



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Sixteenth Congress

First Regular Session

House Bill No. 2030

Introduced by **HON. ROMEO M. ACOP**

EXPLANATORY NOTE

On July 26, 1904, Civil Governor Luke Wright, pursuant to the Philippine Commission's Act No. 648, promulgated Executive Order No. 33 creating the 'Mariquina Reserve' to serve as water source for the City of Manila. Since 1904, numerous executive issuances defined and altered the Reservation's boundaries, mostly excluding considerable portions from it. These exclusions engendered opportunities for both conservative and exploitative human activities within the reservation and gave rise to land-use conflicts amidst invading masses of informal settlers and land speculators.

On June 5, 1990, President Corazon Aquino issued Proclamation No. 585 segregating and placing 1,430 hectares of the reservation under the 'Integrated Social Forestry' (ISF) Program of the Department of Environment and Natural Resources (DENR). Under the proclamation, the segregated area encompasses Sitios Boso-boso, Kilingan, San Joseph and Paenaan in Barangay San Jose, within the jurisdiction of the 2nd Legislative District of Antipolo City. The Integrated Social Forestry Program aims to address the twin concerns of rural poverty and the ecological preservation of forest lands where occupants are provided secured access to land through Certificates of Stewardship Contract (CSCs).

In 1992, Republic Act No. 7586, otherwise known as the 'National Integrated Protected Areas System (NIPAS) Law', was enacted and declaring the Marikina Watershed Reservation as an initial component of the system pursuant to Section 5 of said law.

Meanwhile, the ISF Project area has become a well-developed and established community with the awardees and other occupants having constructed concrete houses and engaged in small-scale enterprises aside from farming activities. Basic social services and facilities such as schools, barangay halls, health centers and sports facilities are already existing in the area. Significantly too, road networks have been established and the area is almost completely energized. In short, the area is already a vibrant community in transition to becoming a self-sustaining human settlement. In fact, it is already part of a barangay (San Jose) duly recognized as a constituent political unit of the City of Antipolo. The area at present, has almost completely lost its previous character as forest land and is metamorphosing into an agricultural and residential area.

On November 24, 2011, President Benigno Aquino III issued Proclamation No. 296 declaring the Marikina Watershed Reservation as a protected area pursuant to RA No. 7586 and renaming it 'The Upper Marikina River Basin Protected Landscape'. Its technical description indicated that the protected landscape is 'bounded on the southwest by the Integrated Social Forestry Program under Proclamation No. 585'. Hence, the ISF Project area has been removed from and is no longer part of the protected landscape.

Relatedly, during the 15th Congress, this representation initiated a congressional investigation through House Resolution No. 226 into the condition of the Marikina Watershed Reservation. After several public hearings participated by stakeholders as well as concerned government agencies, and an ocular inspection of the area by members of the Committee on Natural Resources, the committee found that only 10% of the area remains as residual forest and 30% is made up of already developed areas and 40% is cultivated or agricultural areas. While the report recommended that the area should remain as a watershed reservation, it also urged the Department of Environment and Natural Resources (DENR) to immediately identify areas outside of the Protected Area which shall be recommended for reclassification into agricultural lands and for other purposes through legislative enactment. The project site covered by Proclamation No. 585 is one such area.

This bill seeks to reclassify the area covered by Proclamation No. 585 as agricultural lands and have the same declared as alienable and disposable to enable

the present occupants of the land to qualify to apply for land titles under conditions and limitations provided for in the bill and by existing applicable laws. The measure seeks to distribute and utilize the land for the following purposes :

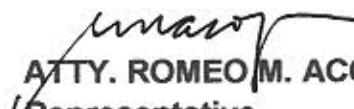
- 1) Agricultural purposes under Republic Act no. 6657 or the Comprehensive Agrarian Reform Law;
- 2) Residential purposes under Republic Act No. 730 and Commonwealth Act No. 141;
- 3) Socialized Housing Purposes under Republic Act No. 7279 or the Urban Development and Housing Act; and,
- 4) For the establishment of a government center.

To further ensure the appropriateness and acceptability of the provisions of the proposed measure to various stakeholders and concerned government agencies, several mass consultations were held in the area itself.

It is hoped that the government may strike a compromise between poverty alleviation and the need to conserve, with flexibility, whatever remains of a critical natural resource. While environmental protection and conservation must be promoted, social justice must also be pursued.

The proposed measure was previously filed in the 15th Congress as House Bill No. 6752 and was approved by the Committee on Natural Resources. However, due to lack of material time, it was not enacted into law.

For the foregoing reasons, the immediate passage of this bill is earnestly sought.


ATTY. ROMEO M. ACOP MNSA
Representative
2nd District, Antipolo City



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Introduced by **HON. ROMEO M. ACOP**

AN ACT

**DECLARING AS ALIENABLE AND DISPOSABLE PARCELS OF LAND OF THE PUBLIC DOMAIN
EMBRACED BY PROCLAMATION NO. 585 SITUATED AT SITIOS BOSO-BOSO, KILINGAN,
VETERANS, SAN JOSEPH AND PAENAN IN BARANGAY SAN JOSE IN THE CITY OF ANTIPOLLO,
PROVINCE OF RIZAL, AND DECLARING THE SAME OPEN TO DISPOSITION**

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

SECTION 1. - Coverage - The parcels of land of the public domain located in Sitios Boso-Boso, Kilingan, Veterans, San Joseph and Paenaan in Barangay San Jose, Antipolo City, Province of Rizal, identified as Integrated Social Forestry Area under Proclamation No. 585 dated June 5, 1990, are hereby declared alienable and disposable lands and open to disposition for agricultural, residential and socialized housing, and other purposes under certain conditions.

Said parcels of land are more particularly described as follows :

Bounded on the Northwest, Northeast and Southeast by Upper Marikina River Basin Protected Landscape under Proclamation No. 296 dated November 24, 2011 and on the Southwest by Alienable and Disposable land.

Beginning at a point marked ``1'' which is N 01° 36' 47'' W, 2,292.91 meters from RZL-3111 of the City of Antipolo, Province of Rizal, Lat: 14° 37' 54.270''; Long: 121° 13' 08.704''.

thence	S 25°00'00'' E	820.00 meters	to corner 2;
thence	N 61°00'00'' E	240.00 meters	to corner 3;
thence	N 75°00'00'' E	240.00 meters	to corner 4;
thence	N 75°00'00'' E	240.00 meters	to corner 5;
thence	S 79°01'05'' E	419.14 meters	to corner 6;
thence	N 13°54'07'' E	1,580.44 meters	to corner 7;
thence	S 75°25'31'' E	1,083.72 meters	to corner 8;
thence	N 55°47'30'' E	637.38 meters	to corner 9;
thence	S 43°00'00'' E	635.00 meters	to corner 10;
thence	N 78°00'43'' E	241.06 meters	to corner 11;
thence	S 29°48'39'' E	178.74 meters	to corner 12;
thence	S 29°42'11'' E	252.27 meters	to corner 13;
thence	S 30°00'00'' E	310.00 meters	to corner 14;
thence	N 72°53'54'' E	112.00 meters	to corner 15;
thence	S 82°57'57'' E	268.70 meters	to corner 16;
thence	N 10°02'07'' W	368.71 meters	to corner 17;
thence	N 09°54'28'' W	282.58 meters	to corner 18;
thence	N 84°00'00'' W	290.00 meters	to corner 19;
thence	N 47°00'00'' W	150.00 meters	to corner 20;
thence	S 81°00'00'' W	100.00 meters	to corner 21;
thence	N 57°00'00'' E	80.00 meters	to corner 22;
thence	N 15°00'00'' E	320.00 meters	to corner 23;
thence	N 25°00'00'' E	270.00 meters	to corner 24;
thence	N 62°00'00'' E	560.00 meters	to corner 25;
thence	S 70°00'00'' E	1,000.00 meters	to corner 26;
thence	S 15°00'00'' E	180.00 meters	to corner 27;
thence	S 22°44'47'' W	106.55 meters	to corner 28;
thence	S 59°53'07'' E	84.23 meters	to corner 29;
thence	S 30°02'12'' W	158.31 meters	to corner 30;
thence	N 79°28'21'' W	150.27 meters	to corner 31;
thence	S 84°00'00'' W	415.00 meters	to corner 32;
thence	S 26°00'04'' W	298.83 meters	to corner 33;
thence	S 07°49'23'' W	1,597.93 meters	to corner 34;
thence	S 65°07'23'' E	753.48 meters	to corner 35;
thence	N 75°07'49'' E	294.97 meters	to corner 36;
thence	S 68°55'25'' E	798.49 meters	to corner 37;
thence	N 67°16'06'' E	380.92 meters	to corner 38;

thence	DUE SOUTH	1,320.00 meters	to corner 39;
thence	S 43°00'00" E	850.00 meters	to corner 40;
thence	S 63°00'00" W	675.00 meters	to corner 41;
thence	N 51°54'00" W	820.00 meters	to corner 42;
thence	N 51°54'00" W	640.00 meters	to corner 43;
thence	N 51°54'00" W	860.00 meters	to corner 44;
thence	N 51°54'00" W	420.00 meters	to corner 45;
thence	N 51°54'00" W	700.00 meters	to corner 46;
thence	N 67°49'53" E	400.33 meters	to corner 47;
thence	N 12°51'40" E	517.96 meters	to corner 48;
thence	N 15°35'34" W	508.21 meters	to corner 49;
thence	S 32°58'39" W	444.42 meters	to corner 50;
thence	N 86°59'57" W	706.76 meters	to corner 51;
thence	S 20°13'29" W	403.38 meters	to corner 52;
thence	S 49°05'08" E	112.98 meters	to corner 53;
thence	S 79°59'31" W	245.64 meters	to corner 54;
thence	S 05°50'40" W	363.32 meters	to corner 55;
thence	S 72°12'58" W	158.40 meters	to corner 56;
thence	S 19°26'24" W	102.61 meters	to corner 57;
thence	S 45°06'05" E	243.40 meters	to corner 58;
thence	S 68°54'58" W	225.00 meters	to corner 59;
thence	S 30°03'20" W	255.42 meters	to corner 60;
thence	S 30°03'20" W	764.62 meters	to corner 61;
thence	S 30°03'20" W	396.88 meters	to corner 62;
thence	N 60°39'20" W	208.41 meters	to corner 63;
thence	N 40°51'01" W	337.76 meters	to corner 64;
thence	N 41°51'01" W	432.76 meters	to corner 65;
thence	N 41°51'01" W	442.21 meters	to corner 66;
thence	N 41°51'01" W	358.88 meters	to corner 67;
thence	N 31°01'23" W	492.02 meters	to corner 68;
thence	N 73°17'41" W	685.56 meters	to corner 69;
thence	N 13°32'01" W	1,398.19 meters	to corner 1

the point of beginning, containing an area of ONE THOUSAND FOUR HUNDRED NINETY FOUR and 26/100 (1,494.26) hectares, subject to actual ground survey and delineation.

Provided, that the following areas shall not be covered :

- Lands which are eighteen percent (18%) or more in slope
- Twenty (20)-meter strips of land along the edge of the normal high waterline of rivers and streams with channels of at least five (5) meters wide
- Ridge tops and plateaus regardless of size found within
- Appropriately located road rights-of-way
- Isolated patches of forest of at least five (5) hectares with rocky terrain

SECTION 2. - *Disposition of Lands* - The parcels of land embraced in this Act, subject to Section 3 hereof, shall be alienated and disposed for the following purposes :

- a) **Agricultural Purposes** - The Department of Agrarian Reform shall distribute certain parcels of land embraced in this Act for agricultural purposes in accordance with Republic Act No. 6657, as amended, otherwise known as 'The Comprehensive Agrarian Reform Law': *Provided, that*, each qualified beneficiary shall be allotted not more than one (1) hectare. No interest shall be imposed on the value of the land to be paid by the beneficiaries.
- b) **Residential Purposes** - The Department of Environment and Natural Resources shall dispose certain parcels of land embraced in this Act for residential purposes in accordance with Republic Act No. 730, otherwise known as 'An Act To Permit the Sale Without Public Auction of Public Lands of the Republic of the Philippines for Residential Purposes to Qualified Applicants Under Certain Conditions', in relation to Commonwealth Act No. 141, as amended, otherwise known as 'The Public Land Act';
- c) **Socialized Housing Purposes** - The National Housing Authority shall dispose certain parcels of lands embraced in this Act for socialized housing purposes in accordance with Articles IV and V of Republic Act No. 7279, otherwise known as 'The Urban Development and Housing Act'.
- d) **Government Center Reservation Purposes** - The Department of Agrarian Reform and the Department of Environment and Natural Resources in consultation with the City Government of Antipolo, shall determine and reserve certain parcels of land embraced in this Act for the establishment of a government center and facilities that the public interest requires. The City Government of Antipolo shall oversee the establishment of a government center which shall house offices and instrumentalities of the City Government and local offices of the various national government agencies.

As far as practicable, the percentages of allocation and disposition of the lands covered by this Act for the above-purposes shall be as follows :

- a) Sixty percent (60%) for agricultural purposes;
- b) Twenty percent (20%) for residential purposes;
- c) Ten percent (10%) for socialized housing purposes; and,
- d) Ten percent (10%) for government center purposes.

The Department of Environment and Natural Resources shall continue to maintain as Forestry Areas such parcels of land not covered by this Act under Section 1 hereof.

SECTION 3. - *Land Survey* - Prior to the disposition of the lands embraced in this Act, the Land Management Bureau of the Department of Environment and Natural Resources (LMB-

DENR), shall, within 6 months from the effectivity of this Act, conduct a survey of said lands for the purpose of determining and delimiting the specific areas most suitable for the purposes provided for in the preceding section. The findings and recommendations of the Bureau shall be duly concurred in and approved by the Secretary of the Department of Environment and Natural Resources, the Secretary of the Department of Agrarian Reform (DAR) and the General Manager of the National Housing Authority (NHA).

SECTION 4. - Beneficiaries -

- 1) In reference to paragraphs (a) and (b) of Section 2 of this Act, the following shall be deemed beneficiaries in accordance with the following priority :
 - a) Those who are awardees of Certificates of Stewardship Contract in good standing under Proclamation No. 585, Letter of Instruction No. 1260 and DENR Administrative Order No. 97 dated December 29, 1988;
 - b) Those who are awardees of Certificates of Stewardship Contract referred to in the preceding paragraph but who have not substantially complied with the terms and conditions of the stewardship contract as determined by the DENR; *Provided*, that their Certificates of Stewardship Contract have not been revoked prior to the effectivity of this Act; and,
 - c) Those who do not fall under paragraphs [a] and [b] but have actually occupied and cultivated the lands embraced in this Act for not less than five (5) years before the effectivity of this Act; *Provided*, that their actual occupation of the land has not been attended or facilitated by any mode of assignment or transfer of possession prohibited by existing regulations and by this Act; *Provided further*, that transfers of possession otherwise allowed but where the prior approval of the DENR was not previously secured shall be subject to confirmation by the DENR in a proper proceeding.

Qualified beneficiaries shall have the option between a residential lot or an agricultural land to the exclusion of the other; *Provided*, that members of a family living with a CSC awardee under one household shall be considered as belonging to such one family household constituting a single qualified beneficiary, except those falling under the preceding paragraph (c).

- d) Collectives or cooperatives of the above beneficiaries.

Awardees of Certificates of Stewardship Contract under Proclamation No. 585, Letter of Instruction No. 1260 and DENR Administrative Order No. 97 dated December 29, 1988 who have sold, disposed of, or abandoned the lands allotted to them in violation of the foregoing issuances and their transferees, whether actual

occupants or not at the time of effectivity of this Act, are disqualified to become beneficiaries under this section of this Act.

An actual occupant of any land embraced in this Act, awardee of a Certificate of Stewardship Contract, or any former participant of the Integrated Social Forestry Program who fails to qualify as beneficiary under of this Act, shall be entitled to a fair compensation for all permanent improvements introduced by him on the land based on the fair market value of such improvements at the time of assessment as assessed by a government assessor.

2) In reference to paragraph (c) of Section 2 of this Act, and in addition to the provision of Section 16 of Republic Act No. 7279, the following shall be deemed beneficiaries thereof :

- a) Must be a bona fide resident of the City of Antipolo for at least two (2) years prior to the effectivity of this Act; and,
- b) Must not have been a previously delinquent beneficiary of any housing program of the government.

Provided, that actual occupants of the land who are transferees but are disqualified under the preceding paragraph (1) may be considered as beneficiaries under this paragraph if they meet the qualifications herein provided for.

SECTION 5. - *Transferability of Purchased and Awarded Lands* – Lands acquired by beneficiaries under this Act may not be sold transferred or conveyed except through hereditary succession, in favor of the government, or to other qualified beneficiaries, for a period of ten (10) years from the date of the award of the Certificate of Land Ownership (CLOA) or issuance of the patent as the case may be: *Provided* , that the transfer of the land to other qualified beneficiaries shall be by the appropriate government agency in accordance with this Act. Any sale or disposition made in violation hereof shall be null and void.

SECTION 6. - *Suppletory Application of Existing Legislations* - The provisions of Commonwealth Act No. 141, Republic Act No. 730, Republic Act No. 6657 as amended, Republic Act No. 7279, and other laws not inconsistent with this Act, whenever applicable, shall have suppletory effect.

SECTION 7. - *Implementing Rules and Regulations* - Within ninety (90) days from the effectivity of this Act, the Secretary of the Department of Agrarian Reform, the Department of Environment and Natural Resources and the National Housing Authority shall promulgate the rules and regulations necessary for the effective implementation of this Act. The City Government of Antipolo shall also be consulted in formulation of the rules and regulations respecting the establishment of the government center.

SECTION 8 - *Transitory Provision* - Awardees of the Certificates of Stewardship Contracts under Proclamation No. 585 shall continue to discharge their responsibilities as Program participants under DENR Administrative Order No. 97 until after the disposition of the lands covered by their respective contracts under this Act: *Provided*, that such dispositions shall be completed within three (3) years from the effectivity of this Act; *Provided further*, that occupants of the lands covered by this Act who do not qualify as beneficiaries hereof shall be relocated after being given due notice and an opportunity to participate in the identification of their relocation sites.

SECTION 9. - *Repealing Clause* - Proclamation No. 585 issued on June 5, 1990, and all other laws, decrees, executive orders, rules and regulations, issuances, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 10. - *Separability Clause* - If any provision of this Act be declared unconstitutional or invalid, the other parts hereof shall remain in full force and effect.

SECTION 11. - *Effectivity Clause* - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved.