

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3122



Introduced by HONORABLE ROMERO "MIRO" S. QUIMBO

EXPLANATORY NOTE

The need to lay down the groundwork for the achievement of a genuine development that meets the needs of the present without compromising the ability of future generations to meet their own needs cannot be further delayed. At the heart of this is the sustainable development of the country's limited land and natural physical resources.

The existence of numerous laws that cover conflicting uses of land makes the need to provide for a rational, holistic, and just allocation, utilization, management, and development of the country's lands to ensure their optimum use, consistent with the principle of sustainable development, all the more important.

It is imperative, therefore, to integrate and harmonize existing laws, policies and guidelines relevant to land use and planning to establish a rational, cohesive and comprehensive national land use framework. It is important as well to institutionalize land use and physical planning as mechanisms for identifying, determining, and evaluating appropriate land use and allocation patterns, and which would define land use plans according to the following functional land use groupings, namely: Protection Land Use, Production Land Use, Settlements Development, and Infrastructure Development.

This measure proposes all that. More importantly, it proposes the creation of the National Land Use Commission or NLUC which shall act as the highest policy-making body on land use. The NLUC will also be tasked to resolve land use policy conflicts between or among agencies,

branches, or levels of the government and shall integrate efforts, and monitor developments relating to land use and the evolution of policies.

In view of the foregoing, approval of this bill is earnestly sought.



BOMERO "MIRO" S. QUIMBO
Representative
Second District Marikina City

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HOUSE BILL NO. 3122

Introduced by **HONORABLE ROMERO "MIRO" S. QUIMBO**

AN ACT
INSTITUTING A NATIONAL LAND USE 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 I

INTRODUCTORY PROVISIONS

SECTION 1. *Title.* - This Act shall be known and cited as the "National Land Use Act of the Philippines of 2013".

SEC. 2. *Declaration of Policies and Principles.* -The state espouses a development that meets the needs of the present without compromising the ability of future generations to meet their own needs through the harmonious integration of a sound and viable economy, responsible governance, social cohesion and ecological integrity, to ensure that development is a life-sustaining process.

All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the state. With the exception of agricultural lands, all other natural resources shall not be alienated.

The protection, conservation, and sustainable development of the country's limited land and natural physical resources and the success of its land use policies, plans and programs rest upon a well-informed, responsible, and committed citizenry.

Pursuant to the Constitution, it is the policy of the State to provide for a rational, holistic, and just allocation, utilization, management, and development of the country's lands to ensure their optimum use, consistent with the principle of sustainable development.

The State shall recognize the need for rational, optimal and sustainable settlements development, consistent with the principles of environmental management and equitable access to land and land tenure security.

It is the policy of the State to integrate and harmonize existing laws, policies and guidelines relevant to land use and planning to establish a rational, cohesive and comprehensive national land use framework.

Toward this end, the State shall institutionalize land use and physical planning as mechanisms for identifying, determining, and evaluating appropriate land use and allocation patterns and the best combination thereof that promote and ensure [in the best combination]:

- a) Sustainable management and utilization of natural resources;
- b) Maintenance and preservation of environmental integrity and stability specifically the perpetual protection of permanent forests and watershed for the attainment of food, water and energy sufficiency;
- c) Disaster risk-reduction and climate change resiliency;
- d) Protection of prime agricultural lands for food security in basic commodities;
- e) Water security through sustainable development and management of water resources;
- f) Settlements and infrastructure development in support of urban, rural and regional development including, but not limited to, industrial, commercial, and tourism development, and inclusive growth ;
- g) Harmony between the rights and the varied interests of every Filipino within the framework of people empowerment, decentralization, social justice, and equity;
- h) Respect for and protection of the sustainable traditional resource rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains to ensure their economic, social, and cultural well-being as well as recognition of the applicability of customary laws and sustainable traditional resource use and management, knowledge, and practices in ancestral domains in compliance with free and prior informed consent of ICC/IPs;
- i) Equitable access to land through state intervention that guarantees its affordability to the basic and marginalized sectors;
- j) Protection, preservation, and development of the Filipino historical, cultural and built cultural heritage and resources for the deeper understanding of our history and culture as a people;
- k) Preservation and conservation of parks to keep the scenery, the natural and historic objects, and the biodiversity therein in their natural state and prevent them from being damaged for purposes of public recreational use and enjoyment;

- l) Attainment of energy security and self-sufficiency; and
- m) Market orientation where the interplay of market forces and fair trade within the framework of ecological development and equity consideration is encouraged and adopted as the basic parameter in achieving efficiency in land use and allocation.

It is also the policy of the State to ensure that local government units (LGUs) share with the national government the responsibility of managing and maintaining ecological balance through co-management, partnership and convergence arrangements within their territorial jurisdiction as stated in the 1987 Constitution and the 1991 Local Government Code (LGC) or Republic Act 7160.

Guided by the principle that the use of land bears a social function and that all economic agents shall contribute to the common good, landowners, land tenure holders, in the case of forestlands, be it an individual, communal, corporate or group shall be held responsible for developing and conserving their lands thereby making their lands productive and supportive of environmental stability.

SEC. 3. *Scope.* - This Act shall apply to all lands whether public, private, government-owned, and/or in the possession of individuals, communities, indigenous people, or groups of people, to provide for a rational, holistic, and just allocation, development and management of land including such activities that bear impact on said resources.

CHAPTER II

DEFINITIONS

SEC. 4. *Definition of Terms.* - As used in and for purposes of this Act, the following terms shall mean:

- a) "*Agricultural lands*" shall refer to lands devoted to or suitable for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations by persons whether natural or juridical and not classified per the approved Comprehensive Land Use Plan (CLUP) of local government units as mineral land, forest land, residential land, commercial land, or industrial land;
- b) "*Agricultural land use conversion*" shall refer to the undertaking of any development activity which modifies or alters the physical characteristics of agricultural lands to render them suitable for non-agricultural purposes;
- c) "*Alienable and disposable (A&D) lands*" shall refer to lands of the public domain which have been delineated, classified, and certified as open and available for disposition under the provisions of Commonwealth Act No.141, otherwise known as the "Public Land Act," as amended;

d) "*Ancestral domains*" shall refer to all areas generally belonging to ICCs/IPs as defined in Republic Act No. 8371, otherwise known as the "Indigenous Peoples Rights Act (IPRA) of 1998;"

e)) "*Basic sectors*" – as defined in Republic Act no. 8425 or the Social Reform and Poverty Alleviation Act shall refer to the disadvantaged sectors or the Philippine society, namely: farmer-peasant, artisanal fisherfolk, workers in the formal sector and migrant workers, workers in the informal sector, indigenous peoples and cultural communities, women, differently-abled persons, senior citizens, victims of calamities and disasters, youth and students, children, and urban poor;

f) "*Basic Shelter*" shall refer to any subdivision house and lot unit or condominium unit satisfying the barest minimum shelter requirements under the minimum design standards of Batas Pambansa Blg. 220;

g) "*Comprehensive Land Use Plan (CLUP)*" shall refer to a document embodying a set of policies and guidelines, accompanied by official maps and similar illustrations, that serves as principal basis for determining the future land use of lands and natural resources for production land use, protection land use, settlements, and infrastructure development purposes within the territorial jurisdiction of the city or municipality. It represents the community-desired pattern of population distribution and proposes future allocation of land resources to various land-using activities. It identifies the allocation, character, and extent of the areas of land resources to be used for different purposes and includes the processes and the criteria employed in the determination of the land use. It has a long-term perspective, encompassing a minimum of five (5) years;

h) "Comprehensive land use planning" shall refer to the act of defining the allocation, utilization, development and management of all lands within a given territory or jurisdiction according to the inherent characteristic of the land itself and supportive of sustainable, economic, demographic, socio-cultural and environmental objectives as an aid to decision-making and legislation;

i) "*Coastal area/zone*" shall refer to a band of dry land and the adjacent ocean space (water and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses, and vice versa. Its geographic extent may include areas within a landmark limit of one (1) kilometer from the shoreline at high tide to include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and other areas within a seaward limit of 200 meters isobath to include coral reefs, algal flats, seagrass beds, and other soft-bottom areas. For purposes of initiating and implementing sustainable coastal resources protection and management, it shall include foreshore lands;

j) "*Critical habitats*" shall refer to areas outside protected areas as defined in Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992", that are known habitats of threatened species and designated as such based on scientific data taking into consideration species endemism and/or richness, presence of human-made pressures/threats to the survival of wildlife living in the area, among others;

k) "*Critical watershed*" shall refer to a drainage area of a river system supporting existing and proposed hydro-electric power, domestic water consumption, irrigation works or existing water facilities needing immediate protection and rehabilitation to minimize erosion and improve water yield. It shall be closed for logging until it is fully rehabilitated;

l) "*Cultural heritage*" shall refer to the totality of cultural properties preserved and developed through time and passed on for posterity;

m) "*Customary laws*" shall refer to a body of written and/ or unwritten rules, usages, customs and practices traditionally and continually recognized, accepted, and observed by respective ICCs/IPs, consistent with the IPRA;

n) "*Development plan*" shall refer to a document that defines the activities or measures that the national government or local government units LGUs intend to implement in order to achieve a defined set of development goals. It integrates the socio-economic and sectoral plans of the national government or its instrumentality or a particular LGU with land use or physical framework plans. It may include an analysis of problems and resources, 'definition of goals and objectives, policy guidelines, project and target achievements, and an implementation mechanism which defines the roles and contributions expected from the government and the private sector. Development plans include the national-level Medium-Term Philippine Development Plan (MTPDP) and its counterpart plans at the regional, provincial and local levels called the Medium-Term Regional Development Plan (MTRDP), the Provincial Physical Framework and Development Plan (PPFDP) and the Comprehensive Development Plan (CDP). These plans are translated into medium-term investment programs, also prepared at the national, regional and local levels, where programs, projects and activities derived from the development plans are ranked, prioritized, and matched with investment financing capacities;

o) "*Ecologically-fragile lands*" shall refer to lands within the critical watershed, brackish and freshwater wetlands, pasture lands, and croplands which require rehabilitation and whose continued unsustainable use would adversely affect the productivity of lowland agricultural areas and the stability of the upland ecosystem;

p) "*Ecotourism*" shall refer to sustainable tourism or travel to a given natural area with exotic or threatened ecosystems or a heritage area to observe wildlife or to help preserve nature, in the process providing for community participation, protection and management of natural resources, culture and indigenous knowledge systems and practices, environmental education and ethics, as well as economic benefits fostered and pursued for the enrichment of host communities and the satisfaction of visitors;

q) "*Energy resource lands*" shall refer to lands where naturally occurring or indigenous energy resources exist in sufficient quantity or quality as to be economically viable for exploration, development, production, utilization, and distribution process;

r) "*Energy resources*" shall 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 such as ocean waves, solar, wind, biomass, and other similar resources which serve the same purpose;

s) "*Environmentally critical areas*" shall refer to areas declared by law as: (a) protected areas pursuant to Republic Act No. 7586 or the NIPAS Act of 1992; (b) areas for natural parks, watershed reserves, wildlife preserves, and sanctuaries; (c) areas set aside as aesthetic potential tourist spots; (d) areas which constitute the habitat of any endangered or threatened species or indigenous Philippine wildlife (flora and fauna); (e) areas of unique historic, archaeological, or scientific interests; (f) areas which are traditionally occupied by ICCs/IPs; (g) areas with critical slopes; (h) areas frequented and/or hard hit by natural calamities such as but not limited to geologic hazards, floods, typhoons and volcanic activities; (i) areas exposed to geologic and hydrometeorologic hazards; (j) recharge areas of aquifers; (k) water bodies; (l) mangrove areas; (m) coral reefs; (n) mossy and old growth forests; (o) rivers and river banks; (p) swamp forest and marshlands; and (q) foreshore lands. this term shall also include other terrestrial, aquatic and marine areas that need special protection and conservation measures because they are ecologically fragile or they are needed for food security and food self-sufficiency as determined by concerned agencies and LGUs in consultation with the concerned stakeholders;

t) "*Estuary*" shall refer to a wetland type where the river mouth widens into a marine ecosystem, the salinity of which is intermediate between salt and freshwater where tidal action is an important biophysical regulator;

u) "*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 as certified by the Department of Energy;

v) "*Exhausted mineral lands*" shall refer to specific sites whose mineral deposits are no longer in sufficient quantity or quality to justify additional expenditure for their extraction and utilization as may be determined by the latest technology available;

w) "*Exhausted mineral resources*" shall 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 as determined by the Mines and Geosciences Bureau and approved by the DENR;

x) "*Flood plain*" shall refer to the portion of a river valley adjacent to a river channel which is covered with water when river overflows its banks at flood stages. The plain usually consists of silt deposited by the stream;

y) "*Flood-prone areas*" shall 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;

z) *"Food security"* shall refer to the policy objective of meeting the food availability, accessibility, quality and affordability requirements of the present and future generations of Filipinos in a sustainable manner, through local production or importation, only when there is shortage established based on a micro level situation, or both, based on the country's existing and potential resource endowments and related production advantages, and consistent with the overall national development objectives and policies;

aa) *"Food self-sufficiency"* shall refer 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 resource endowments and related production advantages;

bb) *"Forestlands"* shall refer to lands of the public domain classified and/or determined as needed. They include all permanent forests or forest reserves, forest reservations and all remaining unclassified lands of the public domain;

cc) *"Foreshore land"* shall refer to the part of the shore which is alternately covered and uncovered by the ebb and flow of the tide;

dd) *"Free and Prior Informed Consent"* shall refer to consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community;

ee) *"Geo-hazards"* shall refer to natural and human-induced geological processes that have potential to cause destruction and pose a threat or risk to human life and property;

ff) *"Geo-hazard prone areas"* shall refer to areas frequently visited and/or vulnerable or prone to experience weather/climatic, hydrologic, geologic, and other natural calamities;

gg) *"Heritage Zones"* shall refer to historical, anthropological, archaeological and artistic geographical areas and settings that are culturally significant to the country as declared by the National Museum and/or National Historical Commission of the Philippines, pursuant to R.A. No. 10066 or the National Cultural Heritage Act of 2009;

hh) *"Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)"* shall refer to groups of people or homogenous societies identified under Republic Act No. 8371 or the "Indigenous People's Rights Act (IPRA);

ii) *"Inland waters"* shall refer to waters which are not coastal and marine waters not subject to acquisitive prescription consistent with the provisions of Presidential Decree No. 1067, otherwise known as the "Water Code of the Philippines";

jj) *"Inter-tidal sand flat"* shall refer to a juvenile fish-feeding area and habitat for crustaceans. The littoral gravel and sand biotopes are also used as important wintering ground and roosting/feeding grounds of indigenous and migratory birds;

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

ll) "*Key biodiversity areas*" shall refer to sites that are nationally and globally-significant for biodiversity conservation primarily containing species that require site-scale conservation to prevent extinction in the short-term and medium-term. Such species may be nationally and globally threatened, restricted-range and/or nationally and globally significant congregations of species;

mm) "*Lagoon*" shall refer to a semi-enclosed coastal basin with limited freshwater input, high salinity and restricted circulation which often lies behind sand dunes. It is often highly productive and habitat for variety of plants and animal, serves as nurseries of prawns and shrimps and also site for harbor, aquaculture, industry and recreation;

nn) "*Land*" shall refer to resources, both natural and man-made, found on the surface, below, and above the ground including inland waters and the air therein;

oo) "*Land use*" shall refer to the manner of utilization of land, including its allocation, development, and management;

pp) "*Land use classification*" shall refer to the act of delineating or allocating lands according to protection land use, production land use, settlements development, and infrastructure development as defined and provided for in this Act;

qq) "*Land sub-classification*" shall refer to the act of determining and assigning specific uses of classified lands of the public domain, such as forest or timber lands, alienable or disposable agricultural lands, national parks, and mineral lands in accordance with existing laws and this Act;

rr) "*Mandatory public hearings/consultations*" shall refer to the mechanism to ensure the active participation of concerned stakeholders in all affected areas in land use planning from the local to the national level. It involves giving effective notice of hearing/consultation to concerned stakeholders within an affected area through direct written invitations, using regular mail or electronic means, and publication/posting in conspicuous places, conduct of a reasonable number of hearings in or proximate to the specific area affected, and solicitation of positions and the public presentation and public confirmation of the planning results in the specific area affected before the final adoption of the plans;

ss) "*Minerals*" shall refer to all naturally occurring inorganic substance in solid, gas, liquid or intermediate state excluding energy materials such as coal, petroleum, natural gas, radioactive materials and geothermal energy;

tt) "*Mineral exploration*" shall refer to the systematic searching or prospecting for mineral resources;

uu) "*Mineral lands*" shall refer to lands where mineral resources are found;

vv) "*Mineral resources*" shall refer to any concentration of minerals/rocks with potential economic value;

ww) "*Mudflat*" shall refer to a wetland type that is usually an unvegetated area, dominated by muddy substrate which provides rich feeding grounds for vertebrates such as fish and water birds and also important in preventing soil erosion;

xx) "*National Integrated Protected Areas System (NIPAS)*" shall refer to the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;

yy) "*National Land Use Commission (NLUC)*" shall refer to the highest land use policy making body created under Section 14 of this Act;

zz) "*National Parks*" shall refer to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas;

aaa) "*National physical framework plan*" shall refer to an indicative plan containing the policy areas promoting the most appropriate and rational use of land and other physical resources such as but not limited to protection, production, settlement and infrastructure land use. It provides policy guidelines for all decisions relating to land use and environmental management, to prevent and mitigate the adverse effects of inappropriate resource utilization on the country's food security and food self-sufficiency, the people's welfare and their environment. It embodies both policies and strategies necessary to carry out goals and objectives of this Act;

bbb) "*Network of Protected Areas for Agriculture and Agro-industrial Development (NPAAAD)*" shall refer to agricultural areas identified by the Department of Agriculture through the Bureau of Soils and Water Management (BSWM) in coordination with the National Mapping and Resource Information Authority (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth. The NPAAAD covers all irrigated areas, all irrigable lands already covered by irrigation projects with firm funding commitments, agro-industrial croplands or lands planted to industrial crops, as determined and certified by the Department of Agriculture, that support the viability of existing agricultural infrastructure and agro-based enterprises, all agricultural lands that are ecologically fragile the conversion of which will result in serious environmental degradation, and all mangrove areas and fish sanctuaries;

ccc) "*Patrimonial properties*" shall refer to all the properties belonging to the State that are not intended for public use or for public service or for the development of national wealth;

ddd) "*People's organization*" shall refer to a self-help group belonging to the basic sectors and/ or disadvantaged groups composed of members having a common bond of interest who voluntarily join together to achieve a lawful common social or economic end;

eee) "*Permanent forests or forest reserves*" shall refer to lands of the public domain which have been identified and determined to be needed for protection, conservation, preservation and management as forests and shall be reserved, conserved, and protected into perpetuity for such purpose;

fff) "*Permanent forestlands*" shall refer to forestlands, within public lands, that have been identified, determined and demarcated on the ground by the state to serve such purpose and shall be protected, conserved, preserved, maintained and managed as forestlands free from any form of utilization, exploitation or development, and reserved permanently as such for the benefit and use of future generations;

ggg) "*Physical framework plans*" shall refer to indicative plans based on comprehensive land use plans (CLUPs) and national policies whether national, regional, or provincial which provide policy guidelines for all decisions relating to land use and environmental management to prevent or mitigate the adverse effects of inappropriate resource utilization on food security, the people's welfare and their environment. It embodies both policies and strategies necessary to carry out development goals and objectives;

hhh) "*Premature or illegal conversion of agricultural lands*" shall refer to any activity that modifies or alters the physical characteristics of agricultural lands to render them suitable for non-agricultural purposes without an approved order of conversion from the DAR Secretary;

iii) "*Prime agricultural lands*" shall refer to lands that can be used for various or specific agricultural activities and can provide optimum and sustainable yield with minimum inputs and development costs as determined by the Department of Agriculture;

jjj) "*Production land use*" shall refer to the direct and indirect utilization of land to generate outputs resulting from the following activities, but not limited to: agricultural, fish, farming or aquaculture, timber production, agro-forestry, grazing and pasture, mining, indigenous energy resource development, industry, and tourism;

kkk) "*Protected areas*" shall refer to portions of land set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;

lll) "*Protection land use*" shall refer to the utilization of land primarily for food, water and energy security, rehabilitation, conservation, and protection purposes for the promotion of the country's ecological and life-support systems;

mmm) "*Public domain*" shall refer to lands that belong to the State which may be any of the following: agricultural, forest or timber, mineral, or national park as provided for in the Constitution;

nnn) "*Public lands*" shall refer to lands which have not been subject to private property rights or subject to sale or other modes of acquisition or concession under the general laws, and are devoted to public use;

ooo) "Reclassification of agricultural lands" shall refer to the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, or commercial purposes through the local planning and zoning processes pursuant to Republic Act No. 7160 or the Local Government Code of 1991. It is equivalent to land sub-classification as defined in this Act for classified lands of the public domain;

ppp) "*Resettlement areas*" shall refer to areas identified by the appropriate national agency or by the local government unit, with respect to areas within its jurisdiction which shall be used for the relocation of the underprivileged and homeless, as defined under Republic Act No. 7279 or the "Urban Development and Housing Act (UDHA)";

qqq) "*River basin*" shall refer to the portion of land drained by a river and its tributaries. It encompasses the entire land surface dissected and drained by many streams and creeks that flow downhill into one another, and eventually into one river. The final destination is an estuary or an ocean;

rrr) "*Settlements*" shall refer to formal and informal communities or built-up residential areas where people prefer to live in land areas classified, zoned, or converted for current or future residential or housing development purposes, including socialized housing zones for the homeless and underprivileged citizens;

sss) "*Settlements development*" shall refer to any improvement on existing formal or informal residential or housing settlements or any proposed development of certain areas for residential or mass housing settlement purposes. It also involves 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 of identified major residential or housing settlement areas or growth centers. It is also concerned with the interrelationship of settlements as they develop and establish functional linkages based on their respective resource endowments and comparative advantages;

ttt) "*Shoreline*" shall refer to the line where shore and water meet;

uuu) "*Significant caves*" shall refer to caves which contain materials or possess features that have archaeological, cultural, ecological, historical or scientific value as determined by the Department of Environment and Natural Resources (DENR) in coordination with the scientific community and the academe;

vvv) "*Socialized housing*" shall refer to housing programs and projects undertaken by the government or the private sector for the underprivileged and homeless citizens which shall include sites and services development, long-term financing, liberalized terms on interest payments, and such other benefits in accordance with the UDHA and Batas Pambansa Blg. 220 ;

www) "*Socialized housing zones*" shall refer to lands identified and designated by local government units as sites for socialized housing, pursuant to Article IV of Republic Act No. 7279 or the UDHA, and its implementing guidelines;

xxx) "*Sustainable development*" shall refer to the development objective of meeting the needs of the present generation without compromising the ability of future generations to meet their own needs consistent with the principles of social equity, efficiency, and environmental integrity;

yyy) "*Stakeholder*" shall refer to an individual, social group or organization that has a direct or indirect interest in an activity, project, resources, or decision;

zzz) "*Tourism development areas*" shall refer to specific sites for tourism development located in areas identified as priorities in the national, regional, and inter-regional area specific tourism master plans and other sector plans such as eco-tourism and agri-tourism sites, including those designated through 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;

aaaa) "*Tourism Enterprise Zone*" shall refer to an area designated as tourism enterprise zone by the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) pursuant to the provisions of RA 9593 otherwise known as the Tourism Act of 2009;

bbbb) "*Tourism estates*" shall refer to large tracts of land with well-defined boundaries in any area identified in the Philippine tourism master plan and regional tourism master plan, by proclamation of the President and/or by an act of Congress including local legislation. Such land shall be suitable for the development of an integrated tourism and resort complex including but not limited to accommodation facilities, food and beverage outlets, convention and meeting areas, sports, recreational and leisure centers and commercial outlets among others. It shall be provided with roads, water supply facilities, power and utilities like potable water, drainage sewerage disposal, solid waste disposal system and other necessary infrastructure. The estate shall be under one unified and continuous management;

cccc) "*Tourist spot*" shall refer to a particular area/site/spot, human-made or natural, known for its unique tourist/visitor-drawing attributes and activities. It may be classified according to its social, cultural, natural, historical, scientific, religious, and recreational significance;

dddd) "*Tourist zone*" shall refer to a geographic area with well-defined boundaries proclaimed as such by the President of the Philippines and/or by acts of Congress. No development projects for any purpose shall be initiated and introduced within the zone prior to the formulation of a tourism master development plan which shall be undertaken in coordination with the Department of Tourism (DOT) and TIEZA. A tourist zone is established for the enhancement and/or the conservation of cultural and historical heritage and for the appreciation and enjoyment of the local population and its visitors;

eeee)"Urban areas" shall refer to all cities regardless of their population density and to municipalities with A population density of at least Five hundred (500) persons per square kilometer;

ffff)"Urbanizable areas" shall refer to sites and lands which, considering present characteristics and prevailing conditions, display marked and great potential of becoming urban areas within a period of five (5) years;

gggg)"Urban forestry" or "Green Space" shall refer to the establishment and management of forest in urban environment for the physiological and psychological well-being of the people;

hhhh)"Water security" shall refer to the sufficient access throughout the year to the minimum daily requirement of clean water to maintain a healthy life;

iiii)"Water use" shall refer to the appropriation of water for domestic, municipal, irrigation, power generation, inland fisheries, poultry and livestock raising, industrial and commercial, environmental, and recreational use and other purposes;

jjjj)"Watershed" shall refer to a land area drained by a stream or fixed body of water and its tributaries having a common outlet for surface runoff;

kkkk)"Zoning" shall refer to the process of delineating the specific uses of lands in accordance with the approved Comprehensive Land Use Plan (CLUP) within the territorial jurisdiction of a city/municipality and specifying the conditions for their regulation; subject to the limitations imposed by law and competent authority; and,

llll)"Zoning ordinance" or "ZO" shall refer to a local law passed by the *Sangguniang Bayan* or *Panglunsod* approving the development control/zoning plan in accordance with an approved or adopted CLUP for the city/municipality, and providing for the regulations and other conditions on the uses of land including the limitation on the infrastructure that may be placed thereon within the territorial jurisdiction of a city or municipality. It incorporates the protected areas under Section 13(a) and the protected agricultural lands under Section 29 of this Act;

CHAPTER III

PHYSICAL FRAMEWORK AND LAND USE PLANS

SEC. 5. *National Land Use Planning Process.* - The land use and physical planning process shall be formulated following a combined bottom-up and top-down approach. The National Land Use Commission (NLUC) shall draft the National Physical Framework Plan (NPFP) which shall have a timeframe of ten (10) years, with regular review and updating every five (5) years: *Provided, However,* That the NLUC may review and update the NPFP/NLUP at any time when public interest so requires. The NPFP, which guides the planning and management of the country's land and other physical resources at the national and sub-national levels, shall indicate broad spatial directions and policy guidelines on

settlements development, production land use, protection land use, social services and utilities, and transportation and communication. The Regional Physical Framework Plans (RPFs), Provincial Physical Framework and Development Plans (PPFDs), and Comprehensive Land Use Plans (CLUPs), which shall also have a 10-year time frame and cover the physical development of their respective territories, shall be consistent with the national physical framework plan: Provided, That the integration and harmonization of the physical framework plans at all levels shall be iterative to ensure that the concerns of both top and bottom levels of government are considered. The physical and land use plans prepared at all levels shall have internal consistency specifically on, but not limited to, the development, management and conservation of forestlands found within a given territory and the linkages of the major land use categories to ensure their complementation in the utilization, development and management of resources.

All regional, provincial, city and municipal land use plans and zoning ordinances shall only be amended or revised after five (5) years except if an earlier amendment or revision of the CLUP or ZO is authorized by the NLUC due to justifiable reasons.

The NLUC shall issue procedural guidelines which shall guide the formulation and integration/harmonization process: Provided, That the National Economic and Development Authority (NEDA), the Housing and Land Use Regulatory Board (HLURB), the Department of the Interior and Local Government (DILG) and other agencies will continue to issue guidelines on the content of the plans consistent with their respective agency mandates.

SEC. 6. City and Municipal Land Use Plans. –All barangays shall, through their respective Barangay Development Councils, gather barangay sectoral, temporal and spatial data for the Comprehensive Land Use Plan (CLUP) in consultations held with the concerned stakeholders and called for the purpose. The data collated shall be submitted by the barangay through its *Sangguniang Pambarangay* to the city/municipality and which shall serve as the foundation for the formulation of the city/municipal CLUP. The CLUP shall determine the specific uses of land and other physical and natural resources within their territorial jurisdiction, both private and public, including areas co-managed with the national government and, as appropriate, the management plans for ancestral domains, critical watersheds, river basins, and protected areas.

The CLUP shall define the city/municipal development vision, appropriate economic, environmental and social development policies, densities, and transportation system. It shall delineate actual boundaries on the ground within the territorial jurisdiction of the city/municipality, embody the desired land use patterns of each barangay and of the city/municipality, 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.

The CLUP may be formulated as a component of a Comprehensive Land Use and Development Plan (CLUDP), which merges the traditionally separate CLUP and

comprehensive development plan to address the disconnect between spatial and sectoral factors and to ensure the complementation between the medium- and long-term concerns.

Consistent with the national standards and guidelines prescribed in Section 5 hereof and in accordance with the rules, guidelines, and procedures prescribed by the HLURB, the cities and municipalities shall, in consultation with the concerned stakeholders, prepare their respective CLUPs. The City/Municipal Land Use Planning and Management Board (C/MLUPB), created under this Act, shall be responsible for the preparation and formulation of the CLUP and ensure its consistency with National and Regional Physical Planning Guidelines and Standards. Under the general supervision of the respective C/MLUPBs, the City/Municipal Planning and Development Coordinator/Office (C/MPDC/PDO) shall provide technical, secretariat and administrative support in the preparation, consultation, integration and formulation process of the respective CLUPs of each city or municipality.

The CLUPs shall be submitted by the City/Municipal Local Development Council (LDC) for adoption and approval of the HLURB or the *Sanggunian Bayan*, as the case may be. The approved CLUPs shall be submitted to the province for integration into the Provincial Physical Framework Plan (PPFP).

The CLUP shall be translated into a zoning ordinance by the concerned *sanggunian* to regulate the uses of land, including the limitations on height, density and bulk of buildings and other infrastructure that may be placed thereon. For this purpose, the HLURB shall provide technical assistance to the concerned *sanggunian* in the drafting of the zoning ordinance and the accompanying zoning map.

SEC. 7. Provincial Physical Framework Plans. – The PPFP shall determine the physical development of the entire provincial territory, consolidate and harmonize the comprehensive land use plans of the component cities and municipalities, consistent with the Regional Physical Framework Plan (RPPF). It shall reflect the indicative land use management and physical development direction of the province.

Further, the PPFP shall serve as the 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 the Provincial Development Investment Program (PDIP). The PPFP, PDP, PDIP and/or Provincial Physical Framework and Development Plan (PPFDP) shall serve as the bases 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 its PDP alongside the preparation of its PPFP and consolidate them into a PPFDP: *Provided*, That the 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 National Physical Framework Plan (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 NLUC/Regional Land Use Policy Board (RLUPB). The PPFP shall be presented to the Provincial Development Council (PDC) for endorsement to the *Sangguniang Panlalawigan* which shall formally adopt and approve the PPFP. The approved PPFP shall be submitted to the RLUPB for consolidation and integration into the RPFP.

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 PPFP.

SEC. 8. *Regional Physical Framework Plans.* - In consultation with concerned stakeholders, the Regional Land Use Policy Board (RLUPB) shall define the desired spatial arrangement of land-using activities in the entire region, consolidating and harmonizing the provincial physical framework plans of provinces and independent cities within the territorial jurisdiction of the region. The regional physical framework plan, which depicts an end-state scenario toward which efforts and activities are directed, shall consist of spatially-based and area-focused policies, consistent with those in the national framework for physical planning, to guide detailed physical, socio-economic, sectoral and investment planning.

SEC. 9. *National Physical Framework Plan.* - The National Land Use Commission (NLUC) created in Section 14 herein, in consultation with the concerned stakeholders through the conduct of mandatory public hearings/consultations, shall formulate, periodically update and ensure the implementation of a national physical framework plan that shall prescribe and influence the country's land use and physical development. The NPFP shall operationalize the policies provided in this Act and will be the basis for adopting land use and physical planning-related guidelines and standards, including zoning and other land use control standards that will guide the formulation of city/municipal zoning ordinances.

The NPFP strategic objectives and direction shall be the bases for the preparation, formulation and prioritization of the MTPDP and Medium-Term Philippine Investment Program (MTPIP).

CHAPTER IV

FRAMEWORK FOR LAND USE PLANNING

SEC. 10. *Priorities in Land Use Allocation and Planning.* - In projecting spatial allocation for different land uses, the LGUs shall first exclude areas under protection land use of Section 13(a) hereof, national parks, energy resource lands to ensure ecological integrity,

energy supply, and promote food security as one of the criteria. Areas with prior rights and those with site-specific resources for basic services, such as, but not limited to, water and indigenous energy resources, shall also be excluded. Spatial allocation and planning shall then proceed in accordance with Sections 12 and 13 hereof with priorities given to integrated watershed management areas; socialized housing areas, fisherfolk settlement in coastal areas, and waste disposal sites.

SEC. 11. *Adoption of Multiple Uses of Land Resources.* - The primary and alternative uses of a specific land resource shall be determined and evaluated 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, forestry, agro-forestry and extraction activities and other income-generating or livelihood activities may be allowed: Provided, That multiple uses of land resources shall be excluded in areas identified as protection land use: Provided, further, That such land resources shall be in accordance with priorities in land use allocation and planning and that no reclassification shall be allowed.

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

- (a) Protection land use category as defined in Section 13 shall prevail over existing production land use category. The State shall undertake the necessary action in changing the classification of these production areas;
- (b) Preservation, conservation, rehabilitation and protection to perpetuity of permanent forestlands, critical watersheds, key biodiversity areas, environmentally-critical and ecologically-fragile areas and prime agricultural lands from any other land use, conversion, disposition, intrusion, utilization and development aside from its determined use and limits;
- (c) Protection of natural forests and natural resources to ensure environmental stability, conserve biological diversity, improve ecosystem functions and provide long-term ecological and economic benefits. Designated restoration areas are designed to revive the ecosystem functions and services of forests as well as improve the economic and ecological benefits of local communities;
- (d) Protection of forest and wetlands from infrastructure development to preserve the ecological services they provide which are essential to economic development. These activities include, but not limited, to river channelization and dredging, large scale irrigation and river diversions which reduce riverine habitat and alters flood patterns and natural flow regimes, reduce downstream water availability for agriculture and contribute to salinization through saltwater intrusion in coastal areas;
- (e) Resolution of land use conflicts which are life-threatening or threatening to public safety, sustainability of key production resources or employment activities and the delivery of basic services and are harmful or destructive to protected areas, flora, fauna and other protected

natural resources. Greater consideration shall be given to the human and tenurial rights of vulnerable groups in resolving land use conflicts;

(f) Identification of geo-hazard prone areas and high risk/danger zones and corresponding risk reduction measures to ensure the prioritization of life and safety: Provided, That specifically identified and assessed extremely hazardous and high-risk/danger zones shall be similarly protected and cleared from all forms of human-made obstacles, obstructions and instructions to ensure and secure public health and safety;

(g) Respect for existing customary rights and traditional land uses of ICCS/IPS;

(h) Identification of settlement areas to check the demand for land and establish the location of employment-generating industries and basic services; and

(i) The availability of natural resources including indigenous energy resources for energy security and self-sufficiency. However, infrastructure energy projects such as dams with large reservoirs in 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.

SEC. 13. *Categories of Land Uses for Planning Purposes.* - In determining and defining the national, regional and provincial framework plans, and CLUPs, land uses shall be grouped into four major functional uses as follows:

(a) Protection Land Use shall refer to the use of land primarily for food, water and energy security, rehabilitation, conservation, and protection purposes for the promotion of the country's ecological and life-support systems. Planning for protection land use intends to achieve food self-sufficiency, water and energy security, environmental stability and ecological integrity, ensure a balance between resource use and the preservation of some areas with environmental, aesthetic, educational, cultural, heritage and historical significance, and protect people and human-made structures from the ill-effects of natural hazards. All lands, either public or private, under protection land use shall be conserved, preserved, rehabilitated and, as far as practicable, protected from all other land uses, disposition, intrusion, utilization and development that are not consistent with their existing uses. Areas under this category also include those covered by Republic Act No. 7586 or the NIPAS Law and other coastal and marine protected areas, those areas outside NIPAS but nonetheless require protection because of their outstanding physical and aesthetic features, anthropological significance, and biological diversity, and those areas prone to natural hazards. Areas outside the coverage of the NIPAS law include, but are not limited to, the following:

a.1. Old-growth forests and mossy;

a.2. Areas with more than 50% in slope gradient;

a.3. Mangrove and fish sanctuaries, pursuant to Republic Act No. 8435 or the "Agriculture and Fisheries Modernization Act of 1997" and Republic Act No. 8550 or "The Philippine Fisheries Code of 1998";

a.4. Buffer zones or strips/easements, pursuant to Presidential Decree No. 705, amending Presidential Decree No. 389, otherwise known as the "Forestry Reform Code of the Philippines" and Presidential Decree No. 1067 or the "Water Code of the Philippines";

a.5. Salvage zones along foreshore areas, freshwater swamps and marshes, plazas and heritage/historic sites, pursuant to Presidential Decree No. 2146;

a.6. Watersheds supporting domestic water supply;

a.7. Utility easement like transmission lines of power companies, oil and gas facilities, cell sites, and domestic water lines;

a.8. Amenity areas or those with high aesthetic values, pursuant to Presidential Decree No. 2146;

a.9. Natural and human-made areas/sites of cultural, historical and anthropological significance, which are declared as such by internationally recognized organizations and concerned national agencies;

a.10. Critical habitats as provided in Republic Act No. 9147 or the "Wildlife Resources Conservation and Protection Act";

a.11. Significant caves under Republic Act 9072 or the "National Caves and Cave Resources Management and Protection Act"; or

a.12. Key biodiversity areas under Executive Order 578, Series of 2006, or the "National Biodiversity Policy".

(b) Production Land Use shall refer to the direct and indirect utilization of land resources for crop, fishery, livestock and poultry production, forestry, agro-forestry, mining, industry, energy development, indigenous energy exploration and development, and tourism. Planning for production land shall determine the most efficient, sustainable, and equitable manner of utilizing, developing and managing land for productive purposes. Areas included in this category are agricultural lands, fishing grounds, coastal and marine zones, production forest which comprise lands 18% to 50% in slope gradient such as: residual dipterocarps, rangelands for grazing purposes, industrial tree plantation/Integrated Forest Management Agreement (IFMA), community-based forest management areas and other reforestation projects, mineral lands or mining areas and reservations, energy resource lands, industrial development areas, and tourism development areas where productive activities could be undertaken to meet the country's requirements for food security, economic growth and development.

(c) Settlements Development shall refer to any improvement on existing settlements in urban and rural areas or any proposed development of certain areas for settlement purposes 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 settlement. The settlements development plan ensures for the present and future generations the following: (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.

(d) Infrastructure Development shall refer to the availability or supply of basic services and fostering of 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 covers sub-sectors of transportation, communications, water resources, and social infrastructure: Provided, That the determination of functional uses of lands within ancestral domains shall consider traditional resource and management systems that do not endanger the lives of the people and property of the local community and neighboring areas or increase the vulnerability of the natural environment to the effects of natural and human-induced geological processes.

CHAPTER V

IMPLEMENTING STRUCTURE AND MECHANISMS

Article 1

NATIONAL LAND USE COMMISSION

SEC. 14. *Creation of the National Land Use Commission.* - The National Land Use Commission, hereinafter referred to as NLUC, is hereby created as a Commission under the Office of the President. It shall exercise the powers and responsibilities of the current NEDA Board-National Land Use Committee which is hereby abolished. The NLUC shall act as the highest policy-making body on land use and resolve land use policy conflicts between or among agencies, branches, or levels of the government. It shall integrate efforts, and monitor developments relating to land use and the evolution of policies. It may also establish regional offices.

SEC. 15. *Composition of the NLUC.* - The NLUC shall be composed of the following:

- a) A Chairman to be appointed by the President for a term of six (6) years, with the rank of Cabinet Secretary;
- b) The Director-General of the National Economic and Development Authority (NEDA) and Secretary of the Department of Environment and Natural Resources (DENR) as Vice-Chairpersons;

The President may designate from among the two Vice-Chairpersons a Chief Executive Officer who shall supervise the day-to-day affairs of the NLUC.

The members shall be:

c) The Chairperson of the Housing and Urban Development Coordinating Council (HUDCC), the Secretaries of the Department of Agriculture (DA), the Department of Agrarian Reform (DAR), the Department of Trade and Industry (DTI), the Department of Public Works and Highways (DPWH), the Department of Transportation and Communications (DOTC), the Department of Tourism (DOT), the Department of Interior and Local Government (DILG), the Department of Justice (DOJ), the Department of Science and Technology (DOST), the Department of Finance (DOF), the Department of Energy (DOE) and the Chairperson of the National Commission on Indigenous Peoples (NCIP);

The Department Secretaries and the Chairperson of the NCIP may designate a representative with a rank not lower than Assistant Secretary and Commissioner, respectively: *Provided*, That the designated representative shall be on a permanent basis.

- d) A representative each from the Leagues of Provinces, Cities and Municipalities;
- e) A representative each from four (4) basic sectors directly involved in land use, namely: urban poor, farmer-peasants, fisherfolk, and indigenous peoples who shall be appointed by the President of the Philippines based on the nomination and recommendation of the respective sectoral councils of the National Anti-Poverty Commission (NAPC). At least two (2) sectoral representatives shall be women;
- f) Two (2) representatives from private housing, subdivision and commercial developers associations;
- g) Two (2) representatives from the accredited association of professionals dealing on land use such as, but not limited to, urban and regional planners, environmental planners, architects, geologists and geodetic engineers; and
- h) Two (2) representatives from the business/private sectors like services, retail associations/chamber of commerce.

A consultative body shall likewise be convened by the NLUC at least once a year or as often as may be necessary. It shall be composed of representatives from the Leagues of Municipalities, Cities, and Provinces, other government agencies not represented in the NLUC, and from non-government sectors such as the private sector, non-government organizations (NGOs) and people's organizations (POs), and the academic community.

SEC. 16. *Consultation; Unanimity.* – Unless otherwise provided in this Act, the decisions and issuances of the NLUC shall be reached through consultation and, as far as practicable, in unanimity. Subject to the rules on the conduct of meetings that it may adopt and promulgate, the NLUC shall hold consultations and may conduct public hearings for the purpose. The representatives comprising the consultative body created in section 15 hereof and other stakeholders shall be given notice, be properly represented and accorded the right and opportunity to be heard. A certification signed by the chairman that a consultation was

held for the purpose of reaching a decision on a matter subject of consideration by the NLUC shall be issued and a copy filed in the records of the commission.

The chairman shall exercise extraordinary diligence to exhaust all means necessary to resolve all conflicts of opinion among the members and to balance the conflicting interests represented in the commission in order to achieve a unanimous decision. In the event that a unanimous decision is not reached, an opinion different from the majority decision should be allowed to be submitted and inserted to the record.

SEC.17.Powers and Functions. - The NLUC shall have the following powers and functions:

a) Advise the President of the Philippines and the NEDA Board on all matters concerning land use and physical planning;

b) Integrate and harmonize all laws, guidelines and policies relevant to land use and physical planning to come up with a rational, cohesive, and comprehensive national land use framework;

c) Formulate policies and endorse land use and physical planning-related policies that may be formulated by the Regional Land Use Policy Board (RLUPB), created under Section 26 of this Act, and concerned agencies as well as promulgate zoning and other land use control standards and guidelines which shall guide the formulation of land use plans and zoning ordinances by local governments;

d) Prepare, periodically review and if necessary, update the national framework for physical planning to provide the general framework for the spatial development directions for the entire country and sub-national levels;

e) Review and endorse all land use and physical planning related guidelines;

f) Monitor and coordinate the gathering of data, the conduct of studies pertaining to land use planning including studies on the management of identified land uses and such other studies not undertaken by other government agencies;

g) Recommend to the President of the Philippines the adoption, passage, or amendment of laws to ensure that sectoral programs, plans, projects, and activities, including local government initiatives affecting land use are consistent with national development objectives;

h) 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;

i) 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;

j) Monitor and coordinate activities in the establishment of a national land resource information and management system of concerned agencies 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;

k) Be the repository of all RPFs, PPFDs and CLUPs and all data and information pertaining to land and land use;

l) Call on any department, bureau, office, agency, or instrumentality of the government, and or private entities and organization for cooperation, support, and assistance in the performance of its functions;

m) Decide and resolve policy conflicts and territorial jurisdiction on land use between or among agencies, branches, or levels of the government and act on unresolved land use policy conflicts at the regional level elevated by the RLUPB;

n) Adopt rules of procedures for the orderly and expeditious conduct of meetings and other business of the Council; and

o) Perform such other acts and functions and exercise such other powers as may be necessarily implied, inherent, incident, or related to the foregoing.

SEC. 18. *NLUC Technical Secretariat.* - A Technical Secretariat, hereinafter referred to as the NLUC-TS, shall be created to provide technical support to the NLUC. It shall be headed by an Executive Director with the rank of an Undersecretary. He shall be a qualified professional in any of the fields of land use, physical planning, environmental management, engineering, public governance or law.

SEC. 19. *The NLUC Technical Secretariat Executive Director.* - The Executive Director shall supervise the operations of the NLUC Technical Secretariat and assist the NLUC Chairperson or his/her designated Chief Executive Officer (CEO).

In the absence of the CEO, he shall preside over the meetings of the NLUC-TS.

He shall also perform such other functions as may be tasked by the Chairperson or CEO-Vice Chairperson.

SEC. 20. *Offices, Units and Staff Support.* - The Policy and Planning Unit of the HLURB shall be the core secretariat of the NLUC. The staff in the HLURB Policy and Planning Unit and NEDA Regional Development Office who opted to transfer to the NLUC shall be given priority without diminution in rank and remuneration. The staffing pattern shall be drafted by the NLUC in coordination with the DBM and THE Civil Service Commission. Other government agencies may also be called upon for staff support.

The NLUC technical secretariat shall be divided into the following service groups, namely: Planning and Policy Services, Technical Advisory and Assistance Services, and Administrative and Financial Services. Each service group shall be headed by a Director with

a minimum rank of Director I (SG 22) and shall possess professional qualifications that relate to land use, physical planning, management, engineering, governance, and law.

(a) Planning and Policy Services – shall provide planning and policy support services to the NLUC. It shall be responsible for the preparation, formulation and issuance of national land use planning guidelines, standards and policies that would be approved by the NLUC. It shall also be responsible for assisting the NLUC in monitoring the implementation and compliance of national and local agencies on the national land use policies, directives, and guidelines. It shall maintain and update an open and publicly accessible national land use plan inventory, information and database monitoring system that shall collate, integrate and consolidate the general status of the country's land uses at all LGU levels. It shall also provide legal and legislative support to the NLUC and other policy-making bodies on land use policies and land use related issues and concerns.

(b) Technical Advisory and Assistance Services – shall provide technical advisory services to the NLUC and other policy making bodies related to land use management and implementation. It shall also provide technical assistance to local and national agencies in the preparation and formulation of their local land use plans, development and sectoral plans, and other land use-related concerns that maybe raised by these bodies. It shall maintain a national network of technically capable and qualified representatives under its supervision and administration that shall provide technical advisory and secretariat support to local land use planning bodies at the LGU levels. The technical advisory and assistance service shall develop and provide training and capacity building programmes on land use planning, land management, zoning, mapping and other related skills for local government units to enhance and strengthen their capacity to effectively perform the functions of LGUs under this act.

(c) Administrative and Financial Services – shall provide day-to-day administrative, human resources, budgeting, logistical support and financial services to the NLUC and its technical secretariat. It shall also perform other administrative and support services necessary for the effective and efficient operation of the NLUC and NLUC secretariat.

Article 2

REGIONAL AND LOCAL LAND USE PLANNING

SEC. 21. - City/Municipal Land Use Planning and Management Board. - The City/Municipal Land Use Planning and Management Board, hereinafter referred to as C/MLUPMB, is hereby created under this Act in all municipalities and cities, including highly urbanized and component cities, to oversee the preparation, integration, adoption and approval of their respective comprehensive land use plans (CLUPs) and shall ensure the consistency of such plans with approved national, regional and provincial planning guidelines. The C/MLUPMB shall also be directly responsible for the effective management and implementation of the approved CLUP and for ensuring that any existing and future local policies, including zoning ordinances, development initiatives, programs and projects introduced within its jurisdiction are consistent with and supportive of the land use resource

management and physical planning objectives, directions and character identified by the approved CLUP.

SEC. 22. *Powers and Responsibilities of the City/Municipal Land Use Planning Management Board.* – The following are the powers and responsibilities of the C/MLUPMB:

(a) In coordination with the city/municipal planning and development office/coordinator, review and issue the necessary local planning guidelines and/or implementing policies for the preparation and formulation of the CLUPs within its jurisdiction as provided for by approved national, regional and provincial planning policies and guidelines;

(b) Review and endorse to the *Sangguniang Bayan* or *Sangguniang Panlungsod* the draft CLUP for adoption;

(c) Ensure the input of the barangays within the jurisdiction of the respective city/municipal on sectoral, temporal and spatial dimensions of the plan and its consistency with approved national, regional and provincial planning guidelines;

(d) Review, monitor and assess the implementation and operationalization of the approved CLUP;

(e) Decide and resolve land use policy and zoning conflicts that may arise between or among barangays within the LGUs;

(f) Resolve and decide any complaints regarding the issuance of applications for locational clearances, building and zoning permits and/or other planning-related requirement for any project, both private and public, by the LGU to ensure consistency and conformity with the approved CLUP and zoning ordinances;

(g) Advise the local chief executive and *Sangguniang Bayan* on all matters pertaining to land use and physical planning;

(h) Promote cooperation and sharing of resources between and among its barangays and neighboring LGUs to address common land use and development issues including those related to geo-physical hazards, watershed and river basins, coastal and marine waters, climate change impact and disaster risks; and

(i) Convene a technical working group composed of city/municipal agriculturist, city/municipal environment and natural resources officer, city/municipal engineer, city/municipal assessor and such other LGU officials with land related functions in the preparation of the CLUP. The TWG may request any field officials of national government agencies with land administration function to assist for the same purposes.

SEC. 23. *Composition of the C/MLUPMB.* – The C/MLUPMB shall be composed of seven (7) members.

- (a) Chairperson of the *Sangguniang Bayan* committee on environment and natural resources who shall serve as the Chairperson of the C/MLUPMB;
- (b) City/Municipal Planning and Development Coordinator (C/MPDC);
- (c) President of the Association of Barangay Chairmen (ABC);
- (d) Two (2) representatives from the local business/private sector association/chamber of commerce/private housing and/or subdivision developer associations, who shall be appointed from among the accredited organizations within their respective development councils;
- (e) One (1) representative from the basic sectors and marginalized groups (urban poor, fisherfolk, farmers and indigenous people) who shall be appointed from among the accredited organizations within their respective development councils; and
- (f) NLUC representative who shall serve as *ex-officio* member.

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 LGU, national agency and/or local business/private sector association or basic and marginalized sector group representation in the board. 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/MLUPMB.

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

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

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

SEC. 24. Provincial Land Use Planning and Management Board. – The PLUPMB is hereby created in all provinces under this Act to oversee the preparation, integration, adoption and approval of the Provincial Physical Framework Plan (PPFP) and shall ensure its consistency with approved national and regional planning guidelines. The PLUPMB shall also be directly responsible for the effective management and implementation of the

approved PPFP and ensure that any existing and future development initiatives, programs and projects introduced within its jurisdiction are consistent with and supportive of the land use resource management and physical planning objectives, directions and character identified in the approved PPFP.

In addition to the functions enumerated in Section 109 of the LGC, the PLUPMB shall:

a. Advise the *Sangguniang Panlalawigan* on all matters pertaining to land use and physical planning;

b. Review and endorse to the *Sangguniang Panlalawigan* for adoption, the provincial physical framework plans, prepared and periodically updated by the Provincial Planning and Development Office and other land use and physical planning related policies;

c. Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of component cities/municipalities to ensure consistency with the provincial physical framework plans and compliance with the limits prescribed under the 1991 LGC for reclassifying agricultural lands; and

d. Decide and resolve policy conflicts on land use planning, classification, and, allocation that may arise between or among cities/municipalities and any unresolved land use conflicts at the city /municipal level.

The PLUPMB may call upon any local official concerned such as Provincial Planning and Development Coordinator, Provincial Agriculturist, Provincial Environment and Natural Resources Officer, Provincial Engineer, Provincial Assessor, or any official of national agencies and other relevant agencies during discussions on land use and physical planning concerns.

SEC. 25. *Composition of the PLUPMB.* – The PLUPMB shall be composed of the following seventeen (17) members to be selected based on the rules to be formulated by the NLUC as provided in this Act:

- (a) Provincial Planning and Development Coordinator (PPDC);
- (b) Chairperson of SP Committee on Environment and Natural Resources;
- (c) Provincial Chapter President – League of Municipalities and/or League of Cities;
- (d) Provincial Agricultural Reform Officer (PARO);
- (e) Provincial Environment and Natural Resources Officer (PENRO);
- (f) Provincial Agricultural Officer (PAO);
- (g) NCIP Provincial Officer;

(h) NLUC Technical Representative;

(i) Five (5) representative from the local business/private sector association/chamber of commerce/private housing and/or subdivision developer association, who shall be appointed from among the accredited organizations within their respective development councils;

(j) Four (4) representatives from the basic and marginalized sector groups (urban poor, fisherfolk, farmers, indigenous people): Provided, That at least two (2) representatives shall be women: Provided, further, That the representatives shall be appointed from among the accredited organizations within their respective development councils; and

(k) Designated board chairperson to be chosen among the members.

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

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

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

SEC. 26. *Regional Land Use Policy Board (RLUPB)*. - At the regional level, the Regional Land Use Policy Board (RLUPB) shall be institutionalized, replicating the NLUC structure and composition which shall include a duly authorized representative from the NEDA, the DENR, the DA and the DAR. The RLUPB shall have the following functions:

(a) Formulate and adopt regional policies on land use and physical planning;

(b) Prepare and periodically update a regional physical framework plan, taking into consideration national policies and lower level plans;

(c) Assist the provinces in preparing and periodically updating their physical framework plans to ensure consistency with the regional and national plans and policies and to facilitate their integration to the regional plans;

(d) Review, prior to adoption by the respective *sanggunians*, the Provincial Physical Framework Plan and CLUPs of highly urbanized and independent component cities to ensure consistency with the regional physical framework plan and national policies set forth by the NLUC and compliance with the limits prescribed under the 1991 LGC for reclassifying agricultural lands;

(e) 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;

(f) Monitor changes in land use and other physical resources in the region;

(g) Evaluate consistency of major programs and projects with the regional physical framework plans and their impact on land use and the environment;

(h) Undertake the gathering of regional data for the Land Resource Information and Management System; and

(i) Perform other related functions as may be directed by the NLUC.

Article 3

ADOPTION, APPROVAL AND REVIEW OF LAND USE PLANS

SEC. 27. *Component Cities and Municipalities.* - Component cities and municipalities shall have the power and authority to adopt and approve their respective CLUPs and ZOs through their respective *sanggunians* subject to the power of review of their respective provinces only with respect to the consistency of the CLUPs and ZOs with Section 8 hereof on the preparation of the provincial physical framework plan. Upon adoption and approval of the CLUP and ZO by the *Sanggunian*, all land areas zoned for residential, commercial, and industrial purposes or for settlements development shall cease to be covered by the CARP and therefore, shall not be required to secure further order of land conversion or exemption certificates from the DAR, except for the payment of disturbance compensation if applicable, as well as the requirements pertaining to the issuance of environmental compliance certificate (ECC) by the DENR.

SEC. 28. *Provinces and Cities.* - Provinces and cities shall have the power and authority to adopt and approve their respective CLUPs, ZOs or provincial physical framework plan, as the case may be, through their respective *sanggunian* but subject to the review of the RLUPMB as provided in Section 26 of this Act.

Article 4

RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AGENCIES AND LGUS

SEC. 29. *National Base Mapping Program.* - A national mapping program shall be implemented, coordinated, and monitored through the creation of an Inter-agency Technical Committee (ITC) composed of the NAMRIA, as the lead agency, the Bureau of Soils and Water Management (BSWM), the Forest Management Bureau (FMB), the Land Management Bureau (LMB), the Land Registration Authority (LRA), the Protected Areas and Wildlife Bureau (PAWB), the Mines and Geosciences Bureau (MGB), the Philippine Institute of Volcanology and Seismology (PHIVOLCS), DAR, the National Water Resources Board (NWRB), DOE, NEDA and other concerned government agencies/bureaus. The ITC shall be constituted, and the mapping program shall be initiated within thirty (30) days from the effectivity of this Act. The agencies mentioned in this Section shall endeavour to finish their base mapping program within two (2) years upon the effectivity of this Act.

To facilitate land use planning and as a part of the National Base Mapping Program, the Inter-agency Technical Committee (ITC) shall establish a nationally consistent Alphanumeric Grid Reference System based on universally-defined coordinate and grid systems for accurate and consistent identification and communication.

The spatial and non-spatial data generated by these activities shall be downloaded to the LGU as soon as practicable. On the other hand, existing land information data available to the national government agencies as of the effectivity of this Act shall be immediately downloaded to the LGU.

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

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

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

national physical framework planning, pursuant to Section 5 hereof, shall incorporate these geo-hazard maps.

All infrastructure activities including real estates and subdivision projects and the development of tourist spots requiring an Environmental Compliance Certificate (ECC) shall be required to submit an Engineering Geological and Geo-hazard Assessment Report (EGGAR).

SEC.31.Scope and Nature of Responsibilities of Other National Government Agencies. - All concerned national government agencies/bodies shall periodically report to the NLUC on the various activities and accomplishments relative to land use. Likewise, they shall provide their respective sectoral development plans and render technical and administrative support if called upon by the NLUC relative to the implementation of the provisions of this Act.

SEC. 32.Submission of Annual Report on the Implementation of CLUPs. - The C/MLUPMB shall submit an annual report on the implementation of their land use plans to the PLUPMB, which shall integrate the same for submission to the RLUPMB, which shall in turn integrate the provincial reports for submission to the NLUC.

CHAPTER VI

SPECIAL AREAS OF CONCERN

Article I

AGRICULTURAL LANDS

SEC. 33.Priority Areas for Agricultural Development. - Priority areas for agricultural development shall be those agricultural areas covered under Republic Act No. 6657 or the CARP, as amended, and those covered under the Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD) as defined in Section 4 of this Act and in R.A. No. 8435 or the "Agriculture and Fisheries Modernization Act".

SEC 34.Conversion of Agricultural Lands. – After the completion and approval of the national base maps and geo-hazard maps as stated under Sections 29 and 30 hereof, prime agricultural lands as defined in this Act shall be protected from conversion in accordance with Section 9 of the Agriculture and Fisheries Modernization Act or R.A. 8435, only five (5%) percent of which may be converted every five (5) years: *Provided*, That an application for conversion shall be acted upon by the concerned employee or officer of the DAR, at each stage of the application for conversion process, within five (5) working days from submission, in the case of a simple transaction and within ten (10) working days in the case of a complex transaction, pursuant to Republic Act No. 9485 or the Anti-Red Tape Act of 2007: *Provided further*, That the approving authority shall act upon the same within thirty (30) days from receipt of the recommendation: *Provided finally*, that failure on the part of

the approving authority to act on the application within the thirty-day period shall be deemed an approval thereof.

SEC. 35. *Sub-classification or Re-classification of Agricultural Lands by LGUs.* - Sub-classification or re-classification of agricultural lands to other uses under Section 20 of the LGC of 1991 shall exclude the protected agricultural lands as stated in the preceding section. Moreover, such sub-classification/reclassification is not synonymous to conversion. The DA and DAR shall provide the LGUs with complete list and maps of protected agricultural lands within their territorial jurisdictions.

Article 2

ANCESTRAL DOMAIN

SEC. 36. *Priority Areas For Agricultural Development Within Ancestral Domains.* - Agricultural lands within ancestral domains shall be developed in accordance with their Ancestral Domain Sustainable Development Protection Plan (ADSDPP).

SEC. 37. *Respect For Ancestral Domains.* - The Ancestral Domain Management Plan (ADMP) or ADSDPP shall be adopted in the CLUP and/or other plans that the LGU is mandated to produce. The extent of the ancestral domains shall be reflected in the land use plan, where it will be zoned as such in the zoning ordinance and shall be co-managed by the LGU and IP community. Additionally, the ADSDPP shall be included in the investment plans of the LGU.

SEC. 38. *Ancestral Domain Policy Adoption.* - Ancestral domain policies shall be adopted in the LGU's land use policy framework.

Article 3

FOREST LANDS AND WATERSHED MANAGEMENT

SEC. 39. *Forestland Boundary Delineation.* - Pursuant to Section 4, Article 12 of the 1987 Constitution which mandates Congress to determine by law the specific limits of forestlands and national parks, the secretary of the DENR shall, within one (1) year from the approval of this Act, complete the final delineation of forestland boundaries by province and submit its study to Congress for enactment into law which shall, thereafter, be integrated in the country's strategic land use development plans and policies.

SEC. 40. *Reversion of Alienable and Disposable Lands to Forestlands.* - Upon the recommendation of the Secretary of the DENR, duly reviewed and endorsed by the NLUC, and after due consultations with the concerned LGUs and affected parties and/or stakeholders, Congress may authorize the reversion of alienable and disposable lands of the public domain or portion thereof to forestlands. Thereafter, said lands shall form part of the land use plans of forestlands.

SEC. 41. *Critical Watershed Areas.* - The DENR, in coordination with the DA, LGUs, and other government agencies, including government-owned and-controlled corporations shall, upon the conduct of mandatory public hearings/consultations, identify and delineate critical watershed areas that need to be protected, rehabilitated, enhanced, and/or withdrawn from uses that contribute to their further degradation.

SEC. 42. *Formulation and Implementation of Integrated Watershed Management Plans.* - In the absence of a law on the protection and sustainable management of our forests, the LGUs through their local land use committees and upon mandatory public hearings/consultations with the concerned stakeholders, and with the assistance of DENR, shall prepare their watershed management plans which shall be integrated with their respective CLUPs. The formulation and integration of the plan shall be guided, among others, by the principle that the management and development of inland water resources shall be at the watershed level. A nationwide mapping of watersheds in the country shall be implemented.

In cases where the watershed areas transcend the boundaries of a particular municipality, an inter-LGU committee composed of representatives from local land use committees of the LGUs where the watershed area is located shall be formed. With the assistance of the DENR and upon mandatory public hearings/consultations with the concerned stakeholders, the inter-LGU committee shall formulate the watershed management plan for the said watershed area.

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.

The preparation of forest land use plans shall make use of the watershed as the basic planning unit.

Article 3

COASTAL ZONE

SEC. 43. *Criteria on the Allocation and Utilization of Lands within the Coastal Zones.* - The allocation and utilization of lands within the coastal zones shall be guided by the following:

a) Areas vegetated with mangrove species shall be preserved for mangrove production and shall not be converted to other uses;

b) Areas which meet all accepted criteria on elevation, soil type, soil depth, topography, supply for successful fishpond development, and are not identified as mangrove protected areas, shall be utilized for aquaculture purposes;

c) Areas sub-classified as mangrove and still suitable for use as such, or due to environmental conditions need to be preserved as mangrove, but is devoid of mangrove

stands shall not be converted to other uses. The DENR shall ensure that these lands shall be reforested within a given period of time;

d) Areas accessible to the sea and identified for fisherfolk settlement and housing shall be allocated to traditional fisherfolk who are inhabitants of the coastal communities and members of legitimate 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 HUDCC;

e) Areas which 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 fishers;

f) Areas which are considered as traditional fishing grounds shall be used primarily for such purpose;

g) Areas which have been allocated for small infrastructure needed by fisherfolk shall be allowed; and

h) Areas which form part of foreshore lands as defined in this Act including those which are under lease agreements or arrangements shall undergo zoning and evaluation to determine their boundaries and actual sizes and corresponding uses.

SEC. 44. *Coastal Land Zone Sub-classification.* - All public lands in the coastal zones shall be sub-classified into any of the following: estuaries, lagoons, inter-tidal flats, mudflats, 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:

a) Conduct of a comprehensive resource and environmental assessment by the DENR and respective LGUs and accredited NGOs and POs within their jurisdiction; and

b) Prior consultation with the Local Fisheries and Aquatic Resource Management Councils (FARMCs) formed under Republic Act No. 8550 or the Philippine Fisheries Code.

SEC. 45. *Zoning of Foreshore Areas.* - Local government units, in coordination with the DENR, shall conduct zoning of their respective foreshore areas to assist government and community fishers identify priority areas for conservation and development, and to enable them' to set targets for mangrove reforestation and rehabilitation.

SEC. 46. *Protection of Waterways Easements and Flood Plains.* - Structures of any kind shall not be built in waterways easements. Pursuant to PD 1067 or the Water Code, 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 minimal. The identification and characterization of floodprone areas and flood plains shall be an integral part of CLUP preparation. Through the CLUPs and zoning ordinances, LGUs shall establish land use regulations to mitigate flood risks.

The DPWH, in coordination with DOST and DENR, shall declare flood control areas, as necessary, and 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 PD 1067.

Article 4

MINERAL LANDS

SEC. 47. Criteria for the Utilization and Allocation of Land for Mining Purposes. - Consistent with Section 6 of this Act and the provisions of Republic Act No. 7942 or the Mining Act of 1995, and to ensure that the objectives of maintaining ecological balance and maximizing economic returns to mining operations are realized, the allocation and utilization of lands for mining purposes shall be guided by the following:

- a) The principles of sustainable development and responsible mining;
- b) 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;
- c) Mineral reservations which have become non-operational for more than five (5) years as determined by the MGB shall be placed under appropriate surface management by the DENR; and
- d) Consistent with the Mining Act of 1995, areas closed to mining operations shall be periodically reviewed through mineral exploration to be undertaken by the DENR for the purpose of determining whether or not their continued closure is consistent with the national interest and, if warranted, recommend their reclassification as mineral lands.
- e) Lands under protection land use shall be exempted from mining activities to minimize the effect of natural calamities and to protect food security, respectively.
- f) The small to large scale mining operations shall yield to and recognize the tenurial instrument given by the government such as, but not limited to, an Original Certificate of Title (OCT), Transfer Certificate of Title (TCT), Certificate of Ancestral Domain Title (CADT), Emancipation Patent - Certificate of Land Ownership Award (EP-CLOA).

SEC. 48. Reversion of Mineral Lands. - All mineral lands with exhausted mineral resources, as determined by the MGB upon the recommendation of the DENR, shall revert to

its original land classification, that is, as forestland or agricultural land. In the case of forestlands, the DENR may classify such areas for other purposes in consultation with concerned LGUs, the Department of Tourism (DOT), and other national government agencies.

Article 5

ENERGY RESOURCE LANDS

SEC. 49. *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 for said purposes shall be guided by the following, consistent with existing regulations and laws on energy resources:

a) Indigenous energy resource exploration and development for the purpose of a National Energy Resource Inventory and Data Base as well as Energy Resource Block

Map shall be allowed subject to the implementation of complementary watershed and other land management plans;

b) 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 adequate and appropriate environmental management measures and optimum methods for resource access and recovery are utilized; and

c) 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 released to give way to other land uses, subject to existing laws covering energy reservations.

SEC. 50. *Reversion of Energy Resource Lands.* - All exhausted indigenous energy resource lands not covered by proclamations shall automatically revert to the category of forestlands or agricultural lands open to disposition, whichever is appropriate. 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.

CHAPTER VII

SETTLEMENTS DEVELOPMENT

SEC. 51. *Town, City, and Settlements Development.* - The development of town, city, and settlements through the zoning ordinances of cities and municipalities shall be guided by CLUPs and urban zoning standards designed to maximize existing urban spaces. Socialized housing and settlement areas shall be established only on alienable and disposable lands which are expressly declared by an act of Congress or through Presidential Proclamation to be no longer intended for public use, for public service, or for the development of national wealth, or which have otherwise been converted to patrimonial properties of the State, in order to avoid further degradation of forestlands.

SEC. 52. *Settlements Within Geo-hazard Areas.* - Settlements, in particular housing or residential developments, within geo-hazard areas may be allowed provided that mitigating and/or protective measures are adopted to address the potential danger or risk to lives and property within such settlements. In coordination with the concerned agencies of the government, the NLUC shall provide assistance to concerned LGUs and settlers in instituting safety and corrective measures to address the potential danger or risk. Residential zones as designated in the CLUP shall be considered as outside the geo-hazard areas. For this purpose, housing projects within such areas shall be exempted from the ECC as well as the Engineering Geological and Geo-hazard Assessment Report (EGGAR) and maybe implemented without the need for any further certificate of exemption from the DENR or any other government regulatory agency.

SEC. 53. *Designation of Sanitary Landfill.* - Each city or municipality shall identify, designate and allocate an area within its territorial jurisdiction to serve as sanitary landfill within one (1) year from the effectivity of this Act. The LGUs, in coordination with the DENR or any other competent authority, shall identify sanitary landfill in order to fast-track the conduct of environmental impact assessment study and to facilitate the processing of environmental compliance certificate. The site or area shall be identified in the city's or municipality's CLUP. For this purpose, cities and municipalities shall establish their solid waste management program, pursuant to R.A. No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000". Likewise, as provided under Section 33 of the LGC, cities and municipalities may, through appropriate ordinances, bind themselves towards the establishment of a common solid waste management program.

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

SEC. 54. *Designation and Zoning of Socialized Housing Zones.* - Each city or municipality in urban, urbanizable and rural areas shall designate through the CLUP adequate lands for housing or residential purposes, including socialized housing and resettlement areas for the immediate and future needs of the local population as well as the underprivileged and homeless in their territory, pursuant to existing laws and regulations. In order to ensure adequate availability of land for the housing needs of the local population, the CLUP shall be

updated, at maximum, every ten (5) years or earlier for justifiable reasons for provinces, cities and municipalities.

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

Fisherfolk settlements and housing in coastal municipalities shall be zoned near the sea for easy access to their livelihood as provided under Section 43 of this Act.

The housing or residential lands designated in the CLUPS and ZOs of cities and municipalities shall, on one hand, not be subject to further land reclassification by the LGU or land conversion procedure under DAR. On the other hand, agricultural lands as designated in the CLUP which are no longer economically feasible for agricultural use may be subject to land reclassification or conversion to housing/residential purposes and such conversion, as the case may be, shall be exempt from the coverage of any moratorium on land conversion.

SEC. 55. *Urban Forest or Green Space.* - Each city or highly urbanizing municipality shall identify, designate, and allocate lands owned by the city or municipality as urban forest or green space based on the guidelines and standards to be issued by the DENR and approved by the NLUC.

CHAPTER VIII

INDUSTRIAL DEVELOPMENT AREAS

SEC. 56. *Criteria for Designating Industrial Development Areas.* - The identification and establishment of industrial development areas shall conform with the provisions of R. A. No. 7916, or the Philippine Economic Zone Authority (PEZA) Act, R.A. No. 6657 or the Comprehensive Agrarian Reform Program, (CARP) Act, as amended by R.A. No. 9700 or the Comprehensive Agrarian Reform Program with Extension and Reforms Act (CARPER), R.A. 8371 or the Indigenous Peoples Rights Act (IPRA), R.A. No. 7279 or the Urban Development Housing Act (UDHA), and R.A. No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA), taking into consideration the following:

- a) Identified network of areas for agricultural development and protected agricultural areas pursuant to the AFMA;
- b) National policies on the regional dispersal of industries and agri-based industrial development;
- c) Identified growth areas and corridors in the National Development Plan;

- d) National Protected Areas System (NIPAS) and non-NIPAS areas that require protection;
- e) National and Urban Development and Housing Framework;
- f) Identified Socialized Housing Zones;
- g) National framework for physical planning and other existing national programs and policies;
- h) Local Government Unit (LGU) consent through a resolution duly adopted by the affected LGUs' respective *sanggunians*;
- i) Environmental Compliance Certificate (ECC) and Environmental Impact System (EIS);
- j) Certificate of no overlap from the DENR, DAR and the NCIP; and
- k) NEDA approval.

The land use plans of all Special Economic Zones (SEZs) and/or free ports whether created by special laws, through Republic Act No. 7916 (PEZA Law) or executive proclamations shall conform to the approved Comprehensive Land Use Plans pursuant to this Act. The NLUC shall order all Special Economic Zones and free ports to submit their revised land use plans, for review and approval by the respective city or municipal councils where these Special Economic Zones and free ports are located.

Any conflict or overlap in land use shall be resolved in favor of the preferential rights of the basic and marginalized sectors.

NEDA shall review and evaluate the viability of Special Economic Zones and free ports in terms of the volume of investments against the cost on the environment, cost of labor, tax incentive, and the maintenance of peace and order in them.

The designated industrial development areas shall become an integral part of the land use plan and zoning ordinance of the city or municipality where these areas are located.

CHAPTER IX

TOURISM DEVELOPMENT AND HERITAGE AREAS

SEC. 57. Designating Tourism Development Areas. - The identification, selection, and development of tourism development areas, tourism estates and tourism enterprise zones (TEZs) shall be done in consultation and coordination with the concerned LGUs, the TIEZA and concerned national government agencies, the private sector, and the affected communities, subject to the provisions of R.A. No.9593 or Tourism Act of 2009. Tourism development areas shall likewise include those covered by legislative and executive issuances

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 inter-regional tourism, and area specific tourism master plans and other sector plans such as ecotourism and agri-tourism sites.

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

Lands identified as part of a TEZ shall qualify for exemption from the coverage of Republic Acts 7279 and 6657 subject to rules and regulations to be crafted by the TIEZA, HUDCC, DAR and DA.

SEC. 58. Identification and Declaration of Areas for Protection, Conservation and Preservation of Cultural Heritage. - Pursuant to R. A. No. 10066, the National Historical Commission of the Philippines (NHCP) and/or the National Museum in coordination with National Commission for Culture and the Arts (NCCA), HLURB and other concerned agencies, local communities, and the private sector, shall identify declared areas and structures which shall be protected and/or preserved as part of the Philippine cultural heritage subject to the IPRA.

The LGUs in coordination with the NHCP, the NCCA and the Cultural Center of the Philippines (CCP) shall designate historical zones to protect the historical integrity of said geographical areas and cultural space of intangible cultural properties.

CHAPTER X

INFRASTRUCTURE DEVELOPMENT

SEC. 59. *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 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 subject to Sections 6 and 34 of this Act, and Section 47 of R. A. No. 8435 or AFMA. In determining and evaluating the list of priority infrastructure projects, consideration shall be given to those that:

(a) Respond to immediate and vital requirements of the national economy with priority on improving rural infrastructure and the development of the agriculture and fisheries sectors;

(b) Upgrade existing facilities to international standards;

(c) Address the need for sustainable settlements development; and,

(d) Help 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 hearings/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 R. A. No. 7279 or the Urban Development Housing Act (UDHA), notwithstanding the provisions of Republic Act No. 8975, prohibiting lower courts from issuing temporary restraining orders, preliminary injunctions, or preliminary mandatory injunctions, and proponent shall follow IPRA: Provided, finally, That national government infrastructure projects shall allocate budget for the adequate relocation of displaced communities.

SEC. 60. *Infrastructure Projects Within Geo-hazard Areas.* - Construction of priority infrastructure projects within hazard-prone areas shall be allowed: Provided, That mitigating and/or preventive measures are adopted to address the potential adverse economic, socio-cultural, and environmental impacts that will emanate from these infrastructure projects, subject to the findings and recommendations of a feasibility study/environmental impact assessment in accordance with Presidential Decree No. 1586, Establishing An Environmental Impact Statement System, Including Other Environmental Management Related Measures, and R. A. No. 4846 or the Cultural Properties Preservation and Protection Act, as amended by Presidential Decree No. 374.

Existing projects that did not go through the process of an environmental impact assessment and pose threats to the environment, integrity of historic, archaeological, or scientifically significant areas; or are impinging on critical ecosystems, may be: (a) terminated immediately, (b) required to implement an Environmental Management Plan; c) gradually phased-out and relocated, or d) maintained up to their life span, subject, however, to mitigating measures: Provided, That the rules on mandatory public hearings/consultations and just and humane eviction or demolition shall also be observed prior to the termination, gradual phase-out, or relocation of projects that will necessarily involve dislocation or displacement of people in the area.

CHAPTER XI

TRAINING, EDUCATION, AND VALUES FORMATION

SEC. 61. *Values Formation.* - In order to create 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.

SEC. 62.*Information and Education Campaign.* - The NLUC shall undertake a nationwide education information campaign in 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, NGOs, POs, religious sector, and the general public: Provided, That it shall be mandatory for local government officials involved in the preparation of CLUPS and PPFDP, including the municipal, city and provincial development officer to attend the Land Use Management Capability-Building Program.

CHAPTER XII

INCENTIVES, SANCTIONS, AND PENALTIES

Article 1

INCENTIVES AND AWARDS

SEC. 63.*Formulation of a System of Incentives and Awards.* - The NLUC shall come out with a system of incentives and awards to LGUs that regularly update their CLUPs within the prescribed period, as follows:

(a) Provinces, Highly Urbanized Cities, and Independent Component Cities - once every five (5) years; and

(b) Component cities and municipalities once every five (5) years.

SEC. 64.*Priority in Giving Technical Assistance to LGUs.* - In providing technical assistance and other forms of support related to land use management and the implementation of development plans, the national government agencies shall give priority to cities and municipalities with approved CLUPs/ZOs.

Article 2

SANCTIONS AND PENALTIES

SEC. 65.*Fine for Non-Commencement of Development of Agricultural Lands with Approved Order of Conversion.* - A landowner and his/her designated developer or duly authorized representative who fails to commence and/or complete the development of agricultural lands with approved order of conversion shall be penalized, jointly or severally, with any of the following fines based on the zonal value of the land at the time the fine is imposed:

a. On failure to commence within three (3) years from the approved date of conversion order unless the failure to commence development is due to a fortuitous event such as, but not limited to, a national emergency resulting from a natural calamity, a grave

financial crisis, or a breakdown in the peace and order situation, or due to reasons not owing to the fault of or beyond the control of the landowner or developer such as, but not limited to, the late issuance of license/permits and other documents by the government agencies concerned and the landowner or developer can show proof of submission of the required documents on time:

(1) Three percent (3%) of the zonal value of the subject land for the first three (3) hectares,

(2) Ten percent (10%) of the zonal value of the subject land for the next three (3) hectares, and

(3) Fifteen percent (15%) of the zonal value of the subject land for the remaining area:

Provided, That the order of conversion shall be revoked after due process.

SEC. 66. *Authority to Impose Fine.* - The DAR shall impose the penalty provided for under the preceding section.

SEC. 67. *Utilization of Fines.* - The fines collected under Sections 65, 69 and 70 hereof shall automatically accrue to the Agrarian Reform Fund consistent with the provisions of the CARP, as amended.

SEC. 68. *Failure to Formulate, Enforce, and/or Implement the CLUPs.* - Consistent with due process, the DILG shall investigate, review, and impose appropriate action regarding local chief executives and other local officials and employees responsible for the formulation, enforcement, and/or implementation of the CLUPs in case of any of the following:

(a) Failure to implement and enforce the CLUP due to negligence of duty;

(b) Failure to provide appropriate budgetary allocation to effect its implementation; and,

(c) Failure to complete the preparation of the CLUP despite the availability of funds, resources, and support by the *sanggunian* concerned.

Any public official or employee, regardless of whether elected or appointed or holding office or employment in a casual, temporary, holdover, permanent, or regular capacity, found to be responsible for any of the foregoing acts, after due notice and hearing by the appropriate body or agency, shall be punished with forfeiture of salaries and allowances and suspension from:

1. Six (6) to nine (9) months, in case of non-implementation of CLUP; or

2. Three (3) to six (6) months, in case of non-completion of the CLUP.

SEC. 69. *Persons Abetting Illegal Conversion.* - Any person initiating, causing, inducing, or abetting illegal conversion with intent shall, upon conviction, be imprisoned or

imposed a fine in accordance with the Revised Penal Code and other existing penal laws, or both at the discretion of the Court: *Provided*, That if the offender is a public official or employee, whether elected or appointed, the penalty shall, in addition thereto, include dismissal through permanent separation from the service and forfeiture of all benefits and entitlements accruing to the public position and perpetual disqualification to run or apply for any elective or appointive public office.

SEC. 70. Penalty for Reclassification of Protected Agricultural Lands and Exceeding the Limit of Areas Allowed for Reclassification. - Any person initiating, causing, inducing, or abetting the reclassification of protected agricultural areas into non-agricultural uses and exceeding the limits set forth under Section 20 of the LGC of 1991, shall be penalized with imprisonment or a fine in accordance with the Revised Penal Code and other existing penal laws, or both at the discretion of the Court: *Provided*, That if the offender is a public official or employee, the penalty shall, in addition thereto, include dismissal through permanent separation from the service, whether elected or appointed, and forfeiture of entitlements accruing to the public position, and perpetual disqualification to run or apply for any elective or appointive public position.

CHAPTER XIII

TRANSITORY AND FINAL PROVISIONS

SEC. 71. Convening of the NLUC. - Within thirty (30) days from the effectivity of this Act, the President shall convene the NLUC and order the initiation of the national base mapping and geo-hazard mapping programs and the establishment of the centralized land resource information and management system and the geographic information system as provided for in this Act.

SEC. 72. Implementing Rules and Regulations. - Within six (6) months from the effectivity of this Act, the NLUC shall promulgate the rules and regulations to implement the provisions of this Act. Said rules and regulations shall be subjected to proper consultation and public hearing with appropriate stakeholders.

SEC. 73. Congressional Oversight Committee on the Land Use Act. - There is hereby created a Congressional Oversight Committee which shall monitor the implementation of this Act. It shall be composed of seven (7) members from the Senate and seven (7) members from the House of Representatives. The Chairpersons of the Senate Committee on Environment and Natural Resources and the House of Representatives Committee on Natural Resources shall be the Chair and Co-Chair of the Congressional Oversight Committee, respectively. The other members from the Senate shall be appointed by the Senate President based on proportional representation of the parties or coalitions therein with at least one (1) senator representing the minority. The other members from the House of Representatives shall be appointed by the Speaker also based on proportional representation of the parties or coalitions therein with at least one (1) member representing the minority.

The secretariat of the Oversight Committee shall be drawn from the existing secretariat personnel of the committees comprising the oversight and the funding shall be taken from the appropriations of both the Senate and the House of Representatives.

The Chairpersons of the Committee on Local Government, the Committee on Urban Planning Housing and Resettlement, and the Committee on Agriculture of each house shall be *ex officio* members of the Congressional Oversight Committee.

SEC. 74. *Appropriations.* - The appropriations for the National Land Use Commission shall be taken from the budget of the Office of the President in the General Appropriations Act in the year following the effectivity of this Act and shall be used to carry out the initial operations of the National Land Use Commission. Thereafter, additional sums as may be necessary for the full implementation of NLUC's functions shall be included in the annual General Appropriations Act.

SEC. 75. *Review of Existing Land Use Plans.* - Provinces, cities, and municipalities specially managed/administered areas by government, and all Special Economic Zones and/or free ports with existing land use plans shall review, revise, reconcile, and harmonize the same with the guidelines and standards set forth under this Act within three (3) years from its effectivity. Actual use shall be preferred over future or reserve use: *Provided, That:* (1) all existing locational clearances and zoning permits issued by the LGUs shall remain valid pending review and approval of the new CLUP and zoning ordinances; (2) all pending applications for locational clearance and zoning permits shall be acted upon within thirty (30) days from the effectivity of this Act or shall otherwise be deemed approved: *Provided, further,* That the LGU concerned shall adopt the appropriate measures to meet the contingency posed by any existing structures and facilities that may be covered by a different land use zoning in areas where they are currently located: *Provided, finally,* That the owners or occupants of existing structures and facilities within hazard prone areas or danger zones which cannot be addressed by any mitigating and/or protective measures shall be required to relocate.

SEC. 76. *Centralized Land Resource Information and Management and Geographic Information Systems.* - A centralized land resource information and management system and a geographic information system with a comprehensive automated spatial database covering the entire country, to which all LGUs shall have access for land use planning and zoning purposes, shall be immediately established upon effectivity of this Act. The database shall be an indispensable reference for land use planning at all levels and shall be uploaded in a comprehensive website facility to post all existing CLUPS on a per LGU basis which shall clearly illustrate or indicate in different colors the boundaries per the cadastral survey of LGUs, the various land uses, classifications and zones as well as geo-hazard maps, areas covered by the NPAAAD, NIPAS and other relevant maps for ready and convenient reference by the general public.

SEC. 77.*Repealing Clause.* - All republic acts, executive orders, rules and regulations, and other issuances, or parts thereof, that are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 78.*Non-impairment Clause.* - Nothing in this Act shall be construed as to diminish, impair, or repeal rights recognized, granted, or available to marginalized or basic sectors under existing laws including but not limited to Republic Act Nos. 7279, 6657, 8371, and 8550.

SEC. 79.*Separability Clause.* - If for any reason or reasons, any part or provision of this Act shall be declared or held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 80.*Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,