas distributed under agrarian reform, areas that can be covered by
30 CARP, and the NPAAAD. The mapping of the NPAAAD under the Agriculture and Fisheries
31 Modernization Act (AFMA) shall be completed not later than one (1) year from the effectivity of
32 this Act.
33

34
35 **SECTION 13. Conversion of Agricultural Lands.** All lands considered and identified as prime
36 agricultural lands shall be maintained, managed and protected for agricultural use and shall not
37 be subjected to any form of conversion or re-classification.
38

39 All other agricultural lands not identified as prime agricultural lands can only be converted to
40 non-agricultural uses upon issuance of a DAR conversion order. Provided that such conversion
41 shall not drastically change the nature of the over-all land uses in the surrounding and adjacent
42 areas from its existing land use.
43

44 *Provided,* That consistent with the State policy on giving priority to the completion of the
45 Comprehensive Agrarian Reform Program (CARP), those lands covered under compulsory
46 acquisition/voluntary offer to sell, production or profit-sharing subject to CARP shall also be
47 protected from conversion pending the distribution and/or installation of the farmer beneficiaries.
48

49 *Provided, further,* That pending the completion of mapping activities of the specific areas under
50 the NPAAAD and the SAFDZs under the AFMA and their incorporation in the National Physical
51 Framework Plan (NPFP), the application for conversion of these areas shall not be given due

1 course by the DAR.
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4 **Article Four. Ancestral Domain**

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6 **SECTION 14. Priority Areas for Agricultural Development within Ancestral Domain.**
7 Agricultural lands within Ancestral Domain shall be developed in accordance with their
8 ADSDPP.
9

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11 **SECTION 15. Respect for Ancestral Domains.** The Ancestral Domain Management Plan
12 (ADMP) or ADSDPP shall be adopted in the CLUP and/or other plans that the LGU is mandated
13 to produce. The extent of the Ancestral Domains shall be reflected in the land use plan, where it
14 will be zoned as such in the zoning ordinance and shall be co-managed by the LGU and IP
15 community. Additionally, the ADSDPP shall be included in the investment plans of the LGU.
16

17
18 **SECTION 16. Ancestral Domain Policy Adoption.** Ancestral domain policies shall be adopted
19 in the LGU's land use policy framework. However, in the event that the ADMP/ADSDPP is still
20 in the formulation stage or remains to be formulated, the right to self-determination and
21 traditional resource and management systems and processes shall be upheld at all times as
22 provided for by the IPRA of 1997.
23

24 **Article Five. Forest Lands and Reservation of Watershed**

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26
27 **SECTION 17. Permanent Forestlands.** All forestlands are classified as forest or timberlands.
28 Titles, settlements, permits, leases, and/or agreements within critical habitats, critical watershed
29 areas, protected areas and key biodiversity areas (KBAs), shall be reviewed, and their legality
30 be affirmed. All erroneous titles, settlements, permits, leases and/or agreements within
31 permanent forestlands shall be cancelled or revoked in due course. Non-compliance with and
32 violations of these instruments shall be grounds for their cancellation or revocation. Provided,
33 that the applicable provisions of the IPRA of 1997, shall be respected.
34

35 Upon recommendation by the LGU, or the Forest Board, the DENR Secretary shall revoke the
36 above-mentioned instruments.
37

38
39 **SECTION 18. Additional Areas to be Included as Permanent Forestlands.** The following
40 lands are needed for environmental protection and forestry purposes and shall not be classified
41 as agricultural lands or for other land use:
42

- 43 1. Isolated patches of forest, regardless of size and/or area, with rocky terrain or which
44 protect a spring/water source for communal use;
45
- 46 2. All mangroves and swamplands including twenty (20) meter wide strips facing oceans,
47 lakes and other bodies of water not yet classified as alienable and disposable lands;
48
- 49 3. Ridge tops and plateaus regardless of size found within or surrounded wholly or partially
50 by forestlands where headwaters emanate;
51

4. 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;
5. Areas needed for public interest such as research or experimental purposes; and
6. Areas considered as environmentally critical because of their vulnerability to damage from landslides, volcanic eruptions, and other natural causes.

Please state Source and reason its needed to be included

SECTION 19. Reversion of Alienable and Disposable Lands to Forestlands. Upon the recommendation of the DENR Secretary, duly reviewed and endorsed by the National Land Use and Policy Council (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.

SECTION 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.

SECTION 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 shall be at the watershed level and 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.

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

SECTION 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.

Article Six. Coastal Zones

SECTION 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:

1. Areas vegetated with mangrove species shall be protected, preserved and managed as mangrove forestland and shall not be converted to other uses;
2. Areas that meet all accepted criteria on elevation, soil type, soil depthtopography, 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;
3. Areas sub-classified as mangrove and still suitable for use as such, or due to environmental conditions need to be preserved as mangrove 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;
4. 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 and/or members of registered fisherfolk organizations and/or 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); The State shall endeavor to issue marine tenurial rights to organizations concerned based on a criteria to be established by NLUPC;
5. Areas that are neither sub-classified 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 fisherfolks;
6. Areas which are considered as traditional fishing grounds shall be used primarily for such purpose;
7. Areas which have been allocated for small infrastructure needed by municipal fisherfolk shall be allowed, including areas for gears and boats, and post harvest facilities; and
8. 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.

SECTION 25. Coastal Land Zone Sub-classification. All public lands in the coastal zones

shall be sub-classified 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 sub-classification of coastal zones to different uses shall be done without the following:

1. Conduct of a comprehensive inventory and resource and environmental assessment by the DENR with respective LGUs and accredited Non Government 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
2. Prior consultation with local Fisheries and Aquatic Resource Management Councils (FARMCS) formed under Republic Act No. 8550 or the Fisheries Code.

SECTION 26. Zoning of Coastal Areas. LGUs, in coordination with the DENR, the FARMCS, local fisherfolk organizations and other affected sectors such as women and youth, shall conduct 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.

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

SECTION 28. Protection of Waterways, Easements and Flood Plains. Structures of any kind shall not be built in waterways and easements. Pursuant to PD 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 life 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. Through the CLUPs and zoning ordinances, LGUs shall establish land use regulations to mitigate flood risks.

To promote the best interest and the coordinated protection of flood plains, the Department of Public Works and Highways (DPWH), in coordination with Department of Science and Technology (DOST) and DENR, shall declare flood control areas, as necessary, and shall prohibit or control activities that could damage or cause deterioration of lakes and dikes, obstruct the flow of water, change the natural flow of rivers, increase flood losses or aggravate flood problems pursuant to the Water Code of the Philippines.

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

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

Article Seven. Mineral Lands

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

SECTION 32. Criteria for the Utilization and Allocation of Land for Mining Purposes. The allocation and utilization of lands for mining purposes shall be guided by the following:

1. The principles of sustainable development;
2. In case of small-scale mining, adequate and acceptable safeguards shall be instituted by the holders of mining rights or permits to prevent environmental degradation of the mining sites and adjacent areas;
3. Mineral reservations which have become non-operational for more than ten (10) years as determined by the Mines and Geosciences Bureau (MGB) shall be placed under appropriate surface management by the DENR; and
4. Ancestral domains declared as protected by virtue of their ADSDPP as well as all watershed areas shall be closed to mining.

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

Article Eight. Energy Resources

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

1. Indigenous energy resource exploration and development for the purpose of creating a National Energy Resource Inventory and Data Base as well as an Energy Resource Block Map shall be allowed subject to the implementation of complementary watershed and other land management plans;
2. Indigenous energy resource exploration, development production, utilization, and distribution shall be subject to the appropriate requirements and processes of the Philippine Environmental Impact Statement (EIS) system. Each project shall secure an Environmental Compliance Certificate (ECC) prior to project implementation to ensure that adequate and appropriate environmental management measures and optimum methods for resource access and recovery are used;
3. Protected areas defined in Section 6 shall be closed to any kind of energy resource development;
4. Energy reservations or portions thereof which have become or have been established to be non-economically viable to operate or are no longer used for energy purposes shall be reclassified to other land uses, subject to existing laws covering energy reservations; and
5. Renewable energy shall be preferred over other energy resource.

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

Article Nine. Settlements Development

SECTION 36. Towns, Cities, and Settlements Development. The development of towns, cities, and settlements through the zoning ordinances of cities and municipalities shall be guided by urban zoning standards designed to maximize existing urban spaces.

SECTION 37. Settlements within Geo-hazard Areas and/or High Risk/Danger Zones. Settlements within geo-hazard areas and/or high risk/danger zones shall not be allowed. In cases where there are existing settlements within geo-hazard areas and/or high risk/danger

1 zones, the concerned government agencies shall provide assistance to concerned LGUs and
2 settlers in instituting safety and corrective measures to address the potential danger or risk.

3
4
5 **SECTION 38. Designation of Waste Disposal Site.** Each city or municipality shall identify,
6 designate and allocate an area within its territorial jurisdiction to serve as waste disposal site
7 within one (1) year from the effectivity of this Act. The LGUs, in coordination with the DENR or
8 any other competent authority, shall identify solid waste disposal sites in order to fast-track the
9 conduct of the Environmental Impact Assessment (EIA) study and to facilitate the processing of
10 the ECC. The site or area shall be identified in the city or municipality's CLUP. For this purpose,
11 cities and municipalities shall establish their solid waste management program. Likewise, as
12 provided under Section 33 of the LGC, cities and municipalities may, through appropriate
13 ordinances, bind themselves towards the establishment of a common solid waste management
14 program.

15
16 Within ninety (90) days from the effectivity of this Act, the DENR, in coordination with concerned
17 agencies, shall promulgate the necessary guidelines and standards for the formulation and
18 establishment of solid waste management programs by cities and municipalities, and shall
19 submit the same to the NLUPC for review and approval.

20
21
22 **SECTION 39. Designation and Zoning of Socialized Housing Zones.** Each city or
23 municipality in urban or urbanizable and rural areas shall designate lands for socialized housing
24 and resettlement areas for the immediate and future needs of the underprivileged and homeless
25 in their territory, pursuant to existing laws and regulations.

26
27 The designated sites for socialized housing shall be located in residential zones, and shall be
28 zoned as socialized housing zones that are integrated in the city's or municipality's zoning
29 ordinance, duly approved by the NLUPC, pursuant to existing laws and regulations. Preference
30 shall be given to lands proximate to public transportation facilities which may include inter alia
31 railways and public terminals.

32
33 Fisherfolk settlements and housing in coastal municipalities shall be zoned near the sea for
34 easy access to their livelihood as provided under Sections 24 to 26 hereof.

35
36 The location of resettlement areas may either be on-site or off-site and shall be within the city or
37 municipality and shall consider accessibility of the affected community to employment,
38 economic activities and social services.

39
40 Within ninety (90) days from the effectivity of this Act, the NLUPC, in coordination with
41 concerned agencies, pursuant to HUDCC Resolution No. 521, Series of 1992, Executive Order
42 No. 124, Series of 1993 and other pertinent guidelines on the matter, shall promulgate the
43 necessary guidelines for the identification and designation of socialized housing sites. All cities
44 and municipalities in urban and urbanizing areas shall identify and designate their socialized
45 housing sites within one (1) year from the effectivity of this Act and must submit the list of these
46 sites and their respective areas to the HUDCC. These sites shall be used exclusively for
47 socialized housing as defined in the UDHA.

48
49
50 **SECTION 40. Zoning of Identified Sites for Socialized Housing.** The identified sites for
51 socialized housing shall be located in residential zones, identified by the city or municipality's

1 Zoning Ordinance (ZO) duly approved by the NLUPC. However, for cities and municipalities
2 where the identified sites are not within the said residential zones, the location shall be within
3 the priority sites and conform with the suitability criteria as defined in Sections 6.3 and 6.4 of the
4 Guidelines in HUDCC Resolution No. 521, Series of 1992, or as may be defined in subsequent
5 issuances. The identified sites shall be zoned as socialized housing zones as defined herein.
6

7 The current ZO of the LGUs shall be reviewed and revised such that the socialized housing
8 component shall be integrated thereto.
9

10
11 **SECTION 41. Valuation of Lands for Socialized Housing.** Equitable land valuation guidelines
12 for socialized housing shall be set by the Department of Finance (DOF) on the basis of the
13 market value reflected in the zonal valuation, or in its absence, on the latest real property tax
14 declaration. For sites already occupied by qualified beneficiaries under the UDHA, and sites
15 identified as Socialized Housing Zones as defined in this Act, the DOF shall factor into the
16 valuation, the blighted status of the land as certified by the local government unit or the National
17 Housing Authority (NHA).
18

19
20 **SECTION 42. Criteria for Settlement Sites.** The following are the criteria for identifying
21 settlement areas:
22

- 23 1. Within alienable and disposable lands but not in environmentally-critical, geo-hazard or
24 other protection areas;
25
- 26 2. Along established urban growth directions;
27
- 28 3. With provisions for or can be provided with basic services and utilities;
29
- 30 4. Within the 0-8% slope range; and
31
- 32 5. Accessible from existing built-up areas and other employment centers through existing
33 or proposed roads and other transportation facilities.
34
35

36 **SECTION 43. Urban Forest or Green Space.** Each city or highly-urbanizing municipality shall
37 identify, designate, and allocate lands owned by the city or municipality as urban forest or green
38 space, based on the guidelines and standards to be issued by the DENR and approved by the
39 NLUPC.
40

41
42 **SECTION 44. Protection of Ecological Harmony.** To ensure the ecological harmony of towns,
43 cities and settlements, certain projects that can alter the present use of a zoned area shall not
44 be issued a building permit, business permit, and/or development permit. The identification of
45 these projects shall be done in coordination with the LGU concerned. LGUs shall be required to
46 designate restoration areas in their forest land use plans.
47
48

49 **Article Ten. Industrial Development Areas/Sites**

50

SECTION 45. Criteria for Designating Industrial Development Areas. The identification and establishment of industrial development areas shall conform to the provisions of the SEZA Law, the Comprehensive Agrarian Reform Law (CARL), IPRA, UDHA, the Fisheries Code and the AFMA, taking into consideration the following:

1. Identified network of areas for agricultural development and protected agricultural areas pursuant to the AFMA;
2. National policies on the regional dispersal of industries and agri-based industrial development;
3. Identified growth areas and corridors in the National Development Plan;
4. NIPAS and non-NIPAS areas such as but not limited to KBAs and restored areas that require protection;
5. National and Urban Development and Housing Framework;
6. Identified Socialized Housing Zones; and
7. 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 zoning ordinance of the city or municipality where these areas are located. The laws on CARP Extension with Reforms, IPRA, UDHA, the Fisheries Code, AFMA and the Local Government Code shall apply to all Special Economic Zones and Free Ports.

Article Eleven. Tourism Development Areas

SECTION 46. Criteria for Designating Tourism Development Areas. The identification, selection, and development of tourism development areas and tourism estates shall be done in consultation and coordination with the concerned LGUs, national government agencies, the private sector and the affected communities. 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 agri-tourism 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. The laws on CARPER, IPRA, UDHA, Fisheries Code, AFMA, Local Government Code and the National Ecotourism Strategy shall apply in all tourist zones and tourist development areas.

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

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

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

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

Article Twelve. Infrastructure Development

SECTION 48. Allocation and Use of Land for Infrastructure Development. Land, whether public or private, shall be allocated and utilized for priority infrastructure projects that are supportive of national or local development objectives. The National Economic and Development Agency (NEDA), in consultation with the concerned national government agencies, LGUs, and the private sector shall identify and periodically review, update and/or revise the list of priority infrastructure projects under an over-all national strategic infrastructure development plan subject to the provisions of this Act, AFMA and IPRA; *Provided*, That such national strategic infrastructure development plan shall be consistent and integrated in the objectives and directions of the NPFP.

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

1. Respond to immediate and vital requirements of the national and regional economy with priority to improving production-market integration, inter-nodal transport, conveyance and logistics linkages, rural infrastructure and the development of the agriculture and fisheries sectors;
2. Upgrade existing facilities to international public safety standards;
3. Address the need for sustainable settlements development; and
4. Mitigate the destructive effects of natural disaster-causing phenomena or those that shall serve as alternatives to existing infrastructures found in natural hazard-prone areas;

Provided, That the provision and implementation of infrastructure support shall be made compatible with existing environmental conditions and the physical, whether natural or human-made, and cultural character of the area. Mandatory public consultations pursuant to existing laws and regulations shall be held prior to the conduct of all infrastructure projects that will necessarily involve dislocation or displacement of people in the area;

Provided, further, That the proponent of the infrastructure project shall follow the rules on just and humane eviction or demolition under Section 28 of the UDHA as a last resort,

1 notwithstanding the provisions of Republic Act No. 8975, prohibiting lower courts from issuing
2 temporary restraining orders, preliminary injunctions, or preliminary mandatory injunctions, and
3 that the proponent shall follow provisions of the IPRA, particularly those pertaining to the rights
4 of IPs/ICCs in case of displacement;

5
6 *Provided, finally,* That national government infrastructure projects shall provide budgetary
7 allocations for the adequate relocation of displaced communities.
8
9

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

18 Existing projects that did not go through the process of an environmental impact assessment
19 and which pose threats to the environment, or the integrity of historic, archaeological, or
20 scientifically significant areas, or impinge on critical ecosystems, may be terminated
21 immediately, or gradually phased-out and relocated, or maintained up to their life span, subject,
22 however, to mitigating measures: *Provided,* That the rules on mandatory public
23 hearings/consultations and just and humane eviction or demolition shall also be observed prior
24 to the termination, gradual phase-out, or relocation of projects that will necessarily involve
25 dislocation or displacement of people in the area.
26
27

28 **CHAPTER 4: PHYSICAL FRAMEWORK AND LAND USE PLAN**

29
30

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

36 A set of national policy guidelines and standards for physical planning shall be formulated by the
37 National Land Use Policy Council (NLUPC). These shall guide the preparation and formulation
38 of the national, regional and provincial physical framework plans (NPFP/RPFP/PPFP) and
39 city/municipal comprehensive land use plans (CLUP).
40

41 These standards shall give due consideration to conflicting uses and areas being used,
42 declared or designated for agrarian reform, protected areas, coastal resource management
43 and/or ancestral domains.
44

45 The National Physical Framework Plan (NPFP) shall define the national strategy and objectives
46 of the country's urban, rural and regional development. It shall guide the rational distribution of
47 population, access to economic opportunities and social services, sustainable utilization of
48 resources, and maintenance of environmental integrity.
49

1 Furthermore, it shall consider the existing Regional Physical Framework Plans (RPFPs),
2 Provincial Physical Framework Plans (PPFPs) and Comprehensive Land Use Plans (CLUPs) of
3 the LGUs.

4
5 The RPFPs, the PPFPs and the CLUPs, which cover the physical development of their
6 respective territories, shall be consistent with the NPFP; Provided that the integration and
7 harmonization of physical framework plans at all levels shall be iterative to ensure that the
8 concerns of both top and bottom levels of government are considered in the NPFP, RPFPs,
9 PPFPs and CLUPs.

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

14
15 The period of coverage of the national, regional and provincial framework plans and
16 comprehensive municipal land use plans (CLUPs) shall be for thirty (30) years with regular
17 review and updating every ten (10) years.

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

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

33
34 The resulting land use plan/physical framework shall be the basis for the identification,
35 formulation and development of national and local development plans, programs, projects and
36 activities of government at all levels.

37
38
39 **SECTION 52. Regional Physical Framework Plan.** The RPFP shall provide broad spatial
40 directions and policy guidelines on protection land use, production land use, settlement
41 development, and infrastructure development at the regional level and guide the formulation of
42 the PPFPs. It RPFP shall consider the existing PPFPs and the CLUPs of LGUs within the
43 territorial jurisdiction of the region.

44
45 The Regional Land Use Policy Council (RLUPC), created under Section 62 of this Act, shall
46 formulate and periodically update the RPFP based on the guidelines issued by the NLUPC, in a
47 manner consistent with and following the objective of the NPFP. Likewise, the Medium-Term
48 Regional Development Plan (MTRDP) and the Medium-Term Regional Development
49 Investment Program (MTRDIP) shall be guided by and made consistent with the objectives
50 identified in the RPFP.

SECTION 53. Provincial Physical Framework Plan. The PPFP shall determine the physical development of the entire provincial territory, consolidate and harmonize the comprehensive land use plans of component cities and municipalities, consistent with the RPPF. It shall reflect the indicative land use management and physical development direction of the province.

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

The PPFP shall serve as the basis for the preparation of the Provincial Development Plan (PDP) and Provincial Development Investment Program (PDIP). The PPFP, PDP, PDIP and/or Provincial Physical Framework and Development Plan (PPFDP) shall serve as the basis for the formulation of sectoral action plans of national government agencies in the province and all LGUs within its jurisdiction. The province may opt to prepare their PDP alongside the preparation of PPFP and consolidate them into a PPFDP; *Provided*, That PPFDP shall remain consistent with the PPFP. Provided further that any review or changes in the PPFP shall coincide with the over-all review process of the NPFP.

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

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

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

The CLUP shall delineate actual boundaries on the ground within the territorial jurisdiction, embody the desired land use patterns of the *barangay*, city or municipality, translate and integrate sectoral plans, and provide appropriate policies for each of the four land use planning categories. The spatial directions prescribed in the CLUP shall serve as the basis for the preparation and formulation of the Comprehensive Development Plan (CDP) and Local Development Investment Programs (LDIP) of the LGUs.

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

10
11 The CLUPs shall be submitted by the city/municipal local development councils (LDC) for
12 adoption and approval of the *Sangguniang Bayan* (SB). The approved CLUPs shall be
13 submitted to the province for integration into the PFPF.
14

15 16 **CHAPTER 5. IMPLEMENTING STRUCTURE AND MECHANISM** 17

18
19 **SECTION 55. Creation of the National Land Use Policy Council (NLUPC).** The National
20 Land Use Committee (NLUC) under the NEDA Board (NB) is hereby converted into the NLUPC
21 which shall exercise the powers and responsibilities identified under this act. It shall further
22 assume the functions of the NEDA Board-National Land Use Committee (NB-NLUC), which is
23 hereby abolished, and the powers and functions pertaining to land use planning vested by law
24 to the HLURB. The NLUPC shall act as the highest policy making body on land use and resolve
25 land use policy conflicts between or among agencies, branches, or levels of the government. It
26 shall integrate efforts, monitor developments relating to land use and the evolution of policies,
27 and regulate and direct land use planning processes.
28

29
30 **SECTION 56. Composition of the NLUPC.** The NLUPC shall be headed by the Secretary of
31 the NEDA as Chairperson. It shall choose a Vice Chairperson from among the members of the
32 Council, who shall assume the functions of the Chairperson in case of absence. The NLUPC
33 shall meet at least once every quarter.
34

35 The members of the Council shall be the following:
36

- 37 1. The Secretary of the Department of Agrarian Reform (DAR);
- 38 2. The Secretary of the Department of Agriculture (DA);
- 39 3. The Secretary of the Department of Environment and Natural Resources (DENR);
- 40 4. The Secretary of the Department of Interior and Local Government (DILG);
- 41 5. The Chairperson of the National Commission on Indigenous Peoples (NCIP);
- 42 6. The Chairperson of the Housing and Urban Development Coordinating Council
- 43 (HUDCC);
- 44 7. President of the League of Cities of the Philippines (LCP);
- 45
- 46
- 47
- 48
- 49
- 50
- 51

8. President of the League of Municipalities of the Philippines (LMP);
9. 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;
10. The Head of the NLUPC Secretariat, appointed by the Council, shall be a non-voting ex-officio member.

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

SECTION 57. Powers and Functions of the NLUPC. The NLUPC shall have the following powers and functions:

1. 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;
2. 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;
3. 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;
4. Consolidate, harmonize and integrate the RPFP, PPFP and CLUPs and ensure their consistency with the NPFP;
5. Ensure the consistency of other national development and sectoral plans and programs, including the Medium-Term Philippine Development Plan (MTPDP) and Medium-Term Philippine Investment Plan (MTPIP), with the NPFP;
6. 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;
7. 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;
8. Call upon other government agencies for the proper implementation of this Act; and
9. Review the NPFP every ten (10) years.

SECTION 58. NLUPC Secretariat. The existing unit of the NEDA in charge of Land Use and Physical Planning Coordination shall act as the NLUPC Secretariat.

SECTION 59. Functions of the NLUPC Secretariat. The Secretariat shall have the following functions:

1. Establish and manage an accurate, updated and publicly accessible National Land Resource Information and Management System that shall integrate and process information on land use and allocation generated by the various national government agencies; define information requirements at various levels; and standardize information inputs and outputs including scales and symbols used in territorial and sectoral maps;
2. Undertake the gathering of data and the conduct of studies pertaining to land use planning including studies on the management of identified uses and such other studies not undertaken by other government agencies;
3. Coordinate with and assist other government agencies and LGUs in planning, developing, and implementing their land use classification programs, and provide, to the extent possible, technical assistance and guidance;
4. Monitor and coordinate the activities of concerned agencies and entities of the government, as well as LGUs, in the enforcement and implementation of policies and regulations relating to land use and resource management and development;
5. Call on any department, bureau, office, agency, or instrumentality of the government, and/or private entity and organizations for cooperation, support, and assistance in the performance of its functions;
6. Assist the LGUs in the formation of land use policy boards at the local levels, provide the necessary technical assistance and develop a long-term capability-building program to enable them to undertake a participatory and effective land use planning;
7. Monitor and coordinate the gathering of data, the conduct of studies and researches pertaining to land use planning including studies on the management of identified land uses and such other studies undertaken by other government agencies and entities;
8. Ensure a multi-stakeholder participation in the development, updating, and sharing of a National Spatial Database Information and Mapping System as a policy, planning and decision-making tool;
9. Develop assessment tools on the existing CLUPs;
10. Monitor the development and enforcement by agencies and organizations of the various laws, guidelines, codes or technical standards adopted with this Act; and
11. Formulate a national institutional capability building program for land use and management to address the specific weaknesses of various government agencies and LGUs, based on the results of assessment studies and needs;

CHAPTER 6. REGIONAL AND LOCAL LAND USE POLICY BODIES

SECTION 60. Regional Land Use Policy Council (RLUPC). At the regional level, the RLUPC will be institutionalized, replicating the NLUPC structure and composition. It shall be chaired by the NEDA Regional Director and shall have the following functions:

1. Adopt regional policies and guidelines which are consistent with the national planning guidelines issued by the NLUPC in the preparation and formulation of the respective provincial physical planning and comprehensive land use plans of LGUs within its jurisdiction;
2. Guide the provinces and highly urbanized cities and independent component cities in preparing and periodically updating their PDPFPs and CLUPs, respectively to ensure consistency with regional and national plans and policies and to facilitate the integration of such plans to the regional plans;
3. Prepare and periodically update the RPFP, taking into consideration national policies and lower level plans;
4. Review, prior to adoption by respective *Sanggunians*, the PFPs and CLUPs of highly urbanized and independent component cities to ensure consistency with the RPFP and national policies set forth by NLUPC;
5. Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among regional line agencies, provinces and cities/municipalities;
6. Monitor changes in land use and other physical resources in the region;
7. Coordinate and monitor the land use activities of regional line agencies and LGUs;
8. Evaluate consistency of major programs and projects of regional agencies and entities with the RPFP and their impact on land use and the environment;
9. Undertake the gathering of regional data for the Land Resource Information and Management System; and
10. Perform other related functions as may be directed by the NLUPC.

In forest land use management, where the watershed area/continuum covers several municipalities across different provinces, an inter-LGU task force composed of representatives from RLUPC and the concerned MLGUs where the watershed area is located shall be formed. With the assistance of the DENR and upon mandatory consultations with the concerned sectors, the inter-LGU task force shall formulate the watershed management plan for the said watershed area.

SECTION 61. Provincial Land Use Planning and Management Board (PLUPMB). The Provincial Land Use Planning and Management Board or (PLUPMB) is hereby created in all

1 provinces under this Act to oversee the preparation, integration, adoption and approval of the
2 Provincial Physical Framework Plan (PPFP) and shall ensure its consistency with approved
3 national and regional planning guidelines. The PLUPMB shall also be directly responsible for
4 the effective management and implementation of the approved PPFP and ensure that any
5 existing and future development initiatives, programs and projects introduced within its
6 jurisdiction are consistent with and supportive of the land use resource management and
7 physical planning objectives, directions and character identified in the approved PPFP.
8
9

10 **Section 62. Powers and Responsibilities of the Provincial Land Use Planning and**
11 **Management Board.** The following are the powers and responsibilities of the PLUPMB:
12

- 13 1. Review and issue the necessary provincial planning guidelines and/or implementing
14 policies for the preparation and formulation of the respective CLUPs of highly urbanized
15 cities/component cities/municipalities within its jurisdiction as provided for by approved
16 national and regional planning policies and guidelines;
17
- 18 2. Oversee the preparation, formulation, consolidation, and integration of the CLUPs of
19 highly urbanized cities/component cities/municipalities within its jurisdiction into the
20 Provincial Physical Framework Plan (PPFP) and ensure its consistency with approved
21 national and regional planning guidelines;
22
- 23 3. Submit to the PDC the draft CLUP for its transmission to the *Sanggunian Panlalawigan*
24 and for the PDC to use it as reference for consistency and complementation with other
25 development plans;
26
- 27 4. Review, monitor and assess the implementation and operationalization of the approved
28 CLUP and its consistency with physical planning and land use management objectives
29 and goals identified in the CLUP;
30
- 31 5. After an appropriate period of time or upon instruction and advice by the NLUPC,
32 conduct and initiate a progress review of the PPFP and the achievement of its stated
33 objectives and goals and update the PPFP;
34
- 35 6. Decide and resolve policy conflicts on land use planning, classification, and allocation
36 that may arise between or among cities/municipalities and facilitate the resolution of any
37 unresolved land use conflict, including political boundary conflicts, at the city/municipality
38 level;
39
- 40 7. Advise the *Sangguniang Panlalawigan* on all matters pertaining to land use and physical
41 planning;
42
- 43 8. Promote cooperation and sharing of resources between and among component LGUs of
44 the province or with neighboring LGUs to address common land use and development
45 issues including those related to geo-physical hazards, watershed and river basin
46 management, coastal and marine waters, climate change impact and disaster risks; and
47
- 48 9. Assist the *Sangguniang Panlalawigan* in reviewing the submitted CLUPs of component
49 cities/ municipalities to ensure consistency with the Provincial Physical Framework Plan.
50

51 In cases where the watershed areas transcend the boundaries of a particular municipality, an

1 inter-LGU task force composed of representatives from PLUPMB of the MLGUs where the
2 watershed area is located shall be formed.

3
4
5 **Section 63. Composition of the PLUPMB.** The PLUPMB shall be composed of the following
6 thirteen (13) members to be selected based on the rules to be formulated by the NLUPC as
7 provided in this Act:

- 8
9 1. Provincial Planning and Development Coordinator (PPDC);
- 10
11 2. Chairperson of SP Committee on Environment and Natural Resources;
- 12
13 3. Provincial Chapter President- League of Municipalities and/or League of Cities;
- 14
15 4. Provincial Agrarian Reform Officer (PARO);
- 16
17 5. Provincial Environment and Natural Resources Officer (PENRO);
- 18
19 6. Provincial Agricultural Officer (PAO);
- 20
21 7. NCIP Provincial Officer;
- 22
23 8. One (1) representative from the local business/private sector association/chamber of
24 commerce, who shall be appointed from among the accredited organizations within their
25 respective development councils;
- 26
27 9. Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers,
28 indigenous peoples; *Provided*, That at least two representatives shall be women;
29 *Provided, further*, That the representatives shall be appointed from among the
30 accredited organizations within their respective development councils; and
- 31
32 10. Designated Board Chairperson to be chosen among the members.

33
34 Except for ex-officio members, the members of the PLUPMB shall be appointed for a term of
35 three (3) years, subject however to the elected office held, government employment and/or
36 official designation of the local government unit, national agency and/or local business/private
37 sector association or basic sector group representation in the board. The NLUPC, within ninety
38 (90) days from its establishment, shall formulate the rules for the selection of the Chairperson
39 and the members in the PLUPMB. The Provincial Planning and Development Coordinator/Office
40 (PPDC/O) shall provide technical secretariat and administrative support and resources for the
41 effective operation of the PLUPMB.

42
43 Aside from the PPDO, the PLUPMB may call upon other local and national government offices
44 and agencies such as the local Engineer, Assessor, and local field representatives of the DA,
45 DPWH, DOTC, DOT, DENR, DAR, DECS, NCIP and other concerned national agencies to
46 assist the PLUPMB in the performance of its roles and mandates.

47
48 Appropriations for the regular operation and activities of the PLUPMB shall be included in the
49 annual budget proposal of the PPDO; *Provided*, That other funds and resources, including
50 grants, applicable service fees and charges collected, contributions, donations, and other funds

1 to support its operations and activities may be accepted and received by the PLUPMB subject
2 to existing auditing and reporting procedures.

3
4
5 **SECTION 64. City/Municipal Land Use Planning and Management Board (C/MLUPMB).** A
6 City/Municipal Land Use Planning and Management Board or (C/MLUPMB) is hereby created
7 under this Act in all municipalities and cities, including highly urbanized and component cities, to
8 oversee the preparation, integration, adoption and approval of their respective Comprehensive
9 Land Use Plans (CLUPs) and shall ensure the consistency of such plans with approved
10 national, regional and provincial planning guidelines. The C/MLUPMB shall also be directly
11 responsible for the effective management and implementation of the approved CLUP and for
12 ensuring that any existing and future local policies, including zoning ordinances, development
13 initiatives, programs and projects introduced within its jurisdiction are consistent with and
14 supportive of the land use resource management and physical planning objectives, directions
15 and character identified by the approved CLUP.

16
17
18 **Section 65. Powers and Responsibilities of the City/Municipal Land Use Planning and**
19 **Management Board.** The following are the powers and responsibilities of the C/MLUPMB:

- 20
21 1. In coordination with the City/Municipal Planning and Development Office/Coordinator,
22 review and issue the necessary local planning guidelines and/or implementing policies
23 for the preparation and formulation of the CLUPs within its jurisdiction as provided for by
24 approved national, regional and provincial planning policies and guidelines;
- 25
26 2. Ensure the input of the *barangays* within the jurisdiction of the respective
27 City/Municipality on sectoral, temporal and spatial dimensions of the plan and its
28 consistency with approved national, regional and provincial planning guidelines;
- 29
30 3. Review, monitor and assess the implementation and operationalization of the approved
31 CLUP and its consistency with physical planning and land use management objectives
32 and goals identified in the CLUP;
- 33
34 4. Submit to the LDC the draft CLUP for its transmission to the *Sanggunian* and for the
35 LDC to use it as basis for consistency and complementation with other development
36 plans;
- 37
38 5. Decide and resolve policy conflicts on land use planning, classification, and allocation
39 that may arise between or among *barangays* and facilitate the resolution of any
40 unresolved land use conflict, including boundary conflicts, involving *barangays*;
- 41
42 6. Based on the CLUP, review and endorse for approval/disapproval applications for
43 locational clearances, building and zoning permits and/or other planning-related
44 requirement for any project, both private and public, that is submitted to the LGU for
45 issuance;
- 46
47 7. Advise the *Sangguniang Bayan* on all matters pertaining to land use and physical
48 planning; and
- 49
50 8. Promote cooperation and sharing of resources between and among its *barangays* and
51 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.

Section 66. Composition of the C/MLUPMB. The C/MLUMPPB shall be composed of the following twelve (12) members and shall be headed by a Chairperson:

1. City/Municipal Planning and Development Coordinator (C/MPDC);
2. Chairperson, SB Committee on Environment and Natural Resources;
3. President of the Association of Barangay Captains (ABC);
4. Municipal Agrarian Reform Officer (MARO);
5. LGU Environment and Natural Resources Officer (City/Municipal ENRO);
6. Municipal Agriculture Office (MAO);
7. One (1) representative from the local business/private sector association/chamber of commerce, who shall be appointed from among the accredited organizations within their respective development councils;
8. Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers and indigenous peoples), provided that at least two representatives shall be women; Provided further, that the representatives shall be appointed from among the accredited organizations within their respective development councils; and
9. Designated Board Chairperson to be chosen among the members.

Except for ex-officio members, the members of the C/MLUPMB shall be appointed for a term of three (3) years, subject however to the elected office held, government employment and/or official designation in the local government unit, 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 Coordinator/Office (C/MPDC/O) shall provide technical secretariat and administrative support and resources for the effective operation of the C/MLUMPPB.

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, DPWH, DOTC, DOT, DENR, DAR, DECS and other concerned national agencies to assist the C/MLUPMB in the performance of its roles and mandates.

Annual appropriations for the operation and activities of the C/MLUPMB shall be included in the annual budget proposal of the City/Municipal Planning and Development Office/Coordinator: *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 Local government units shall create and/or activate their respective C/MLUPMB upon guidelines
2 issued by the NLUPC for such purposes, not later than six (6) months from the effectivity of this
3 Act.

4 5 6 **CHAPTER 7. ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE AND** 7 **PHYSICAL FRAMEWORK PLANS** 8

9
10 **SECTION 67. Approval and Review of PPFP and CLUPs.** The PPFP and CLUPs of the
11 respective city/municipal LGUs, including highly urbanized cities and independent component
12 cities shall be submitted by the local land use boards to the LDCs for transmission to the local
13 *Sanggunian* for approval.
14

15
16 **SECTION 68. Approval of RPFP and NPFP.** The RPFP and NPFP shall be submitted for
17 review and approval of the RLUPC and NLUPC, respectively, upon the conduct of appropriate
18 stakeholder and agency consultations; provided that such processes and guidelines shall be
19 prepared and issued by the NLUPC within six (6) months from effectivity of this Act.
20

21 22 **CHAPTER 8. MAPPING AND DATA MANAGEMENT FOR LAND USE PLANNING** 23

24
25 **SECTION 69. National Spatial Database Information and Mapping System (NSDIMS).**
26 Within six (6) months from the effectivity of this Act, a National Spatial Database Information
27 and Mapping Inter-Agency Mapping Support System shall be created, with NAMRIA as the lead
28 agency, under the supervision and guidance of the NLUPC. The supporting agencies include
29 the Bureau of Soils and Water Management (BSWM), the Forest Management Bureau (FMB),
30 the LMB, the Protected Areas And Wildlife Bureau (PAWB), MGB, the Philippine Institute of
31 Volcanology and Seismology (PHIVOLCS), DAR, DA, NCIP, the National Water Resources
32 Board (NWRB), the Department of Energy (DOE), the National Disaster Risk Reduction and
33 Management Council (NDRRMC) and other relevant government agencies as may be
34 determined by NLUPC. The system shall be responsible for creating a database for the
35 production of base and decision maps for all planning levels of standard scales, and other
36 indicators, based on the Planning Guidelines and Standards approved by the NLUPC.
37

38 **SECTION 70. Compiling of Datasets.** All pertinent and updated data from supporting
39 agencies of the system shall be submitted to NAMRIA for compilation and integration into the
40 national spatial database information and mapping system.
41

42
43 **SECTION 71. Maps for Planning.** Within one (1) year after the NLUPC's approval of the
44 Guidelines and Standards for planning at all levels, the NAMRIA shall submit to the NLUPC all
45 maps required for national, provincial, cities and municipalities planning. The NLUPC shall
46 forward these maps to the respective PLUPMBs and C/MLUPMBs after it has reviewed and
47 approved them.
48

49 Pertinent maps to be produced by the NSDIMS shall include among others:
50

- 51 1. Topographic Maps;

- 1 2. Geologic Maps;
- 2
- 3 3. Hydrologic Maps;
- 4
- 5 4. Climate Maps;
- 6
- 7 5. Soils Maps;
- 8
- 9 6. Slope Maps;
- 10
- 11 7. Mineral Resources Maps;
- 12
- 13 8. Existing Land Use Maps;
- 14
- 15 9. Land Suitability Maps for:
- 16
- 17 a. Settlements
- 18
- 19 b. Agriculture
- 20
- 21 c. Industrial areas
- 22
- 23 d. Others
- 24
- 25 10. Agricultural Maps:
- 26
- 27 a. Network of Protected Areas for Agricultural and Agro-industrial Development;
- 28
- 29 b. Commodity Specific Development Guide Maps;
- 30
- 31 c. Land Limitation Maps;
- 32
- 33 d. Cropping System Zones Maps;
- 34
- 35 e. Hydro-ecological Conditions Map;
- 36
- 37 f. Irrigation Systems Maps;
- 38
- 39 11. Land Classification Maps;
- 40
- 41 12. Municipal Waters Delineation Maps and MPAs;
- 42
- 43 13. Geo-Hazards Maps:
- 44
- 45 a. Flood Prone Areas;
- 46
- 47 b. Hazard Zonation Maps for Volcanoes;
- 48
- 49 c. Map of Fault Systems;
- 50
- 51 d. Tsunami Prone Areas;

1	
2	e. Erosion Prone Areas;
3	
4	14. Tourism Maps;
5	
6	15. Transportation Maps;
7	
8	16. Traffic Flow;
9	
10	17. Areas Served by:
11	
12	a. Power
13	
14	b. Tele-communications
15	
16	c. Water
17	
18	18. Facilities:
19	
20	a. Health
21	
22	b. Education
23	
24	c. Power
25	
26	19. Domestic Water Supply
27	
28	20. Industrial Areas
29	
30	21. Population Distribution
31	
32	22. Ancestral Domains
33	
34	23. NIPAS Areas
35	
36	24. Areas Suitable for Urban Expansion
37	
38	25. Watershed Areas
39	
40	26. Forest Lands
41	
42	a. Protection
43	
44	b. Production
45	
46	c. Restoration
47	i. Key Biodiversity Areas
48	ii. Marine Protected Areas
49	
50	
51	SECTION 72. Final Determination and Ground Delineation of the Country's Permanent

1 **Forest Line.** As mandated under the Constitution and hereby provided for under this Act, the
2 final determination and ground delineation of the country's permanent forest line shall be
3 completed within one (1) year from the effectivity of this Act: *Provided,* That appropriations for
4 the fulfillment of this provision shall be included in the annual appropriations of the DENR:
5 *Provided, further,* That the complete report of the delineation of the country's permanent forest
6 line shall be submitted to the NLUPC for appropriate integration in the country's strategic land
7 use development plan and policies.
8
9

10 **SECTION 73. Completion and Updating of Existing Cadastral Surveys.** The completion of
11 incomplete cadastral surveys of LGUs and the updating of existing surveys shall be given
12 priority consideration and allocation of resources in the implementation of this Act. The DENR
13 shall include in its annual appropriations the completion and updating of all incomplete and
14 existing cadastral surveys of all LGUs in the country: *Provided,* That such surveys and maps
15 shall be integrated into the national spatial database information and mapping system.
16

17 In cases of ancestral domains, self-delineation by ICCs/IPs of their ancestral lands shall be
18 employed to determine boundaries as provided for under IPRA.
19
20

21 **SECTION 74. Ground Delineation.** For effective planning to take place at the local level and
22 for the easy enforcement of the Zoning Ordinance of each city/municipality, land uses must be
23 identifiable both on the map and on the ground. A Joint Committee comprised of the LGU, as
24 represented by its M/CLUPMB, and of the national government agency concerned, to be
25 assisted by the C/MPDC, shall identify and delineate on the ground the land uses within their
26 jurisdiction. The following shall be given priority:
27

28 1. Forest Lands

29 a. Protection

30 b. Production

31 2. Ancestral Domains

32 3. NIPAS Areas

33 a. Strict Protection Zone

34 b. Multiple Use Zone

35 4. Watershed Areas

36 a. Critical

37 b. Multiple Use

38 5. Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAAD)

39 6. Socialized Housing Sites and Settlement Expansion Areas
40
41
42
43
44
45
46
47
48
49
50
51

1 7. Extents of Environmentally Constrained Areas

2
3 8. Easement Areas

4
5 9. Critical coastal areas

6
7 a. Mangroves

8
9 b. Sea grasses

10
11 Critical marine resources should also be delineated both on the map and in the waters.
12 Perimeters of critical offshore areas, such as coral reefs, shall be marked in accordance with the
13 coastal resource management plans concerned.

14
15 All maps shall be updated as new important information and data become available or as
16 determined by urgent need. Updating should not be more often than every ten (10) years.

17
18
19 **SECTION 75. National Geo-hazard Mapping Program.** Within thirty (30) days from the
20 effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated jointly thru the
21 NLUPC by the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical Services
22 Administration (PAGASA), the NAMRIA, the Mines and Geosciences Bureau (MGB), and the
23 DOE, in coordination with the NDRRMC, the Regional Disaster Risk Reduction Management
24 Councils, and other concerned government agencies. The program shall include the generation
25 of indicative geo-hazard zoning maps that will outline areas in the Philippines which are prone to
26 liquefaction, landslides, flooding, lahar, ground rupturing, tsunami, river erosion, coastal erosion,
27 sinkhole collapse, earthquake, lava flow, pyroclastic flow, base surge, and other natural
28 hazards.

29
30 For purposes of uniformity and standardization and in order to develop a safe-built environment,
31 the LGUs shall subsequently incorporate and integrate the generated geo-hazard zoning maps
32 into their respective CLUPs and ZOs. Said geo-hazard maps shall serve as guide for all the
33 LGUs in the preparation of their own hazards-constrained development plans. The NPFP shall
34 incorporate these geo-hazard maps.

35
36 All entities conducting infrastructure activities including real estate and subdivision projects and
37 the development of tourist spots requiring an ECC shall submit an Engineering Geological and
38 Geo-hazard Assessment Report (EGGAR).

39
40
41 **SECTION 76. Scope and Nature of Responsibilities of Other National Government**
42 **Agencies.** All concerned national government agencies/bodies shall periodically report to the
43 NLUPC on the various activities and accomplishments on land use. Likewise, they shall provide
44 their respective sectoral/development plans and provide technical and administrative support if
45 called upon by the NLUPC for the implementation of the provisions of this Act.

46
47
48 **SECTION 77. Submission of Annual Report on the Implementation of CLUPs and ZOs.**
49 The local land use boards shall submit their annual report on the implementation of their land
50 use plans to their respective *Sanggunian* which shall submit the same to the RLUPCs for
51 consolidation. The RLUPC shall thereafter transmit the consolidated reports to the NLUPC for

monitoring and evaluation.

CHAPTER 9. TRAINING, EDUCATION AND VALUES FORMATION

SECTION 78. Values Formation. In order to develop a well-informed, responsible and committed citizenry who value the protection, conservation and development of the country's limited land, and other physical resources, the State shall mandate the inclusion of sustainable land use education or any subject related thereto in the curricula of primary, secondary and tertiary education.

SECTION 79. Information/Education Campaign and Capacity Building The NLUPC shall undertake a nationwide information/education campaign on land use and physical planning to be implemented by local and national government agencies. The DILG and concerned agencies shall formulate and implement a land use management capability building program for national and local government officials, community leaders, representatives of NGOs, POs, the religious sector, and the general public.

CHAPTER 10. INCENTIVES, SANCTIONS AND PENALTIES

Article One. Incentives and Awards

SECTION 80. Formulation of a System of Incentives and Awards. The NLUPC shall come up with a system of incentives and awards to LGUs that regularly update their CLUPs/ZOs once every eight (8) years.

SECTION 81. Priority in Giving Technical Assistance to LGUs. In providing technical assistance and other forms of support related to land use management and implementation of development plans, national government agencies shall give priority to cities and municipalities with approved CLUPs and ZOs.

Article Two. Sanctions and Penalties

SECTION 82. Fine for Failure to Commence or Complete the Development of Agricultural Lands with Approved Conversion Order. For agricultural lands with approved conversion orders, the provisions of Republic Act 6657 (CARL), as amended by Republic Act 9700, shall apply. The landowner and/or the designated developer or duly authorized representative who or which fail/s to commence and/or complete the development plan defined in the conversion order shall be jointly and severally penalized. The following fines based on the zonal value of the land at the time the fine shall be imposed:

1. Failure to commence within one (1) year from the date of the conversion order:
 - a. Six percent (6%) for the first three hectares;

- 1 b. Fifteen percent (15%) for the next three hectares; and
2
3 c. Thirty percent (30%) for the remaining area.
4

5 In such case, the order of conversion shall be revoked by operation of law. The land
6 shall revert to its original use as agricultural land and shall be covered by the DAR
7 through compulsory acquisition for distribution to qualified beneficiaries.
8

- 9 2. Failure to complete sixty percent (60%) of the approved conversion plan within a
10 specified time frame shall result to the automatic revocation by the DAR of the
11 conversion plan on the undeveloped portion. The land shall be reverted to its original
12 use as agricultural land and shall be covered under the CARP for land distribution.
13

14
15 **SECTION 83. Persons Abetting Illegal Conversion.** Any person initiating, causing, inducing,
16 or abetting illegal conversion shall be punished with imprisonment from six (6) to twelve (12)
17 years or a fine of not less than One Hundred Thousand Pesos (P100,000.00), or both at the
18 discretion of the court.
19

20 If the offender is a public official or employee, whether elected or appointed, the penalty shall
21 also include dismissal from service, forfeiture of all benefits and entitlements accruing to the
22 public position, and perpetual disqualification to run or apply for any elective or appointive public
23 office.
24

25 If the offender is a juridical person, the penalty of imprisonment shall be imposed on the
26 president, chief executive officer, manager, chairperson and all the members of the board, and
27 other responsible officers thereof. The imposable fine shall be equivalent to the zonal value of
28 the land or forty percent (40%) of the shareholders equity, whichever is higher. Furthermore, the
29 land shall be forfeited in favor of the State and sold through public auction. The proceeds of the
30 sale shall automatically accrue to the agrarian reform fund.
31

32
33 **SECTION 84. Penalty for Reclassification of Protected Agricultural Lands and**
34 **Exceeding the Limit of Areas Allowed for Reclassification.** Any person initiating, causing,
35 inducing, or abetting the reclassification to non-agricultural uses of protected agricultural areas
36 as defined in Section 13 hereof shall be penalized with imprisonment of twelve (12) years or a
37 fine of not less than One Hundred Thousand Pesos (P100,000.00), or both at the discretion of
38 the court.
39

40 If the offender is a public official or employee, the penalty shall, also include dismissal from
41 service, whether elected or appointed, forfeiture of entitlements accruing to the public position,
42 and perpetual disqualification to run or apply for any elective or appointive public position.
43

44 If the offender is a juridical person, the penalty shall be imposed on the president, chief
45 executive officer, manager, chairperson and all the members of the board, and other
46 responsible officers thereof.
47

48 The same penalty shall be applicable to persons who will be responsible for exceeding the limits
49 set forth under Section 20 of the Local Government Code pertaining to reclassification of lands.
50
51

1 **SECTION 85. Payment of Disturbance Compensation.** Following the order of priority stated
2 in Section 22 of R.A. 6657, as amended by R.A. 9700, agricultural lessees and share tenants,
3 regular farm workers, seasonal farm workers, other farm workers, actual tillers or occupants of
4 public lands, collective, or cooperative of the above beneficiaries, and others directly working on
5 the land affected by agricultural land use conversion, shall be entitled to the payment of
6 disturbance compensation equivalent to five (5) times the average of the gross harvests on the
7 landholding during the preceding five (5) calendar years or a certain percentage of the
8 converted land, whichever is higher, as determined by the DAR.
9

10
11 **SECTION 86. Authority to Impose Fine.** The DAR shall have the authority to impose the
12 penalty provided under the preceding section.
13

14
15 **SECTION 87. Withdrawal of Local Development Permits and/or Licenses.** Upon receipt of
16 notice from the DAR, the concerned agencies, city or municipality shall withdraw and/or revoke
17 any development permit and/or other licenses that may be necessary to develop the agricultural
18 land subject of conversion.
19

20
21 **SECTION 88. Utilization of Fines.** The fines collected under Section 84 hereof shall
22 automatically accrue to the Agrarian Reform Fund consistent with the provision of the
23 Comprehensive Agrarian Reform Law.
24

25
26 **SECTION 89. Failure to Formulate, Implement and/or Enforce the CLUPs and Zoning**
27 **Ordinances (ZOs).** Consistent with due process, the NLUPC, in coordination with the DILG,
28 shall investigate, review, and recommend the filing of charges against local chief executives and
29 other local officials and employees responsible for the formulation, implementation and/or
30 enforcement of the CLUPs in the following cases:
31

- 32 1. Failure of the CLUPs/ZOs to conform to the guidelines provided in the NPFP;
- 33
- 34 2. Failure to complete the preparation of the CLUP despite the availability of funds,
35 resources, and support by the *Sanggunian* concerned;
- 36
- 37 3. Failure to provide appropriate budgetary allocation to effect its implementation; and
- 38
- 39 4. Failure to implement and enforce the CLUP/ZO due to negligence of duty;
40

41 Any public official or employee, whether elected, appointed or holding office/employment in a
42 casual, temporary, holdover, permanent, or regular capacity, found to be responsible for any of
43 the foregoing acts, shall be punished with forfeiture of salaries and allowances, and suspension
44 from:
45

- 46 1. Three (3) to six (6) months, in case of non-completion of the CLUP; or
- 47
- 48 2. Three (3) to six (6) months, in case of non-conformity with the NPFP;
- 49
- 50 3. Six (6) to nine (9) months, in case of non-implementation of the CLUP;
- 51

1 Failure to comply with the provisions of IPRA in the formulation of CLUP shall be penalized
2 according to Section 72 of IPRA.

3
4
5 **SECTION 90. Illegal Conversion of City or Municipal Parks, Communal Forests, and Tree**
6 **Parks in Subdivisions.** Penalties in the amount of One Hundred Thousand Pesos
7 (P100,000.00) to Five Hundred Thousand Pesos (P500,000.00), or imprisonment of six (6)
8 years and one (1) day to twelve (12) years, or both, at the discretion of the court shall be
9 imposed for each of the following offenses:

- 10
11 1. Converting or causing the conversion of a city/municipal park, communal forest, or tree
12 parks within subdivisions established pursuant to Presidential Decree No. 953, requiring
13 the planting of trees in certain places, into other uses including the construction of
14 permanent buildings;
- 15
16 2. Destroying or causing damage to the timber lands and other forest products found in the
17 above mentioned forest and parks;
- 18
19 3. Setting the above mentioned forest and parks on fire, or negligently permitting a fire to
20 be set therein; and
- 21
22 4. Assisting, aiding or abetting another person to commit the offenses stated in this
23 Section.

24
25 The offender shall likewise be imposed a fine equivalent to eight (8) times the commercial value
26 of the forest products destroyed without prejudice to payment of the full cost of rehabilitation of
27 the areas as determined by the DENR.

28
29 The maximum penalty prescribed shall be imposed upon the offender who repeats the same
30 offense, and double the maximum penalty upon the offender who commits the same offense for
31 the third time or more.

32
33 All improvements made therein, as well as all vehicles, domestic animals, and equipment of
34 any kind used in the commission of the offense shall be forfeited in favor of the government.

35
36 If not suitable for use by the DENR, said improvements, vehicles, domestic animals and
37 equipment shall be sold at public auction and the proceeds from which shall accrue to the
38 Forest Conservation and Development Fund (FCDF).

39 40 41 **CHAPTER 11. TRANSITORY AND FINAL PROVISIONS**

42
43
44 **SECTION 91. Mandatory Review Every Ten Years.** The Congress shall undertake a
45 mandatory review of this Act at least once every ten (10) years from its effectivity or as often as
46 it may be deemed necessary to ensure that land use policies and guidelines remain responsive
47 to changing circumstances.

48
49 For this purpose, the Congress may call on to the NLUPC to undertake the necessary
50 researches and consultations.

SECTION 92. Convening of the NLUPC. Within thirty (30) days from the effectivity of this Act, the Chairperson shall convene the NLUPC. The Head of the NLUPC Secretariat shall immediately assume his/her position.

SECTION 93. Implementing Rules and Regulations. Within ninety (90) days from the effectivity of this Act, the NLUPC shall promulgate its implementing rules and regulations (IRR) including the rules on the selection of the members of the C/MLUPMB and the PLUPMB. It shall take effect upon its publication in the Official Gazette or in at least two (2) newspapers of national circulation.

SECTION 94. Congressional Oversight Committee on the Land Use Act. A Congressional Oversight Committee shall be created. It shall be composed of seven (7) members from the Senate and seven (7) members from the House of Representatives. The members from the Senate shall be appointed by the Senate President based on proportional representation of the parties or coalitions therein with at least two (2) senators representing the minority. The members from the House of Representatives shall be appointed by the Speaker of the House of Representatives also based on proportional representation of the parties or coalitions therein with at least two (2) members representing the minority.

The Oversight Committee shall function for a period of not more than three (3) years to oversee the implementation of this Act. The secretariat of the Oversight Committee shall be drawn from the existing secretariat personnel of the committees comprising the oversight. The funding for the committee shall be taken from the appropriations of both the House of Representatives and the Senate.

SECTION 95. Transfer of Powers and Functions. The functions of the HLURB on land use planning as provided for under Sections 5a, 5b, 5c, 5d, 5e, and 5f of Executive Order No. 648, Series of 1991 and EO No. 72, series of 1993, shall be immediately transferred to the NLUPC and its appropriate sub-national/LGU structures.

SECTION 96. Appropriations. The amount needed for the initial implementation of this Act shall be charged against the current year's appropriations of the NEDA Board-National Land Use Committee (NB-NLUC). Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the Annual General Appropriations Act.

SECTION 97. Review of Existing Land Use Plans. Provinces, cities, and municipalities with existing land use plans shall review, revise, reconcile, and harmonize the same with the guidelines and standards issued by the NLUPC within one (1) year from the effectivity of this Act.

SECTION 98. Access to Information. Access to records and documents pertaining to official acts, transactions, or decisions as well as to data used as basis for policy development by the NLUPC shall be made available to the public.

1 **SECTION 99. Repealing Clause.** Section 10 of the AFMA and Sections 447 (a2vii) and 458
2 (a2viii) of the Local Government Code and their related laws and administrative issuances are
3 hereby modified by Section 13 hereof. The pertinent provisions of Executive Order No. 72,
4 series of 1993, are also modified accordingly. Section 11 of the AFMA as to the penalty for
5 agricultural inactivity and premature conversion is also modified by Section 83 hereof. Letter of
6 Instruction No. 1350, series of 1983, Presidential Proclamation 2282, series of 1983, and all
7 other general and special laws, acts, decrees, executive orders, proclamations and
8 administrative regulation, or any part thereof which are inconsistent with this Act are hereby
9 repealed or modified accordingly.

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11 All republic acts, executive orders, rules and regulations, and other issuances, or parts thereof,
12 that are inconsistent with the provisions of this Act are hereby repealed or amended
13 accordingly.

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16 **SECTION 100. Non-impairment Clause.** Nothing in this Act shall be construed as to diminish,
17 impair rights recognized, granted, or available to marginalized or the basic sectors under
18 existing laws including but not limited to Republic Act Nos. 7279, 6657 as amended by R.A.
19 9700, 8371, 8550 and 7942.

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22 **SECTION 101. Separability Clause.** If, for any reason, any section or provision of this Act is
23 declared unconstitutional or invalid, the other sections or provisions not affected thereby shall
24 remain in full force and effect.

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27 **SECTION 102. Effectivity Clause.** This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in at least two (2) national newspapers of general
29 circulation.