

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

First Regular Session

105

House Bill No. _____



Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

EXPLANATORY NOTE

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

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

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

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

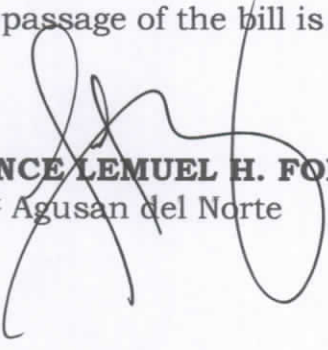
In particular, the bill provides for the:

1. Mechanism to harmonize conflicting land laws;
2. Adherence to the principle of sustainable development and just management, and utilization of natural resources;
3. Clear delineation of land use categories;
4. Protection of prime agricultural lands for food security and sufficiency;
5. Integration and institutionalizing people's participation in land use planning and applies the combined bottom-up top-bottom approach in land use planning;

6. National Physical Framework Plan which shall define the national strategy and objective of the country's urban, rural, and regional development;
7. Creation of the National Spatial Database Information and Mapping Inter-Agency Support System; and
8. Final determination and ground delineation of the country's permanent forest line and completion the Geohazard Mapping Program to effectively provide adequate and up to date information necessary for land use planning.

More importantly however, the bill seeks to integrate and institutionalize people's participation and gender mainstreaming in defining the framework and guiding principles of land allocation and utilization. It provides for the mandatory participation of stakeholders in key decision making bodies on land use policy at all levels. The bill itself is the result of a painstaking process of consultations and validation with and among different basic sectors. In the 17th Congress, the bill saw some light of day as it was approved by the House on Third and transmitted to the Senate. It is earnestly hoped that in the 18th Congress, the measure is finally enacted into law.

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


REP. LAWRENCE LEMUEL H. FORTUN
1st Agusan del Norte

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House Bill No. 105

Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

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

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

CHAPTER 1
Introductory Provisions

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

3
4 **Section 2. Declaration of Policies and Principles.** It is the policy of the
5 State to:

- 6
7 a. Provide for a rational, holistic and just allocation, utilization,
8 management and development of the country's land and water
9 resources so that their use is consistent with the principles of equity,
10 social justice, environmental integrity and sustainable development
11 for the common good.
12 b. Hold owners and users of land responsible for developing and
13 conserving their lands thereby making these productive and
14 supportive of sustainable development and environmental stability in
15 accordance with the principles that the use of land bears a social
16 function and that all economic agents shall contribute to the
17 common good.
18 c. Treat groups of islands including parts of islands, interconnecting
19 waters and other natural features which are so closely interrelated
20 as forming an intrinsic geographical economic and political entity, or
21 which historically have been regarded as such entity.
22 d. Strengthen the capacity of the local government units (LGUs) to
23 manage and maintain ecological balance within their territorial
24 jurisdiction, in partnership with the national government in
25 accordance with the Philippine Constitution and Republic Act 7160
26 or the Local Government Code of 1991.

27 Toward this end, the State shall institutionalize land use and physical
28 planning as a mechanism for identifying, determining and evaluating

appropriate land use and allocation patterns that promote and ensure the:

1. Maintenance and preservation of environmental integrity and stability;
2. Sustainable and just management and utilization of natural resources;
3. Disaster risk reduction and climate risk-based planning;
4. Protection of prime agricultural lands for food security with emphasis on self-sufficient and sustainable use of land resources consistent with the principles of sound agricultural development, natural resources and agrarian reform;
5. Protection and conservation of the country's natural heritage, permanent forest lands, natural forests, critical watershed and key biodiversity areas to ensure adequate forest cover to maintain ecological process in the country;
6. Sustainable development and management of water resources;
7. Settlements, transportation and other infrastructure development in support of inclusive growth and rural urban and regional development;
8. Improved access to affordable housing by increasing the supply thereof through direct allocation better access to unutilized lands and increased production of multiple use and higher density products projects where appropriate;
9. Respect for and protection of the traditional resources right of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains compliance with free and prior informed consent of ICCs/IPs and recognition of customary laws and traditional resource use and management knowledge and practices in ancestral domains;
10. Equitable access to land through State intervention that guarantees its affordability to the basic disadvantaged sectors defined under RA 8425 or the Social Reform and Poverty Alleviation Act sectors;
11. Energy security or energy self-sufficiency;
12. Preservation and conservation of parks and protected areas to keep the scenery, the natural and historic objects and biodiversity therein in their natural state and prevent them from being damaged for purposes of public recreational use and enjoyment; and
13. Meaningful participation of the basic sectors.

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

Section 4. Definition of Terms as Used in this Act:

- a. **Agricultural Land** refers to the sub-class of classified agricultural 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 as residential land, commercial land or industrial land;

- 84 b. **Agricultural Land Use Conversion** refers to the undertaking of any
85 development activity which modifies or alters the physical
86 characteristics of agricultural lands to render them suitable for non-
87 agricultural purposes under an approved order of conversion issued
88 by the appropriate government agency;
- 89 c. **Alienable and Disposable Lands of the Public Domain** refer to
90 lands of the public domain which have been delineated classified and
91 certified as such and available for disposition under Commonwealth
92 Act No. 141 otherwise known as the Public Land act as amended;
- 93 d. **Ancestral Domains** refer to all areas generally belonging to
94 indigenous cultural communities/indigenous peoples as defined in
95 Republic Act (RA) No. 8371, otherwise known as the Indigenous
96 Peoples Rights Act (IPRA) of 1997;
- 97 e. **Ancestral Domain Sustainable Development and Protection Plan**
98 **(ADSDPP)** refers to a plan formulated and pursued in accordance
99 with the rights of ICCs/IPs to manage and develop the land as well as
100 natural and human resources within their ancestral domains based
101 on their indigenous knowledge systems and practices on the principle
102 of self determination;
- 103 f. **Classified Agricultural Land** refers to one of the four (4)
104 classifications of land under the Constitution not classified by law as
105 mineral land, forest land or national park and the only classification
106 subject to alienation;
- 107 g. **Coastal Area/Zone** refers to a band of dry land and the adjacent
108 ocean space (water and submerged land) in which terrestrial
109 processes and uses directly affect oceanic processes and uses and
110 vice versa. Its geographic extent may include areas within a landward
111 limit of one (1) kilometer from the shoreline at high tide to include
112 mangrove swamps, brackish water ponds, nipa swamps, estuarine
113 rivers, sandy beaches and other areas within a seaward limit of two
114 hundred (200) meters isobaths to include coral reefs, algal flats,
115 seagrass beds, and other soft-bottom areas;
- 116 h. **Comprehensive Land Use Plan (CLUP)** refers to a documentary
117 embodying a set of policies accompanied by maps and similar
118 illustrations that serve as a policy guide for determining the future
119 use of lands and natural resources within the territorial jurisdiction
120 of the LGUs. It represents the community desired pattern of
121 population distribution and proposes future allocation of land and
122 resources to various activities. It includes the processes and criteria
123 employed in such determination of allocation of land and resources. It
124 is a plan for the long-term management of the local territory covering
125 a period of minimum of ten (10) years reviewable not earlier than
126 every five (5) years based on the four (4) categories of land use
127 planning provided in Section 6 of this Act;
- 128 i. **Comprehensive Land Use Planning** refers to the act of defining the
129 allocation, utilization, development and management of all lands
130 within a given territory or jurisdiction according to the inherent
131 characteristics of the land itself and supportive of sustainable
132 economic demographic socio-cultural and environmental objectives as
133 aid to decision-making and legislation;
- 134 j. **Critical Watershed** refers to watersheds or forestlands that have
135 been identified and evaluated to provide critical and vital natural
136 ecological environmental and physical beneficial services such as
137 water biodiversity, energy, irrigation, social and cultural among
138 others to a specific area or community and whose biophysical
139 condition demands immediate rehabilitation, protection and

- management to prevent its further denudation, deterioration and exploitation;
- k. **Cultural Heritage** refers to the totality of cultural properties whether natural or human made preserved and developed through time and passed on for posterity;
- l. **Customary Laws** refer to a body of written and/or unwritten rules, usages, customs and practices traditionally and continually recognized accepted and observed by respective ICCs/IPs consistent with the IPRA;
- m. **Danger Zones** refer to areas with high level of threat to the lives and well-being of people that cannot be addressed through scientific, physical and engineering methods and are therefore not suitable for settlement and permanent structures. Areas can only be declared as Danger Zones after proper technical studies and public consultations with affected families are conducted;
- n. **Development Plan** refers to a document that defines the activities and measures that the national government or LGUs intend to implement over a specified period of time in order to achieve the defined set of development goals identified in the national or local physical framework plans it integrates socio-economic, financial, fiscal, legal and legislative institutional and sectoral plans of the national government or any of its instrumentalities or a particular LGU, consistent with the objectives identified in spatial plans such as land use plans or physical framework plans. It may include an analysis of problems and resources, definition of goals and objectives, policy guidelines, project and target achievements and an implementation mechanism which defines the roles and contributions expected from the government and the private sector;
- o. **Disaster-prone Areas or Geo-hazard Areas** refer to areas frequented by and/or vulnerable to experience weather, climatic, hydrologic, geologic, and other natural disturbances or calamities;
- p. **Disaster Risk Reduction** refers to the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters including reduced exposure to hazards lessened vulnerability of people and property, wise management of land and the environment and improved preparedness for adverse events;
- q. **Ecologically-fragile Lands** refer to lands within critical watersheds, brackish and freshwater wetlands pasture lands inland rivers and waterways coastal and settlement areas and croplands which require rehabilitation, protection areas and croplands which require rehabilitation, protection and whose continued unsustainable use would result in physical risks and threats to life and property, public health and safety as well as adversely affect the productivity of lowland agricultural areas and stability of the upland system;
- r. **Ecotourism** refers to a form of sustainable tourism within a natural and/or cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge and practices environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host community and satisfaction of visitors;
- s. **Energy Resources** refer to surface or subsurface substances that serve as energy resources. These are traditionally mineral fuel deposits such as coal petroleum, natural gas or renewable resources from geothermal, hydro reservoirs or non-conventional sources

- including ocean waves, solar, wind, biomass, and other similar resources which serve the same purpose;
- t. **Energy Resource Lands** refer to lands where naturally occurring or indigenous energy resources exist in sufficient quantity and/or quality as to be economically viable for exploration, development production, utilization and distribution purposes;
- u. **Environmentally Critical Areas** refer to areas declared by law as (i) areas for natural parks watershed reserves wildlife preserves and sanctuaries; (ii) areas set aside for aesthetic and visual value; (iii) areas that constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife both flora and fauna; (iv) areas of unique historic, archeological or scientific interest; (v) areas that are traditionally occupied by ICCs/IPs; (vi) areas with critical slopes; (vii) areas frequented and/or hard hit by natural calamities such as but not limited to geologic hazards, floods, typhoons and volcanic activities; (viii) recharge areas of aquifers; (ix) mangrove areas; (x) coral reefs; (xi) mossy and virgin forests; (xii) rivers and riverbanks; (xiii) swamp forest and marshlands; (xiv) foreshore lands (xv) protected areas pursuant to Republic Act No. 7586 or the NIPAS act of 1992; and (xvi) areas set aside as aesthetic potential tourist spots. This term shall also include other terrestrial aquatic and marine areas that need special protection and conservation measures because they are ecologically fragile or they are needed for food security and food self-sufficiency as determined by concerned agencies and LGUs in consultation with the concerned stakeholders;
- v. **Exhausted Mineral Resources** refer to a situation where the mineral resources in specific sites are no longer in sufficient quantity to justify additional expenditure for extraction or utilization;
- w. **Flood Plain** refers to the portion of a river valley adjacent to a river channel which is covered with water when the river overflows its banks at flood stages and which usually consists of silt deposited by the stream;
- x. **Flood-prone Areas** refer to low lying areas usually adjacent to large or active water bodies and which therefore experience regular or seasonal inundation as a result of changes in the mean water level of these bodies or because of land reclamation and other artificial interference with the natural processes;
- y. **Food security** refers to the policy objective of meeting the requirements for food availability, accessibility and affordability requirements of the present and future generations of Filipinos in a sustainable manner through local production or importation in cases of shortage based on a micro level situation or both and taking into account the country's existing and potential resource endowments and related production advantages and consistent with the overall national development objectives and policies;
- z. **Food Self-sufficiency** refers to the policy objective of meeting the food requirements through intensive local food production in a sustainable manner based on the country's existing and potential resources and related production advantages;
- aa. **Foreshore Land** refers to a string of land margining a body of water the part of a seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide marked by a beach scarp or berm;
- bb. **Forest** refers to an ecosystem or an assemblage of ecosystems dominated by trees and other woody vegetation a community of plants and animals with one another and its physical environment;

- cc. **Forest lands** refers to one of the four classifications of land under the constitution under the public domain classified and/or determined as suitable for forest purposes not classified as mineral land, national park and classified agricultural land. These include all permanent forest reserves, forest reservations, and all the remaining unclassified lands of the public domain;
- dd. **Forest Land Use Plan (FLUP)** refers to the allocation of forest lands into their appropriate uses consistent with existing biophysical conditions such as topography, soil type, land use, climate water sources and socioeconomic, cultural and political realities. Forest land use planning should be able to delineate protection and production forests;
- ee. **Forest Land Sub-classification** refers to the process of determining the most appropriate and sustainable use of forest lands primarily as protection forest and production forest. They may be further sub-classified as grazing/pasture land, recreational areas and other uses taking into account ecological, social and economic considerations;
- ff. **Free, Prior and Informed Consent (FPIC)** refers to the consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity in a language and process understandable to the community;
- gg. **Geo-hazards** refer to nature and human-induced geological processes that have potential to cause destruction and which pose a threat or risk to a person's life and property. These may include but are not limited to ground water and weather-related conditions, volcanic and earthquake induced hazards such as ground shaking, ground rupture, earthquake-induced landslides, liquefaction and tsunami;
- hh. **Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPPs)** refer to groups of people or homogenous societies identified by self-ascription by others who have continuously lived as organized community on communally bounded and defined territory, and who have under claims of ownership since time immemorial occupied possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits or who have through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures or the establishment of present State boundaries who retain some or all of their own social economic cultural and political institutions but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains;
- ii. **Inland Waters** refer to waters which are not coastal and marine waters and not subject to acquisitive prescription consistent with the provisions of Presidential Decree No. 1067 or the Water Code of the Philippines;
- jj. **Integrated Watershed Management** refers to a planning strategy or program for watershed areas that complement environmentally-sound soil and water management practices with mechanisms for ensuring greater responsibility involvement or participation of individuals,

- groups, communities and other stakeholders benefiting from these areas and water-related infrastructure;
- kk. **Key Biodiversity Areas (KBAs)** refer to present the most important sites for biodiversity conservation worldwide. These are places of international importance for the conservation of biodiversity through protected areas and other governance mechanisms. They are identified nationally using simple standard criteria based on their importance in maintaining species populations;
- ll. **Land** refers to resources, both artificial and natural, found on the surface, below, and above the ground including inland waters and the air therein;
- mm. **Land Sub-classification** refers to the act of determining and assigning specific uses of classified lands such as forest lands, classified agricultural lands, mineral lands and national parks in accordance with existing laws and this Act;
- nn. **Land Use** refers to the manner of allocation, utilization, management and development of land;
- oo. **Land Use Classification** refers 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;
- pp. **Mandatory Public Hearings/Consultations** refer to the mechanism to ensure the involvement of concerned stakeholders and communities in land use planning from the barangay to the national level to ensure the social acceptability of the plans. It should involve giving notice of hearing/consultation to concerned stakeholders through publication or posting in conspicuous places, conduct a reasonable number of hearings and solicitation of positions to arrive a consensus. Public presentations and validation of the planning results shall also be undertaken before the final adoption of the plans;
- qq. **Marine Protected Area (MPA)** refers to a defined area of the sea established and set aside by law, administrative regulation or any other effective means in order to conserve and protect a part of or the entire enclosed environment through the establishment of management guidelines. It includes all declared areas governed by specific rules or guidelines in order to protect and manage activities within the enclosed area;
- rr. **Mineral Exploration** refers to the systematic searching or prospecting for mineral resources including energy resources;
- ss. **Mineral Lands** refer to lands of the public domain, excluding those in permanent forestlands and protection lands, where mineral resources are found in sufficient quantity and quality for extraction, development and utilization;
- tt. **Multiple Use of Land Resources** refer to the utilization or management strategy for any land, which allows any activity involving one or more of its resources, depending on the result of prior evaluation on its numerous beneficial use that will produce the optimum benefits to the development and progress of the country and the public welfare without impairment or with the least injury to its other resources.
- uu. **Municipal Waters** refer to not only streams, lakes, inland bodies of water and tidal waters within the protected areas as defined under Republic Act No. 7586 of the National Integrated Protected Areas System or the NIPAS Act of 1992, public forest, timber lands, forest reserves or fishery reserves but also marine waters included between tow (2) lines drawn perpendicular to the general coastline from points

where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline including offshore islands and fifteen (15) kilometers from such coastline. Where the territory of a municipality includes several islands, the outermost points of such islands shall be used as base points and connected by archipelagic baselines irrespective of the lengths of such baselines from the main coastlines. Where two (2) municipalities are situated on opposite shores that there is less than thirty (30) kilometers of marine waters between them the third line shall be equally distant from opposite shore of the respective municipalities;

vv. **National Integrated Protected Areas System (NIPAS)** 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;

ww. **National Land Use Policy Council (NLUPC)** refers to the administrative policy-making and regulatory body created under this Act;

xx. **National Park** refers to 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, natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas. It shall also refer to lands and waters of the public domain classified as such in the 1987 Constitution which include all areas under the NIPAS pursuant to Republic Act No. 7586 or the NIPAS Act of 1992 primarily designated for the conservation of native plants and animals and associated habitats and cultural diversity;

yy. **Network of Protected Areas for Agriculture and Agro-Industrial Development (NPAAAD)** refer to agricultural areas by the Department of Agriculture (DA) 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 to promote sustainable growth. The NPAAAD covers all irrigated areas, all irrigable lands already covered by irrigation projects, all alluvial plains, lands highly suitable for agriculture whether irrigated or not, agro-industrial croplands or lands planted to industrial crops that support the validity of existing agricultural infrastructure and agro-based enterprises, highlands or areas located at an elevation of five hundred (500) meters or above and have the potential for growing semi0temperate and high value crops, all agricultural lands that are ecologically fragile the conversion of which will result in serious environmental degradation and all mangrove areas and fish sanctuaries ;

zz. **Permanent Forests or Forest Reserves** refer to lands of the private or 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;

aaa. **Permanent Forestlands** refer to forestlands within public lands that have been identified determined and demarcated on the ground and shall be protected, conserved, preserved, maintained and

- 418 managed as forestlands free from any form of utilization, exploitation
419 or development, and reserved permanently as such for the benefit and
420 use of future generations;
- 421 bbb. **Physical Framework Plans** refer to the national, regional or
422 provincial indicative plans that outline the over-all and macro-level
423 physical development objectives, priorities, directions and strategies
424 in its respective levels as prepared, reviewed, integrated and finalized
425 by the national, regional and provincial land use councils/boards
426 respectively based on the Comprehensive Land Use Plans (CLUPs) of
427 the LGUs and the national policy guidelines relating to land use and
428 environmental management to prevent or mitigate the adverse effects
429 of inappropriate resource utilization on food security the people's
430 welfare and their environment;
- 431 ccc. **Permanent Forestlands** refer to forestlands within public lands
432 that have been identified, determined and demarcated on the ground
433 by the State to serve such purpose and shall be protected, conserved,
434 preserved, maintained and managed as forestlands free from any form
435 of utilization, exploitation or development, and reserved permanently
436 as such for the benefit and use of future generations;
- 437 ddd. **Physical Framework Plans** refer to the national, regional or
438 provincial indicative plans that outline the overall and macro-level
439 physical development objectives, priorities, directions and strategies
440 in its respective levels as prepared, reviewed, integrated and finalized
441 by the national, regional and provincial land use councils/boards
442 respectively based on the Comprehensive Land Use Plans (CLUPs) of
443 the LGUs and the national policy guidelines relating to land use and
444 environmental management to prevent or mitigate the adverse effects
445 of inappropriate resource utilization on food security, the people's
446 welfare and their environment;
- 447 eee. **Premature or Illegal Conversion** refers to any activity that
448 modifies or alters the physical characteristics of agricultural lands to
449 render them suitable for non-agricultural purposes without an
450 approved order or conversion from the DAR Secretary;
- 451 fff. **Production Land Use** refers to the direct and indirect utilization of
452 land to generate outputs resulting from the following activities
453 agricultural, fish farming or aquaculture, timber or agro-forestry,
454 grazing and pasture, mining, indigenous energy resource development
455 industry and tourism;
- 456 ggg. **Protected Areas** refer to portions of land and water set aside by
457 reason of their unique physical and biological significance, managed
458 to enhance biological significance, managed to enhance biological
459 diversity and protected against human exploitation. For purposes of
460 this Act these shall also include all-natural forests and agricultural
461 lands identified and delineated under this Act;
- 462 hhh. **Protection Forests** refer to forests and forestlands in both public
463 and private lands that have been identified and determined by the
464 State for the beneficial use of present and future generations and
465 shall be preserved, conserved, protected and maintained as such free
466 from any form of utilization, exploitation or development;
- 467 iii. **Protection Land Use** refers to the use of land primarily reserved for
468 rehabilitation, conservation and protection purposes and the
469 promotion of the country's ecological and life-support systems;
- 470 iii. **Public Domain** refers to lands belonging to the State which may be
471 classified as agricultural, forest or timber, mineral or national park as
472 provided for in the Constitution;

- 473 kkk. **Reclassification of Agricultural Lands** refers to the act of
 474 specifying how agricultural lands shall be utilized for non-agricultural
 475 uses such as for residential industrial or commercial purposes,
 476 through the local planning and zoning processes pursuant to the
 477 Local Government Code of 1991 and subject to the requirements and
 478 procedure for conversion;
- 479 III. **Resettlement Sites** refer to areas identified by the appropriate
 480 national agency or by the local government unit with respect to areas
 481 within its jurisdiction which shall be used for the relocation of the
 482 underprivileged and homeless, as defined under Republic Act No.
 483 7279 or the Urban Development and Housing Act (UDHA);
- 484 mmm. **Restoration** refer to returning forestland to its original
 485 forested state in terms of species composition, structure, function and
 486 productivity;
- 487 nnn. **Restoration Zones** refer to forest areas where activities are
 488 conducted to restore its forested state;
- 489 ooo. **River Basin** refers to the horizontal projection of area from which a
 490 river and its tributaries receive surface water originating from
 491 precipitation;
- 492 ppp. **Settlements** refer to communities or built-up environment areas
 493 where people prefer to live in;
- 494 qq. **Settlements Development** refers to any improvement on existing
 495 settlement or any proposed development of certain areas for
 496 settlement purposes. It also involves the spatial distribution of
 497 population, identification of the roles and functions of key urban
 498 centers, determination of relationships among settlement areas and
 499 the provision of basic services and facilities identified major
 500 settlement areas of growth centers;
- 501 rrr. **Shoreline** refers to a strip of land covering of at least one (1)
 502 kilometer from the point where seawater reaches during the highest
 503 high tide;
- 504 sss. **Spatial Data Infrastructure** refers to a system consisting of
 505 spatial data, technology, policies, practices, relationships, people and
 506 resources necessary to acquire process, store and distribute spatial
 507 information to improve sharing and use throughout all levels of the
 508 government and private sector among others, which shall be
 509 operationalized through electronic system that provides access to a
 510 network of spatial data sources and users and shall serve as the
 511 official linkage of the government to international and regional spatial
 512 data infrastructure;
- 513 ttt. **Socialized Housing** refers to housing programs and projects covering
 514 home lots, houses and lots or low-rise to medium-rise building or high
 515 density housing projects undertaken by the government or the private
 516 sector for the underprivileged and homeless citizens which shall
 517 include sites and services development, long term financing, direct
 518 subsidy programs, liberalized terms on interest payments and such
 519 other benefits in accordance with the UDHA and Batas Pambansa Blg.
 520 220;
- 521 uuu. **Socialized Housing Sites** refer to lands identified and designated
 522 by LGUs as sites for socialized housing pursuant to Article IV of the
 523 UDHA and its implementing guidelines;
- 524 vvv. **Strategic Agriculture and Fisheries Development Zones**
 525 **(SAFDZs)** refer to areas within the NPAAAD identified for production,
 526 agro processing and marketing activities to help develop and
 527 modernize with the support of government, the agriculture and

- fisheries sectors in an environmentally and socio-culturally sound manner;
- www. **Sub-classification or Reclassification of Agricultural** refers to the process undertaken by the LGUs of allocating declared agricultural lands in their respective territorial jurisdictions to specific uses such as residential, industrial or commercial purposes and may be used as a basis for application for land conversion by the owners thereof;
- xxx. **Sustainable Development** refers to the development objective of meeting the needs of the present generation without compromising the ability of future generations to meet their own needs consistent with the principles of social equity, efficiency and environmental integrity;
- yyy. **Sustainable Traditional Resource Rights** refer to the rights of ICCs/IPs to sustainability use, manage, protect and conserve a) land, air, water and minerals; b) plants, animals and other organisms; c) collecting, fishing and hunting grounds; d) sacred sites, and e) other areas of economic, ceremonial and aesthetic value in accordance with their indigenous knowledge, beliefs, systems and practices;
- zzz. **Tourism Development Areas** refer to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans as well as those designated through legislative and executive issuances as tourist spots and tourist zones which can be developed into tourism estates or integrated resort leisure recreation complexes, and other tourism related facilities;
- aaaa. **Tourism Ecozone** refers to tourism development areas, outside protection lands which have been granted Special Economic Zone status through the Philippine Export Zone Authority (PEZA) registration and issuance of the required Presidential Proclamation with its metes and bounds delineated by said Proclamation pursuant to Republic Act 7916 or the Special Economic Zone Act of 1995 (SEZA) as amended;
- bbbb. **Tourism Estates** refer to large tracts of land with well-defined boundaries in any area excluding those protection lands, identified in the Philippine tourism master plan and regional tourism master plan by proclamation of the President and/or by Acts of Congress and/or by local legislation and declared suited for the development of an integrated tourism and resort complex with prescribed carrying capacities and limits for its facilities and activities;
- cccc. **Tourist Spot** refers to a particular area/site/spot, man made or natural known for its unique tourist/visitor-drawing attributes and activities and which may be classified according to its social, cultural, natural, historical, aesthetic, visual, scientific, religious, and recreational significance;
- dddd. **Tourist Zone** refers to a geographic area with well-defined boundaries proclaimed as such by the President of the Philippines and/or by Acts of Congress. No development projects for any purpose shall be initiated and introduced within the zone prior to formulation of a tourism master development plan which shall be undertaken in coordination with the Department of Tourism (DOT) and the Tourism Infrastructure Enterprise Zone (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;

- 583 eeee. **Urban Areas** refer to all cities regardless of their population
584 density and to municipalities with a population density of at least five
585 hundred (500) persons per square kilometer;
- 586 ffff. **Urbanizable Areas** refer to sites and lands which, considering
587 present characteristics and prevailing conditions, display marked and
588 great potential of becoming urban areas within a period of five (5)
589 years;
- 590 gggg. **Urban Forestry or Green Space** refers to the establishment or
591 setting up of areas for mini-forest, eco parks or small nature parks, in
592 both public and private lands, wetlands, man-made lagoons and lakes
593 systems, riverbanks and shores, grasslands, roof and rock gardens
594 lining roads and highways with trees, shrubs, or ornamental plants,
595 and ground landscaping of schools, hospitals, and other government
596 agencies in order to improve the environment in urban areas;
- 597 hhhh. **Water Security** refers to the sufficient access throughout the year
598 to the minimum daily requirement of clean water to maintain a
599 healthy life;
- 600 iii. **Water Use** refers to the appropriation of water for domestic,
601 municipal, irrigation, power generation, inland fisheries and livestock,
602 industrial and commercial, environmental and recreational use;
- 603 iiij. **Watershed** refers to a topographically delineated area of land from
604 which rainwater can drain as surface run-off *vis-à-vis* a specific
605 stream or river system to a common outlet point which may be a dam,
606 irrigation system or urban water supply take off point, or where the
607 stream discharges into a river, lake, or the sea;
- 608 kkkk. **Zoning** refers to the regulatory tool for delineating the specific land
609 uses in accordance with the approved CLUP within the territorial
610 jurisdiction of a city/municipality and specifying the conditions for
611 their regulation subject to the limitations imposed by law and
612 competent authority; and
- 613 llll. **Zoning Ordinance** refers to a local law passed by the *Sangguniang*
614 *Bayan or Panlungsod* approving the development control/zoning plan
615 in accordance with an approved or adopted CLUP of the
616 city/municipality, providing for the regulations and other conditions
617 on the land uses including on the infrastructure that may be placed
618 within the city's/municipality's territorial jurisdiction. It incorporates
619 agricultural lands and ancestral lands as provided for in this Act.

621 **CHAPTER II. FRAMEWORK FOR LAND USE PLANNING**

623 **Section 5. Basic Land Use Considerations.** Various land uses as categorized
624 in the succeeding section shall be determined in a manner that promotes the
625 policies and principles defined in Section 2 of this Act and shall consider the
626 following elements of the framework therefor, among others:

- 627
- 628 a. Protection land use category as defined in Section 6 shall prevail over
629 existing production land use category. The State shall undertake the
630 necessary action in changing the classification of these production
631 areas;
- 632 b. Preservation, conservation, rehabilitation and protection to perpetuity
633 of permanent forestlands, critical watershed, key biodiversity areas,
634 environmentally-critical and ecologically-fragile areas and prime
635 agricultural lands from any other land use conversion, disposition,
636 intrusion, utilization and development aside from their determined
637 use and limits;

- c. Protection of natural forests and natural resources ensures environmental stability, conserve biological diversity, improve ecosystem functions and provide long-term ecological and economic benefits. Designated restoration areas are designed go revive the ecosystem functions and services of forests as well as improve the economic and ecological benefits of local communities;
- d. Protection of forest and wetlands from infrastructure development to preserve the ecological services they provide which are essential to economic development. These activities include, but not limited to, river channelization and dredging large scale irrigation and river diversions which reduce riverine habitat and alter flood patterns and natural flow regimes, reduce downstream water availability for agriculture and contribute to salinization through saltwater intrusion in coastal areas;
- e. Resolution of land use conflict which are life-threatening or threatening to public safety, sustainability of key production resources or employment activities and the delivery of basic services which are harmful or destructive to protected areas, flora, fauna and other protected natural resources. Greater consideration shall be given to the human and 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 as extremely hazardous and high-risk/danger zones shall be similarly protected and cleared from all forms of human-made obstacles, obstructions and instructions to ensure and secure public health and safety;
- g. Respect for existing customary rights and traditional land uses of ICCs/IPs;
- h. Identification of settlement areas to check the demand for land and establish the location of employment-generating industries and basic services; and
- i. The availability of natural resources including indigenous energy resources for energy, security and self-sufficiency. However, infrastructure energy projects such as dams with large reservoirs in natural ecosystems shall not be allowed if it would interrupt the connectivity of river systems, disrupt fish spawning and migration, and alter seasonal flood regimes;

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

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

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

1. Natural and Restored Forests which consist of:
 - a. All existing areas within forestland containing primary and secondary forests of whatever types of species;
 - b. All existing areas within forestland containing secondary-growth or residual forests of whatever type or specie;
 - c. Areas identified as Key Biodiversity Areas;
 - d. Restoration areas;
 - e. All mangrove forests;
 - f. All easement areas as defined by PD 1067, otherwise known as the Water Code of the Philippines, and;
 - g. All other areas that would be deemed appropriate for protection as designated by the Department of Environment and Natural Resources (DENR) subject to the approval of the National Land Use Policy Council (NLUPC) created pursuant to Section 55 hereof;
2. Rehabilitated and/or reforested degrade mining areas;
3. Critical ecosystems for protection, such as:
 - a. Coral reefs;
 - b. Marshes and wetlands;
 - c. Lakes and rivers;
 - d. Caves; and
 - e. Waterfalls
4. Disaster-prone areas that include areas subject to, or maybe subject to:
 - a. Recurrent flooding;
 - b. Liquefaction;
 - c. *Tsunamis*;
 - d. Storm surges;
 - e. Polar vortex;
 - f. Mass wasting;
 - g. Volcanic eruption;
 - h. Direct impact seismic activity;
 - i. Other disasters cause by climatic conditions; and
 - j. Other areas that pose a high degree of hazard to human occupation and activity.
5. Critical watershed areas;
6. Marine Protected Areas;
7. All prime agricultural lands as defined under this Act;
8. Ecologically fragile and environmentally-critical areas whose conversion will result to serious environmental problems and threats to public health and safety;
9. Natural and human-made areas/sites of cultural, historical and anthropological significance which are declared as such by internationally-recognized institutions; and

748 10. Natural and human-made areas/sites of cultural, historical
749 and anthropological significance, which are declared as such by
750 internationally-recognized institutions; and
751

752 11. All other areas not included and declared as production
753 areas shall become protection areas;
754

755 b. **Production Land Use** refers to the most efficient, sustainable, and
756 equitable utilization, development and management of land for
757 productive purposes which are not classified for protection land use
758 as defined in this section. Areas included in this category are
759 agricultural lands, coastal and marine zones, production forest,
760 mineral lands, energy resource lands, industrial, and tourism
761 development areas where productive activities could be undertaken
762 to meet the country's requirements for economic growth and
763 development. Production land use shall comprise of but shall not be
764 limited to:

765 1. Other agricultural lands not identified as prime agricultural
766 lands. They shall consist of but shall not be limited to:

- 767
- 768 a. Lands whose soils are suitable for agricultural development;
 - 769 b. All alluvial plain lands that are suitable for agricultural
770 production and/or can be devoted to food production;
 - 771 c. All lands that are traditional sources of staple food;
 - 772 d. All crop lands required to attain a certain scale of production
773 to sustain the economic viability of existing agro-based
774 industries in the municipality, city or province; and
 - 775 e. All lands in areas not highly prone to natural hazards that are
776 suitable for the production of tree crops and other cash crops.
777

778 2. Coastal, inland water and Marine Zones such as fishponds;

779 3. Production Forests; such as

- 780
- 781 a. All areas within forestland not classified as protection forests
782 under Section 6 (a) and shall be devoted to the production of
783 timber and/or non-forest products or the establishment of
784 industrial tree plantations, tree farms, woodlots, agro-forestry,
785 or as multiple-use forests;
 - 786 b. All areas within forestlands considered as rangelands for
787 grazing purposes;
 - 788 c. All areas within forestlands managed under the community-
789 based forest management in areas not classified as protection
790 forests;
791

792 4. Rangelands for grazing;

793

794 5. Industrial Development Areas; and

795

796 6. Tourism Development Areas, including potential small islands for
797 similar purposes.
798

799 c. **Settlement and Institutional Land Use** refers to the use of urban
800 and rural lands for settlements, development purposes and/or
801 improvements on existing settlements involving the spatial
802 distribution of population, identification of the roles and functions of
803 key urban centers, determination of relationships among settlement

804 areas, and the provision of basic services and facilities to such
805 settlements.

806 It shall also include lands identified for institutional uses such as
807 educational, administrative, government law enforcement, health
808 care and social services. Settlements and institutional land uses aim
809 to ensure for the present and future generation the:

810 (1) Effective integration of activities within and among settlements
811 allowing efficient movement of people and production of commodities
812 through the provision of appropriate land, infrastructure, and
813 facilities; and

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

818
819 4. **Infrastructure Land Use** refers to the use of land dedicated to the
820 provision of basic services that foster economic and other forms of
821 integration necessary for producing or obtaining the material
822 requirements of Filipinos in an efficient, responsive, safe and ecologically
823 friendly built environment. It includes among others sub-sectors like
824 road networks, transportation and communication facilities, social
825 services, environmental service facilities, and utilities.

826
827 *Provided*, That the determination of the functional uses of lands within
828 ancestral domains should be considered with the land use categories provided
829 for in this Act. *Provided further*, That other sub-categories of land uses in
830 delineated ancestral domains may be formulated by the concerned ICCs/IPs
831 themselves in accordance with their particular needs and traditional resource
832 and management systems.

833
834 **Section 7. Land Use Plans for Ancestral Domains.** Land use plans of
835 ancestral domains shall be formulated by the ICCs/IPs themselves in
836 accordance with their particular needs and traditional resource and
837 management systems with the assistance of the National Commission on
838 Indigenous Peoples (NCIP), the LGUs and civil society organizations (CSOs)
839 concerned. Such plans shall be recognized and adopted in the barangay,
840 city/municipal, provincial, regional and national physical framework plans.

841
842 Physical framework plans made prior to the delineation of ancestral domains
843 included in such plans ordinances shall, without prejudice to the rights of the
844 ICCs/IP concerned, adopt different land use categories in accordance with their
845 particular needs and traditional resource and management systems.

846
847 In case where there are no ADSDPPs, the LGU and the ICCs/IP shall jointly
848 formulate the land use plan within the ancestral domain until such time that
849 the ICCs/IPs have formulated their ADSDPPs.

850
851 **Section 8. Adoption of Multiple Uses of Land.** The primary and alternative
852 uses of a specific land resource shall be determined and evaluated by the
853 respective local land use boards prior to any decision for the assignment of its
854 use. Areas feasible for sustainable land use boards prior to any decision for
855 the assignment of it use. Areas feasible for sustainable land resources may be
856 considered multiple-use zones wherein settlements, tourism, agriculture, agro-
857 forestry and extraction activities and other income-generating, or livelihood
858 activities may be allowed, except areas under protection land use.

860 *Provided*, That multiple uses of land resources shall be in accordance with
861 priorities in land use allocation identified in the approved physical framework
862 and land use and planning wherein such multiple uses are compatible with the
863 original land use and planning, and that no reclassification shall be allowed.

864
865 *Provided, further* That where there are vested rights, titles and claims prior to
866 the enactment of this Act over the areas feasible for sustainable land resource
867 use the same shall be respected.

868 869 **CHAPTER III. SPECIAL AREAS OF CONCERN**

870 871 **Article One. Land Use Classification**

872
873 **Section 9. Review of Land Use Classification.** The NLUPC shall review and
874 assess the current land use classification system and definitions used in the
875 country to ensure that it reflects the actual use of lands in the country.

876
877 The Land Management Bureau (LMB) shall provide the necessary technical
878 information conduct the needed assessment of the status of the existing land
879 use classification and shall submit an assessment report to the NLUPC not
880 later than ninety (90) days from the establishment of the latter.

881
882 **Section 10. Consideration of Assessment Report.** Upon validation and
883 affirmation by local land use boards, the land use classification assessment
884 report submitted by the LMB shall be taken into consideration by the NLUPC in
885 the formulation of its planning guidelines.

886 887 **Article Two. NIPAS Areas**

888
889 **Section 11. Integrated Management Strategy.** For more effective planning,
890 management, and protection of protected areas of the provincial and
891 city/municipal levels the Protected Area Management Plan (PAMP) referred to
892 in the NIPAS Law shall be incorporated in the PPFP and CLUPs if applicable,
893 wherein protected area zoning shall be reflected.

894 895 **Article Three. Agricultural Lands**

896
897 **Section 12. Priority Areas for Agricultural Development.** The priority areas
898 for agricultural development are the areas distributed under agrarian reform,
899 areas that can be covered by CARP, and those identified as part of the
900 NPAAAD. The mapping of the NPAAAD under the Agriculture and Fisheries
901 Modernization Act (AFMA) shall be completed not later than one (1) year from
902 the effectivity of this Act.

903
904 **Section 13. Conversion of Agricultural Lands.** All lands considered and
905 identified as prime agricultural lands shall be maintained, managed and
906 protected for agricultural use and shall not be subjected to any form of
907 conversion or re-classification.

908
909 All other agricultural lands not identified as prime agricultural lands can only
910 be converted to non-agricultural uses upon issuance of a DAR conversion
911 order. *Provided*, That such conversion shall not drastically change the nature
912 of the over-all land uses in the surrounding and adjacent areas from its
913 existing land use.

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

920
921 *Provided, further*, That pending the completion of mapping activities of the
922 specific areas under the NPAAAD and the SAFDZs under the AFMA and their
923 incorporation in the National Physical Framework Plan (NDFP), the application
924 for conversion of these areas shall not be given due course by the appropriate
925 government agency.

926 927 **Article Four. Ancestral Domain**

928
929 **Section 14. Priority Areas for Agricultural Development within Ancestral**
930 **Domain.** Agricultural lands within ancestral domain shall be developed in
931 accordance with their ADSDPP.

932
933 **Section 15. Respect for Ancestral Domains.** The Ancestral Domain
934 Management Plan (ADMP) or ADSDPP shall be adopted and integrated into the
935 CLUP and/or other plans that the LGU is mandated to produce. The extent of
936 ancestral domains shall be reflected in the land use plan and shall be zoned as
937 such in the zoning ordinance. It shall be co-managed by the LGU and IP
938 community. Additionally, the ADSDPP shall be included in the investment
939 plans of the LGU.

940
941 **Section 16. Ancestral Domain Policy Adoption.** Ancestral domain policies
942 shall be adopted in the LGU's land use policy framework. However, in the
943 event that the ADMP/ADSDPP is still in the formulation stage or remains to be
944 formulated, the right to self-determination, and the observance of traditional
945 resource and management systems and processes shall be upheld at all times,
946 as provided for by RA 3871.

947 948 **Article Five. Forest Lands and Reservation of Watershed**

949
950 **Section 17. Permanent Forestlands.** All forestlands are classified as forest
951 or timberlands. Titles, settlement, permits, leases and/or agreements within
952 critical habitats, critical watershed areas, protected areas and key biodiversity
953 areas (KBAs), shall be reviewed, and their legality affirmed. All erroneous titles,
954 settlements, permits, leases and/or agreement within permanent forestlands
955 shall be cancelled or revoked in due course. Non-compliance with and
956 violations of these instruments shall be grounds for their cancellation or
957 revocation. *Provided*, That the applicable provisions of the RA 3871 shall be
958 respected.

959
960 Upon recommendation by the LGU, or the Forest Board, the DENR Secretary
961 shall revoke the above-mentioned instruments.

962
963 **Section 18. Additional Areas to be included as Permanent Forestlands.**
964 The following lands are needed for environmental protection and forestry
965 purposes and shall be not be reclassified as agricultural lands or for any other
966 land use:

- 967
968 a. Isolated patches of forest, regardless of size and/or area, with rocky
969 terrain or which protect a spring/water source for communal use;

- b. All mangroves and swamplands including twenty (20) meter wide strips facing oceans lakes and other bodies of water not yet classified as alienable and disposable lands;
- c. Ridge tops and plateaus regardless of size found within or surrounded wholly or partially by forestlands where headwaters emanate;
- d. Areas needed for public interest such as research or experimental purposes; and
- e. Areas needed for public interest such as research or experimental purposes; and
- f. Areas considered as environmentally critical because of their vulnerability to damage from landslides, volcanic eruptions and other natural causes.

Section 19. Reversion of Alienable and Disposable Lands to Forestlands.

Upon the recommendation of the DENR Secretary, duly reviewed and endorsed by the National Land Use and Policy Council (NLUPC), and after due consultations with the concerned LGUs and the affected parties. Congress may authorize the reversion of alienable and disposable lands of the public domain or portion thereof to forestlands.

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

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

The DENR and the concerned LGUs shall jointly implement the watershed management plans which shall be integrated into their respective CLUPs. The formulation and integration of the plan.

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

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

Article Six. Coastal Zones

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

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

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

- a. Conduct of a comprehensive inventory and resource and environmental assessment by the DENR with respective LGUS and accredited Non-Government Organizations/Peoples Organization (NGOs/POs) within their jurisdiction. The result of such assessment along with a list of all existing applications and

expired Foreshore Lease Agreements shall be posted in three (3) conspicuous places in the affected localities; and

- b. Prior consultation with local Fisheries and Aquatic Resource Management councils (FARMCs) formed pursuant to Republic Act No. 8850 or the Fisheries Code.

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

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

Section 28. Protection of Waterways, Easements and Flood Plains. Structures of any kind shall not be built in waterways and easements. Pursuant to PD 1067 or the Water Code of the Philippines, the banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas along their margins are subject to eh easement of public use only in the interest of recreation, navigation, floatage, fishing and salvage.

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

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

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

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

Article Seven. Mineral Lands

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

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

- a. The principles of sustainable development shall be observed at all times;
- 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 have become non-operational for more than ten (10) years as determined by the Mines and Geosciences Bureau (MGB) shall be placed under appropriate surface management by the DENR; and
- d. Ancestral domains declared as protected by virtue of their ADSDPP as well as all watershed areas shall be closed to mining.

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

Article Eight. Energy Resources

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

- a. Indigenous energy resource exploration and development for the purpose of creating a National Energy Resource inventory and Data Base as well as an Energy Resource Block Map shall be allowed subject to the implementation of complementary watershed and other land management plans;
- b. Indigenous energy resource exploration, development, production, utilization, and distribution shall be subject to the appropriate requirements and processes of the Philippine Environmental Impact Statements (EIS) system. Each project shall secure an Environmental Compliance Certificate (ECC) prior to project implementation to ensure that adequate and appropriate

- environmental management measures and optimum methods for resource access and recovery are used;
- c. Protected areas defined in Section 6 shall be closed to any kind of energy resource development;
 - d. Energy reservations or portions thereof which have become or have been established to be non-economically viable to operate or are no longer used for energy purposes shall be reclassified to other land uses, subject to existing laws covering energy reservations; and
 - e. Renewable energy shall be preferred over other energy resource.

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

Article Nine. Settlements Development

Section 36. Municipalities, Cities, and Settlements Development. The development of municipalities, cities and settlements through CLUP and implemented by the zoning ordinances of cities and municipalities shall be guided by urban zoning standards designed to maximize existing urban spaces taking into account studies of pertinent government agencies on climate change.

Section 37. Settlements within Geo-hazard Areas and. or High Risk/Danger Zones. Settlement within geo-hazard areas and/or high risk/danger zones shall be allowed in cases where there are existing settlement within geo-hazard areas and/or high risk/danger zones, the concerned government agencies shall provide assistance to concerned LGUs and settlers in instituting safety and corrective measures to address the potential danger or risk.

Section 38. Designation of Waste and Environment Management Site. Each city or municipality shall identify and designate an area to serve as waste and environment management waste disposal and facilities 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 the Environmental Impact Assessment (EIA), sanitary landfill in order to fast track the conduct of the Environmental Impact Assessment (EIA) study and to facilitate the processing of the ECC. 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 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 NLUPC for review and approval.

Section 39. Designation and Zoning of Socialized Housing Sites. 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 may be revised at the minimum of ten (10) years and reviewable not earlier than every five (5) years.

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's or municipality's zoning ordinance duly approved by the NLUPC pursuant to existing laws and regulations. Preference shall be given to lands proximate to public transportation facilities which may include *inter alia* railway and public terminals.

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

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

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

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

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

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

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

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

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

Article Ten. Industrial Development Areas/Sites

Section 45. Criteria for Designating Industrial Development Areas. The identification and establishment of industrial development areas shall conform to the provisions of RA 7916 or the Special Economic Zone Act (SEZA) of 1995 as amended by RA 8748. RA 6657 or the Comprehensive Agrarian Reform Law (CARL) as amended by RA 9700 or the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER). RA 8371 or the Indigenous Peoples Rights Act (IPRA), RA 7279 or the Urban Development and Housing Act (UDHA), RA 8550 or the Philippine Fisheries Code as amended by RA 10654 and RA 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 RA 8435;
- b. National policies on the regional dispersal of industries and agri-based industrial development;
- c. Identified growth areas and corridors in the National Development Plan;
- d. NIPAS and non-NIPAS areas such as, but not limited to, KBAs and restored areas that require protection;
- e. National and Urban Development and Housing Framework;
- f. Identified Socialized Housing Zones; and
- g. National Framework for Physical Planning and other existing national programs and policies

The designated industrial development areas shall be located only in production land uses areas and shall become an integral part of the land use plan and zoning ordinance of the city or municipality where these areas are located RA 9700, RA 8371 or the Indigenous Peoples Rights Act (IPRA), RA 7279 or the Urban Development and Housing Act (UDHA), RA 8550 or the Philippine Fisheries Code as amended by RA 10654 and RA 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 RAZ 8435;
- b. National policies on the regional dispersal of industries and agri-based industrial development;
- c. Identified growth areas and corridors in the National Development Plan;
- d. NIPAS and non-NIPAS areas such as but not limited to KBAs and restored areas that require protection;
- e. National and Urban Development and Housing Framework;
- f. Identified Socialized Housing Zones; and
- g. National Framework for Physical Planning and other existing national programs and policies;

The designated industrial development areas shall be located only in production land use areas and shall be come an integral part of the land use plan and zoning ordinance of the city or municipality where these areas are located RA 9700, RA 8371, RA 7279, RA 8559, RA 8435 or the Local Government Code shall apply to all Special Economic Zones and Free Ports.

Article Eleven. Tourism Development Areas

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

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

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

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

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

Article Twelve. Infrastructure Development

Section 48. Allocation and Use of Land for Infrastructure Development.

Land, whether public or private shall be allocated and utilized for priority infrastructure projects that are supportive of national or local development objectives. The National Economic and Development Agency (NEDA), in consultation with the concerned national government agencies, LGUs and the private sector shall identify and periodically review, update and/or revise the list of priority infrastructure projects under an over-all national strategic infrastructure development plan subject to the provisions of this RA 8435 and RA 8371. *Provided*, That such national strategic infrastructure development plan shall be consistent and integrated in the objectives and directions of the NPPF.

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

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

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

Provided, further, That the proponent of the infrastructure project shall the rules on just and human eviction or demolition under Section 28 of the RA 7279 as a last resort notwithstanding the provisions of RA 8975, prohibiting lower courts from issuing temporary restraining orders, preliminary injunctions, or preliminary mandatory injunctions and that the proponent shall follow provisions of RA 8371, particularly those pertaining to the rights of IPs/ICCs in case of displacement.

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

Section 49. 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 and implemented 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/EIA in accordance with Presidential Decree No. 1586 (EIS System) and Republic Act No. 4846 or the Cultural Properties Preservation and Protection Act.

Existing projects that were undertaken without the required environmental impact assessment and which pose a threat to the environment, or to the integrity of historic, archeological or scientifically significant areas or impinge on critical ecosystems may be terminated immediately, or gradually phased-out and relocated, or maintained within 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 dislocations or displacement of the people in the area.

CHAPTER IV: PHYSICAL FRAMEWORK AND LAND USE PLAN

Section 50. National Land Use Planning Process. The physical framework and land use planning shall be participatory following a combined bottom-up and top-down approach with mandatory public hearings/consultations conducted at all levels and shall consider available and updated multi-disciplinary scientific information of land uses.

A set of national policy guidelines and standards for physical planning shall be formulated by the National Land Use Policy Council (NLUPC). These shall guide the preparation and formulation of the National Physical Framework Plan, Regional and Provincial Physical Framework Plans.

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

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

Furthermore, it shall consider the existing Regional Physical Framework Plans (RPFs) and Provincial Physical Framework Plans (PPFs).

The RPFs, the PPFs and the CLUPs, which cover the physical development of their respective territories shall be consistent with the NPFP. *Provided*, That the integration and harmonization of physical framework plans at all levels shall be iterative to ensure that the concerns of both top and bottom levels of government are considered in the NDFP, RPFs, PPFs and CLUPs.

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

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

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

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

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

Section 52. Regional Physical Framework Plan. The RPFP shall provide broad spatial directions and policy guidelines on protection, land use, production land use, settlement development and infrastructure development at the regional level and guide the formulation of the PPFPs. The RPFP shall consider the existing PPFPs and the CLUPs of LGUs within the territorial jurisdiction of the region.

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

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

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

The PPFP shall serve as the basis for the preparation of the Provincial Development Plan (PDP) and Provincial Development Investment Program (PDIP). The PPFP, PDP, PDIP and/or Provincial Physical Framework and Development Plan (PPFDP) shall serve as the basis for the formulation of

sectoral action plans of national government agencies in the province and all LGUs within its jurisdiction. The province may opt to prepare their PDP alongside the preparation of PPFP and consolidate them into a PPFD. *Provided*, That PPFD shall remain consistent with the PPFP. *Provided* further, That any review or changes in the PPFP shall coincide with the over-all review process of the NPFP.

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

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

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

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

Consistent with the national standards and guidelines prescribed in Section 50 in the cities and municipalities shall, in consultation with the concerned sectors, prepare their respective CLUPs. The City/Municipal Land Use Planning and Management Board (C/MLUPB), creating under the Act shall be responsible for the preparation and formulation of the CLUP and ensure the consistency with national and regional/physical planning guidelines and standards. Under the general supervision of the respective C/MLUPB, 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 councils (LDC) for adoption and approval of the *Sangguniang Bayan* (SB). The approved CLUPs shall be submitted to the province for integration into the PPFP.

CHAPTER V. IMPELEMENTING STRUCTURE AND MECHANISM

Section 55. Creation of the National Land Use Policy Council (NLUPC).

The National Land Use Committee (NLUC) under the NEDA Board (NB) is hereby abolished and in its stead, the NLUPC shall be created. It shall exercise the powers and responsibilities identified under this Act and assume the functions of the NEDA, Board-National Land Use Committee (NB-NLUC). It shall further exercise the powers and functions pertaining to land use planning vested by law on the HLURB, except the following which shall remain as official functions of the HLURB:

- a. Formulate land use planning guidelines in the preparation of the CLUPs and zoning ordinances of local government unit to ensure compliance with the national policies, objectives, priorities and directions set by the NLUPC;
- b. Provide technical and other forms of planning, assistance to, including capacity-building for, local government units and zoning boards; and
- c. Act as the appellate body on decisions of local zoning bodies on locational clearance applications and/or oppositions thereto and other zoning issues involving private rights.

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

Section 56. Composition of the NLUPC. The NLUPC shall be headed by the Secretary of the NEDA, as Chairperson. It shall choose a Vice-Chairperson from among the members of the Council, who shall assume the functions of the Chairperson in case of absence. The NLUPC shall meet at least once every quarter.

The members of the Council shall be the following:

- a. The Secretary of the Department of Agrarian Reform (DAR);
- b. The Secretary of the Department of Agriculture (DA);
- c. The Secretary of the Department of Environment and Natural Resources (DENR);
- d. The Secretary of the Department of Interior and Local Government (DILG);
- e. The Chairperson of the National Commission on Indigenous Peoples (NCIP);
- f. The Chairperson of the Housing and Urban Development Coordinating Council (HUDCC);
- g. The Chief Executive Officer of the Housing and Land Use Regulatory Board (HLURB);
- h. The Administrator of National Mapping and Resource Information Authority (NAMRIA);
- i. The President of the League of Cities of the Philippines (LCP);
- j. The President of the League of Municipalities of the Philippines (LMP);
- k. Two (2) representatives each from four (4) basic sectors directly involved in land use namely: urban poor, peasants, fisherfolk and indigenous peoples who shall be appointed by the respective National Anti-Poverty Commission (NAPC) sectoral councils. Of the eight (8) sectoral representatives, at least four (4) shall be women, provided that one whom shall from the Moro sector.

- 1690 l. Four (4) representatives from the developers' associations, the accredited
1691 associations of professionals dealing with land use such as, but not
1692 limited to, urban and regional planners, environmental planners,
1693 architects, geologists and geodetic engineers, the business or private
1694 sectors; and
1695 m. The Head of the NLUPC Secretariat who shall be a non-voting *ex-officio*
1696 member.

1697
1698 The members of the Council who are Cabinet Secretaries may designate their
1699 duly authorized and permanent representatives whose ranks shall in no case
1700 be lower than Undersecretary.

1701 **Section 57. Powers and Functions of the NLUPC.** The NLUPC shall have
1702 the following powers and functions:

- 1703
1704 a. Guide the determination and identification of the country's strategic land
1705 use development and physical planning objectives priorities and
1706 direction, as well as recommend the adoption, passage, or amendment of
1707 laws to ensure that plans, programs, projects, and activities, including
1708 local government initiatives affecting land use are consistent with
1709 national development objectives;
1710 b. Formulate the necessary national policy guidelines in the preparation of
1711 the country's physical framework plans, including the settling of
1712 limits/target key land uses needed for protection, production,
1713 settlements and infrastructure for present and future needs;
1714 c. Ensure that policies, guidelines and standards on land use and physical
1715 planning including zoning, shall be followed by the RLUPC, local land
1716 use boards and concerned national agencies, and that the RPFP, PPFP
1717 and CLUPs shall be consistent with the NPFP;
1718 d. Ensure the consistency of other national development and sectoral plans
1719 and programs, including the medium-term Philippine Development Plan
1720 (PDP) and Public Investment Program (PIP) with the NPFP;
1721 e. Integrate and harmonize all laws and policies relevant to land use in
1722 order to come up with a rational, cohesive, and comprehensive national
1723 land use framework, and if warranted, recommend to Congress the
1724 adoption, passage or amendment of laws to ensure that sectoral plans,
1725 projects and activities, including local government initiatives affecting
1726 land use are consistent with national development objectives;
1727 f. Resolve policy conflicts on land uses between or among agencies,
1728 branches or levels of government and unresolved land use policy
1729 conflicts at the regional level;
1730 g. Issue locational clearances for projects of national significance;
1731 h. Call on any department, bureau, office, agency, or instrumentality of the
1732 government and or private entities and organization for cooperation,
1733 support and assistance in the performance of its functions;
1734 i. Review the NPFP every ten (10) years;
1735 j. Advise the President of the Philippines and the NEDA board on all
1736 matters concerning land use and physical planning;
1737 k. Adopt rules of procedures for the orderly and expeditious conduct of
1738 meetings and other business of the council; and
1739 l. Perform such other acts and functions and exercise such other power as
1740 may be necessarily implied, inherent, incident, or related to the
1741 foregoing.

1742 **Section 58. NLUPC Secretariat.** The existing unit of the NEDA in charge of
1743 Land Use and Physical Planning Division shall act as the NLUPC Secretariat
1744 which shall perform functions such as, but not limited to, managing
1745 information, gathering of data, coordinate the monitoring of government

agencies and local government units, ensuring multi-stakeholder participation toward formation of local and use policy boards, sharing of data base and mapping systems, and reinforcing relevant assessment tools and capability building programs.

CHAPTER VI. REGIONAL AND LOCAL LAND USE POLICY BODIES

Section 59. Regional Land Use Policy Council (RLUPC). At the regional level, the Regional Land Use Committee (RLUC) is hereby abolished and in its stead, the RLUPC shall be created. The RLUPC shall be institutionalized replicating the NLUPC structure and composition. It shall be chaired by the NEDA Regional Director and shall exercise the following functions:

- a. Formulate regional policies and guidelines which are consistent with the national planning guidelines issued by the NLUPC in the preparation and formulation of the respective provincial physical planning and comprehensive land use plans of LGUs within its jurisdiction;
- b. Prepare and periodically update the RPPF, taking consideration national policies and lower level plans;
- c. Review, prior to adoption by respective *Sanggunians*, the PPFs and CLUPs of highly urbanized and independent component cities to ensure consistency with the RPPF and national policies set forth by NLUPC;
- d. Decide and resolve policy conflicts on land planning, classification, and allocation that may arise between or among regional line agencies, provinces and cities/municipalities;
- e. Monitor changes in land use and other physical resources in the region;
- f. Coordinate and monitor the land use activities of regional line agencies and LGUs;
- g. Evaluate consistency of major programs and projects of regional agencies and entities with the RPPF and their impact on land use and the environment; and
- h. Perform other related functions as may be directed by the NLUPC.

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

Section 60. Provincial Land Use Planning and Management Board (PLUPMB). The Provincial Land Use Committee (PLUC) is hereby abolished. The Provincial Land Use Planning and Management Board or (PLUPMB) is 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.

Section 61. Powers and Responsibilities of the Provincial Land Use Planning and Management Board. The following are the powers and responsibilities of the PLUPMB.

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

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

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

- a. The Provincial Planning and Development Coordinator (PPDC);
- b. The Chairperson of *Sanggunian Panlalawigan* Committee on Environment and Natural Resources;
- c. The Provincial Chapter President-League of Municipalities and /or League of Cities;
- d. The Provincial Agrarian Reform Officer (PARO);
- e. The Provincial Environment and Natural Resources Officer (PENRO);
- f. The Provincial Agricultural Officer (PAO);
- g. The NCIP Provincial Officer;
- h. The HLURB Regional Officer;
- i. Three (3) representatives from the local business or private sector, the developers association and accredited of professionals dealing with land use such as but not limited to, urban and regional planners, environmental planners, architects, geologists, geodetic engineers, and

- 1855 chamber of commerce, who shall be appointed from among the
1856 accredited organizations within their respective development councils;
- 1857 j. Four (4) representatives from the basic sector groups (urban poor,
1858 fisherfolk, farmers, indigenous peoples. *Provided*, That at least two
1859 representatives shall be appointed from among the accredited
1860 organizations within their respective development councils; *Provided*,
1861 *finally*, That in predominantly Muslim areas, one of whom shall be from
1862 the Moro sector; and
- 1863 k. The Designated Board Chairperson to be chosen among the members.
1864 Except for *ex-officio* members, the members of the PLUPMB shall be
1865 appointed for a term of three (3) years subject, however, to the elected
1866 office held government employment and/or other official designation of
1867 the local government unit, national agency and/ or local
1868 business/private sector association or basic sector group representation
1869 in the board. The NLUPC, within ninety (90) days from its
1870 establishment, shall formulate the rules for the selection of the
1871 Chairperson and the members in the PLUPMB. The Provincial Planning
1872 and Development Coordinator/Office (PPDC/O) shall provide technical
1873 secretariat and administrative support and resources for the effective
1874 operation of the PLUPMB.
- 1875 Aside from the PPDO, the PLUPMB may call upon other local and
1876 national government offices and agencies such as the local Engineer,
1877 Assessor and local field representatives of the DA, DPWH, DOTC, DOT,
1878 DENR, DAR, DEPED, NCIP and other concerned national agencies to
1879 assist the PLUPMB in the performance of its roles and mandates.

1880
1881 The appropriations for the regular operation and activities of the
1882 PLUPMB shall be included in the annual budget proposal of the PPDO.
1883 *Provided*, That other funds and resources, including grants, applicable
1884 service fees and charges collected, contributions, donations and other
1885 funds to support its operations and activities may be accepted and
1886 received by the PLUPMB subject to existing auditing and reporting
1887 procedures.
1888

1889 **Section 63. City/Municipal Land Use Planning and Management Board**
1890 **(C/MLUPMB).** A City/Municipal Land Use Planning and Management Board
1891 or (C/MLUPMB) is hereby created under this Act in all municipalities and
1892 cities, including highly urbanized and component cities to oversee the
1893 preparation, integration, adoption and approval of their respective
1894 Comprehensive Land Use Plans (CLUPs). It shall issue a Certificate of
1895 Compliance prior to the submission of the CLUPO to the Sanggunian to ensure
1896 the consistency of such plans with approved national, regional and provincial
1897 planning guidelines. The C/MCLUPMB shall also be directly responsible for
1898 the effective management and implementation of the approved CLUP and for
1899 ensuring that existing and future local policies, including zoning ordinances,
1900 development initiatives, programs and projects introduced within its
1901 jurisdiction are consistent with and supportive of land use and projects
1902 introduced within its jurisdiction are consistent with and supportive of the land
1903 use resource management and physical planning objective, directions and
1904 character identified by the approved CLUP.
1905

1906 **Section 64. Powers and Responsibilities of the City/Municipal Land Use**
1907 **Planning and Management Board.** The C/MLUPMB shall exercise the
1908 following powers and functions:
1909

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

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

- a. The City/Municipal Planning and Development Coordinator (C/MPDC);
- b. The Chairperson, Sanggunian Bayan Committee on Environment and Natural Resources;
- c. The President of the Association of Barangay Captains (ABC);
- d. The Municipal Agrarian Reform Officer (MARO);
- e. The LGU Environment and Natural Resources Officer (City/Municipal ENRO);
- f. The Municipal Agriculture Office (MAO);
- g. Three (3) representatives from the local business/private sector the developers, associations and the accredited associations of professional dealing with land use such as, but not limited to, urban and regional planners, environmental planners, architects, geologists and geodetic engineers, and association/chamber of commerce who shall be appointed from among the accredited organization within their respective development councils;
- h. Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers and indigenous peoples). Provided, That at least two representatives shall be women; *Provided, further*, that the representatives shall be appointed form among the accredited organizations within their respective development councils; *Provided*,

- 1965 *finally*, that in predominantly Muslim areas, one of whom shall be
1966 from the Moro sector; and
1967 i. The Designated Board Chairperson to be chosen among the members.
1968

1969 Except for *ex-officio* members, the members of the C/MLUPMB shall be
1970 appointed to a term of three (3) years subject however to the elected office held
1971 government employment and/or official designation in the local government
1972 unit, national agency and/or local business/private sector association or basic
1973 sector group representation in the board. The NLUPC, within ninety (90) days
1974 from its establishment, shall formulate the rules for the selection of the
1975 Chairperson and members of the C/MLUPMB. The City/Municipal Planning
1976 and Development Coordinator/Office (C/MPDC/O) shall provide technical
1977 secretariat and administrative support and resources for the effective operation
1978 of the C/MLUPMB.
1979

1980 Aside from the C/MPDO/C, the C/MLUPMB may call upon other local and
1981 national government offices and agencies such as the local Engineer, Assessor,
1982 and local field representatives of the DA, DPWH, DOTC, DOT, DENR, DAR,
1983 DEPED and other concerned national agencies to assist the C/MLUPMB in the
1984 performance of its roles and mandates.
1985

1986 The annual appropriations for the operation and activities of the C/MLUPMB
1987 shall be included in the annual budget proposal of the City/Municipal Planning
1988 and Development Office/Coordinator. *Provided*, That other funds and
1989 resources including grants, applicable service fees and charges collected,
1990 contributions, donations, and other funds to support its operations and
1991 activities may be accepted and received by the PLUPMB subject to existing
1992 auditing and reporting procedures.
1993

1994 Local government units shall create and /or activate their respective
1995 C/MLUPMB upon guidelines issued by the NLUPC for such purposes not later
1996 than six (6) months from the effectivity of this Act.
1997

1998 **CHAPTER VII. ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE** 1999 **AND PHYSICAL FRAMEWORK PLANS** 2000

2001
2002 **Section 66. Approval and Review of PPFP and CLUPs.** The PPFP and
2003 CLUPs of the respective city/municipal LGUs, including highly urbanized cities
2004 and independent component cities shall be submitted by the local land use
2005 boards to the LDCs for transmission to the local Sanggunian for approval.
2006

2007
2008 **Section 67. Approval of RPFP and NPFP.** The RPFP and NPFP shall be
2009 submitted for review and approval of the RLUPC and NLUPC respectively, upon
2010 the conduct of appropriate stakeholder and agency consultations. *Provided*,
2011 That such processes and guidelines shall be prepared and issued by the
2012 NLUPC within six (6) months from effectivity of this Act.
2013

2014 **CHAPTER VIII. MAPPING AND DATA MANAGEMENT FOR LAND USE** 2015 **PLANNING** 2016

2017 **Section 68. National Mapping and Spatial Data Infrastructure Program**
2018 **(NMSDIP).** A national mapping program shall be implemented, coordinated
2019 and monitored by the Inter-Agency Technical Committee (ITC) which is hereby
2020 created. It shall be composed of the National Mapping and Resource

Information Authority (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 Geoscience Bureau (MGB), the Philippine Institute of Volcanology and Seismology (PHIVOLCS), the Department of Agrarian Reform (DAR), Department of Agriculture (DA), National Commission on Indigenous People (NCIP), the National Water Resources Board (NWRB), the Department of Energy (DOE), the National Disaster Risk Reduction and Management Council (NDRRMC), the National Economic Development Authority (NEDA), and other concerned government agencies. The ITC shall be constituted and the mapping and spatial data infrastructure program shall be initiated within thirty (30) days from the effectivity of this Act. The program shall be responsible for the production of base and decision maps and associated spatial databases for all planning levels based on the guidelines of NLUPC.

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

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

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

The spatial and non-spatial data generated by these activities shall be transmitted to the LGU as soon as practicable. Existing land information data available to the national government agencies as of the effectivity of this Act shall be immediately transmitted to the LGUs.

For purposes of uniformity and standardization, the LGUs assisted by the appropriate agencies of the national government, shall likewise prepare their respective 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 51 of this act.

For purposes of uniformity and standardization, the LGUs assisted by the appropriate agencies of the national government shall likewise prepare their respective 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 51 of this Act.

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

2077	a. Topographic Maps;
2078	b. Geologic Maps;
2079	c. Hydrologic Maps;
2080	d. Climate Maps;
2081	e. Soils Maps;
2082	f. Slope Maps;
2083	g. Mineral Resource Maps;
2084	h. Existing Land Use Maps;
2085	i. Land Suitability Maps for:
2086	1. Settlements;
2087	2. Agriculture;
2088	3. Industrial areas;
2089	4. Others
2090	j. Agricultural Maps
2091	1. Network of Protected Areas for Agricultural and Agro-Industrial
2092	Development;
2093	2. Commodity Specific Development Guide Maps;
2094	3. Land Limitation Maps;
2095	4. Cropping System Zones Maps;
2096	5. Hydro-ecological Conditions Map;
2097	6. Irrigation Systems Maps.
2098	k. Land Classification Maps;
2099	l. Municipal Waters Delineation Maps and MPAs;
2100	m. Geo-Hazard Maps:
2101	
2102	1. Flood Prone Areas;
2103	2. Hazard Zonation Maps for Volcanoes;
2104	3. Map of Fault Systems;
2105	4. <i>Tsunami</i> Prone Areas;
2106	5. Erosion Prone Areas.
2107	
2108	n. Tourism Maps;
2109	o. Transportation Maps;
2110	p. Traffic Flow;
2111	q. Maps Designating Areas Served by:
2112	
2113	1. Power;
2114	2. Telecommunications;
2115	3. Water.
2116	
2117	r. Maps indicating the following facilities:
2118	
2119	1. Health;
2120	2. Education;
2121	3. Power.
2122	
2123	s. Domestic Water Supply;
2124	t. Industrial Areas;
2125	u. Population Distribution Map;
2126	v. Ancestral Domain Map;
2127	w. NIPAS Areas;
2128	x. Areas Suitable for Urban Expansion;
2129	y. Watershed Areas;
2130	z. Forest Lands:
2131	
2132	1. Protection Areas;

- 2. Production Areas;
- 3. Restoration Areas:
 - a. Key Biodiversity Areas
 - b. Marine Protected Areas

Section 70. Ground Delineation of the Country's Permanent Forest Line.

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

Section 71. Completion and Updating of Existing Cadastral Surveys. The completion of incomplete cadastral surveys of the LGUs and the updating of existing surveys of LGUs and the updating of existing surveys shall be given priority consideration and allocation of resources in the implementation of this Act. The DENR shall include in its annual appropriations the completion and updating of all incomplete and existing cadastral surveys of all LGUs in the country. *Provided,* That such surveys and maps shall be integrated into the national spatial database information and mapping system.

In cases of ancestral domains, self-delineation by ICCs/IPs of their ancestral lands shall be employed to determine boundaries as provided for under RA 8371.

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

a. Forest Lands

- 1. Protection
- 2. Production

b. Ancestral Domains

c. NIPAS Areas

- 1. Strict Protection Zone
- 2. Multiple Use Zone

d. Watershed Areas

- 1. Critical
- 2. Multiple Use

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

f. Socialized Housing Sites and Settlement Expansion Areas;

g. Extents of Environmentally-Constrained Areas;

h. Easement Areas;

i. Critical coastal areas:

1. Mangroves
2. Sea grass

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

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

Section 73. National Geo-hazard Mapping Program. Within thirty (30) days from the effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated jointly through the NLUPC by the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical Service Administration (PAGASA), the NAMRIA, the Mines and Geosciences Bureau (MGB), and the DOE in coordination with the NDRRMC, the Regional Disaster Risk Reduction Management councils and other concerned government agencies. The program shall include the generation of indicative geo-hazard zoning that will outline areas in the Philippines which are prone to liquefaction, landslides, flooding, lahar, ground rupturing, tsunami, river erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, 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 generated geo-hazard zoning maps in their respective CLUPs and ZOs. Said geo-hazard maps shall serve as guide for all the LGUs in the preparation of their own hazards-constrained development plans. The NPFP shall incorporate these geo-hazard maps.

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

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

Section 75. Submission of Annual Report on the Implementation of CLUPs and ZOs. The local land use boards shall submit their annual report on the implementation of their land use plans to their respective *Sanggunian* which shall submit the same to the RLUPCs for consolidation. The RLUPC shall thereafter transmit the consolidated reports to the NLUPC for monitoring and evaluation.

CHAPTER IX. TRAINING, EDUCATION AND VALUES FORMATION

Section 76. Values Formation. In order to develop a well-informed responsible and committed citizenry who value the protection, conservation and development of the country's limited land and other physical resources,

the State shall mandate the inclusion of sustainable land use, education or any subject related to thereto in the curricula of primary, secondary and tertiary education.

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

CHAPTER X. INCENTIVES, SANCTIONS AND PENALTIES

Article One. Incentives and Awards

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

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

Article Two. Sanctions and Penalties

Section 80. Fine for Failure to Commence or Complete the Development of Agricultural Lands with Approved Conversion Order. For agricultural lands with approved conversion orders, line provisions of Republic Act 6657 (CARL), as amended by Republic Act 9700, shall apply. A landowner and/or the designated developer or duly authorized representative who fail to commence and/or complete the development plan defined in the conversion order shall be jointly and severally penalized. The following fines based on the zonal value of the fair market value of the land whichever is higher at the time the fine shall be imposed:

- a. Failure to commence within three (3) years from the date of the conversion order:
 1. Three percent (3%) for the first three (3) hectares;
 2. Ten percent (10%) for the next three (3) hectares; and
 3. Fifteen percent (15%) for the remaining area.

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

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

Section 81. Persons Abetting Illegal Conversion. Any person initiating, causing, inducing or abetting illegal conversion with intent shall be punished

with imprisonment or a fine in accordance with Act No. 3815 or Republic Act 3019 or both at the discretion of the court.

If the offender is a public official or employee, whether elected or appointed, the penalty shall also include dismissal from service, 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.

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

Section 82. 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 to non-agricultural uses of protected agricultural areas as defined in Section 13 hereof shall be penalized with imprisonment of twelve (12) years or a fine of not less than One hundred thousand Pesos (P100,000.00) or both at the discretion of the court.

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

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

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

Section 83. Payment of Disturbance Compensation. Following the order of priority stated in Section 22 of R.A. 9700, agricultural lessees and share tenants, regular farm workers, seasonal farm workers, other farm workers, actual tillers or occupants of public lands, collective or cooperative of the above beneficiaries, and others directly working on the land affected by agricultural land use conversion shall be entitled to the payment of disturbance compensation equivalent to five (5) times the average of the gross harvests on the landholding during the preceding five (5) calendar years or a certain percentage of the converted land, whichever is higher, as determined by the DAR.

Section 84. Authority to Impose Fine. The DAR shall have the authority to impose the fines provided under the preceding Section 80, 81, 82 and 83.

Section 85. Withdrawal of Local Development Permits and/or Licenses. Upon receipt of notice from the DAR, the concerned agencies, city or municipality shall withdraw and/or revoke shall withdraw and/or revoke any development permit and/or other licenses that may be necessary to develop the agricultural land subject of conversion.

Section 86. Utilization of Fines. The fines collected under Section 84 hereof shall automatically accrue to the Agrarian Reform Fund consistent with the provisions of the Comprehensive Agrarian Reform Law.

Section 87. Failure to Formulate, Implement and/or Enforce the CLUPs and Zoning Ordinances (ZOs). Consistent with due process the NLUPC in coordination with the DILG shall evaluate, review and recommend the filing of charges against local chief executives and other local officials and employees responsible for the formulation, implementation and/or enforcement of the CLUPs for the following acts:

- a. Failure of the CLUPs/ZOs to conform to the guidelines provided on the NPPF;
- b. Failure to complete the preparation of the CLUP despite the availability of funds, resources, and support by the *Sanggunian* concerned;
- c. Failure to provide appropriate budgetary allocation to effect its implementation; and
- d. Failure to implement and enforce the CLUP/ZO due to negligence of duty.

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

- a. Three (3) to six (6) months, in case of non-completion of the CLUP; and
- b. Three (3) to six (6) months, in case of non-conformity with the NPPF;
- c. Six (6) to nine (9) months, in case of non-implementation of the CLUP.

Failure to comply with the provisions of RA 8371, on the formulation of the CLUP shall be penalized according to Section 72 of the RA 8371.

Section 88. Illegal Conversion of the City or Municipal Parks, Communal Forests, and Tree Parks in Subdivisions. Penalties in the amount of One Hundred Thousand Pesos (P100,000.00) to Five Hundred Thousand Pesos (P500,000.00), or imprisonment of six (6) years and one (1) day to twelve (12) years, or both at the discretion of the court shall be imposed for each of the following offenses:

- a. Illegally converting or causing the conversion of a city/municipal park, communal forest or tree parks within subdivisions established pursuant to Presidential Decree No. 953, requiring the planting of trees in certain places, into other uses including the construction of permanent buildings;
- b. Destroying or causing damage to the timber lands and other forest products found in the abovementioned forest and parks;
- c. Setting the abovementioned forest and parks on fire, or negligently permitting a fire to be set therein; and
- d. Assisting, aiding or abetting another person to commit the offenses stated in this Section.

The offender shall likewise be imposed a fine equivalent to eight (8) times the commercial value of the forest products destroyed without prejudice to

appropriations of the NEDA Board-National Land Use Committee (NB-NLUC). Thereafter, such sums as may be necessary for the continued implementation of this act shall be included in the annual General Appropriations Act.

Section 96. Congressional Oversight Committee on the Land Use Act. A Congressional Oversight Committee on the Land Use act shall be created. It shall be composed of seven (7) members from the Senate and seven (7) members from the House of Representatives. The members from the Senate shall be appointed by the Senate President based on proportional representation of the parties or coalitions therein, with at least two (2) senators representing the minority. The Members from the House of Representatives shall be appointed by the Speaker of the House of Representatives, also based on proportional representation of the parties or coalitions therein with at least two (2) Members representing the minority.

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

Section 97. Non-impairment Clause. Nothing in this Act shall be construed as to diminish or impair rights recognized granted, or available to marginalized or the basic sectors under existing laws including but not limited to Republic Act Nos. 7279 and 6657 as amended by R.A. 7942, 8371, 8550, and 9700.

Section 98. Repealing Clause. Section 10 of RA 8435 and Sections 447 (a2vii) and 458 (a2viii) of RA 7160 and related laws and administrative issuances are hereby modified by Section 13 hereof. The pertinent provisions of Executive Order No. 648, Executive Order NO. 72, Series of 1993, and Executive No. 770, Series of 2008, amending Letter of Instruction (LOI) 1350 are also modified accordingly. Section 11 of RA 8435 as to the penalty for agricultural inactivity and premature conversion is also modified by Section 83 hereof. Letter of Instruction No. 1350 series of 1983; Presidential Proclamation 2282, Series of 1983; and all other general and special laws, acts, decrees, executive orders, proclamations and administrative regulation, or any part thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

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 amended accordingly.

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

Section 100. Effectivity. 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,