

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 213

Introduced by HON. EUFRANIO C. ERIGUEL, M.D.

EXPLANATORY NOTE

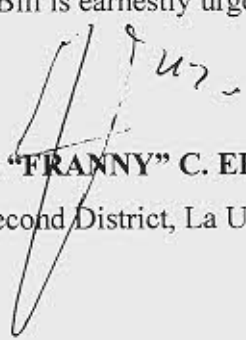
This Bill, which was previously filed in the 15th Congress and approved by the House of Representatives on third reading, seeks to fix the specific limits of forest lands and alienable and disposable lands within five kilometers from either side of the Aspiras Highway (formerly known as Marcos Highway) from Agoo, La Union to Baguio City repealing for the purpose Proclamation No. 1754.

Pursuant to Presidential Proclamation No. 1754 dated June 22, 1978, the area covering 30,811.81 hectares was reserved for forest and watershed purposes of which some 25,762.81 hectares were previously declared alienable and disposable land (A & D) and 5,049 hectares timberland per Land Classification No. 1392 approved on August 1, 1940. The said land area is under the jurisdiction of the Municipalities of Agoo, Tubao, Rosario, Pugo, Sto. Tomas and Aringay.

Sound land use promotes sustainable economic growth, equity and poverty alleviation. Under the 1976 United Nations Conference on Human Settlements, it considers land as the principal instrument in fostering "social justice, development, provision of decent dwellings, and health conditions, and therefore should be used in the interest of the society as a whole." However, where there are conflicting land uses and practices, inappropriate land classification and confusion due to inconsistent laws and policies as well as continued negative environmental impact on land of human activities, the existing law needs to be revisited.

In this case, prior to Proclamation No. 1754, several portions affected by the same have already been issued land titles recognized under the law. As such, its continued use is primarily as residential and agricultural. The residents affected continue to depend on the land as their main source of livelihood. The law therefore failed to consider and balance the different but related concerns of the stakeholders such as food security, human settlements, environmental protection, indigenous communities, and other economic and commercial pursuits.

In view of the foregoing, the passage of this Bill is earnestly urged.



EUFRANIO "FRANNY" C. ERIGUEL, M.D.

Second District, La Union

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AN ACT

**FIXING THE LIMITS OF FOREST LANDS WITHIN FIVE (5) KILOMETERS
FROM EITHER SIDE OF THE ASPIRAS HIGHWAY (FORMERLY KNOWN AS
MARCOS HIGHWAY) FROM AGOO, LA UNION TO BAGUIO CITY,
REPEALING FOR THE PURPOSE PROCLAMATION NO. 1754**

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

SECTION 1. *Title.* - This Act shall be known as the “Aspiras Highway Land
Limits Act of 2013.”

SEC. 2. *Declaration of Policy.* - It is the policy of the State to conserve, protect
and develop the forest resources of the country in order to attain ecological balance,
preserve valuable ecosystems, prevent environmental degradation and promote
sustainable development for the present and succeeding generations. To achieve these
ends, Section 4 of Article XII of the 1987 Philippine Constitution mandates Congress to
determine by law the specific limits of forestlands and national parks, marking clearly
their boundaries on the ground. .

SEC. 3. *Permanent Forestlands.* - The permanent forestlands shall be as follows:

- a) All lands of the public domain already classified as forestland per existing land classification maps issued by the Department of Environment and Natural Resources (DENR);
- b) All permanent forest reserves proclaimed as such by the President or declared by Congress through law; and
- c) Such areas within the unclassified lands of the public domain which may hereafter be classified as forestland by the DENR, pursuant to this Act.

SEC. 4. *Ground Delineation of the Specific Forest Limits.* – Immediately upon the effectivity of this Act, the DENR shall undertake the actual ground survey and verification of the specific forest limits using as basis all existing land classification (LC) maps, the latest forest cover data of the National Mapping and Resources Information Authority (NAMRIA) from its satellite imagery interpretations, and other available and reliable sources of information: *Provided*, That the area originally classified as timberland per LC Map No. 1392 shall be retained and shall be subject to a joint validation and redefinition of boundary by DENR: *Provided further*, That existing build-up and populated areas within Proclamation No. 1754 and the areas identified as agricultural lands shall be subject to assessment and ground survey by the DENR in accordance with existing laws, rules and regulation.

All areas adjacent to the Aspiras Highway which are susceptible to erosion as determined by DENR and concerned LGUs shall be excluded from areas to be reclassified as agricultural land.

SEC. 5. *Permanent Forest Line.* – The permanent forest line shall be established and clearly marked on the ground by concrete monuments at certain fixed distances, visible cut lines, signboards and uniformly-spaced distinctive trees maintained at all times between the concrete monuments.

SEC. 6. *Determination of the Specific Forest Limits.* – The permanent forestlands established pursuant to this Act shall not be diminished or reduced except by an act of Congress. The DENR, in coordination with all agencies and branches of the government, shall see to it that the forest cover and vegetation therein shall be protected, preserved and enhanced.

After due consultation with the local government units (LGUs), communities and other stakeholders, the DENR shall undertake the subclassification of the permanent forestlands.

SEC. 7. *Status of National Parks, Mineral Lands and Other Public Reservations.* – The land classification of proclaimed national parks, protected areas and mineral lands and the status of civil reservations, military reservations and other reservations for public and quasi-public uses within the affected area shall be respected and shall not be adversely affected by this Act.

SEC. 8. *Appropriations.* – The Secretary of the DENR shall immediately include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 9. *Implementing Rules and Regulations.* – Within three (3) months from the effectivity of this Act, the DENR, in consultation with the Provincial Government of La Union, City Government of Baguio, and affected municipalities, shall issue the corresponding implementing rules and regulations for the effective implementation of this Act.

SEC. 10. *Separability Clause.* – If any portion of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SEC. 11. *Repealing Clause.* – Proclamation No. 1754 entitled "Reserving a Strip of Land Along Marcos Highway from Agoo, La Union to Baguio City for Watershed and Forest Reserve Purposes" is hereby repealed. All laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

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

Approved,