



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

TWENTIETH CONGRESS
Second Regular Session



HOUSE BILL NO. 11325

Introduced by Rep. Cielo Krisel B. Lagman

**AN ACT RECLASSIFYING AND CONVERTING PARCELS OF TIMBERLAND WITH
A TOTAL AREA OF SEVENTY-SIX THOUSAND ONE HUNDRED NINETY-FIVE
SQUARE METERS LOCATED IN POBLACION, BACACAY, ALBAY INTO
ALIENABLE AND DISPOSABLE LANDS**

EXPLANATORY NOTE

Land is highly valued not only because it is the people's shared heritage, but also because it is an essential factor of production. Land is a witness to the struggles, dreams and aspirations of those who labor hard on it as well as those who unconscionably live off some poor tillers' backs.

Consistent with the constitutionally upheld principle that the use of property bears a social function, the use and ownership of lands are subject to reasonable restrictions by the State in order to promote distributive justice and optimized production.

It is in the aforementioned context that this bill seeks to reclassify and convert parcels of timberland in Poblacion, Bacacay, Albay into alienable and disposable lands. The proposed disposable timberland covers a total of seventy-six thousand one hundred ninety-five (76,195) square meters which is a portion of the three hundred fifty-five thousand nine hundred forty-three (355,943) square meters timberland fringing the coastal areas of Bacacay.

The area recommended for alienation and disposition had been thoroughly subjected to evaluation by the Department of Environment and Natural Resources (DENR). The Mines and Geosciences Bureau (MGB) initially expressed reservations against the reclassification as the identified assessed areas are prone to natural hazards like rain-induced landslides and floods. Further assessment, however, reconsidered that the 76,195 square meters portion of the current timberland is a built-up area, already inhabited and developed with concrete structures. Thus, reclassification and conversion will enhance the integration into the local government unit's

development plan of: 1) sustainable land use, 2) human settlements, 3) food production, 4) environmental protection, 5) infrastructure requirements, and 6) disaster risk reduction. Additionally, the legitimization of economic enterprises established in the unconverted timberland would increase the LGU's revenues.

To allay the apprehensions relative to susceptibility to hazards, the bill provides for health and safety and environmental safeguards that include: 1) declaring areas within the high hazard zones not suitable for commercial, industrial, residential and institutional development, and for evacuation centers; 2) construction of appropriate high integrity flood control mitigation structures, and 3) strict implementation of the Ecological Solid Waste Management Act (R.A. 9003).

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



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

SECTION 1. *Declaration of policy.* - The 1987 Constitution declares that all lands of the public domain and all other natural resources are owned by the State. Considering, however, that lands are not only part of the people's heritage that should be preserved, but an essential factor of production, agricultural lands are subject to alienation. Verily, it is declared the policy of the State to reclassify and convert portions of agricultural lands into alienable and disposable lands to help pursue the goals of the national economy. The use of these lands shall seek equitable distribution of opportunities, income and wealth. Moreover, the reclassification and conversion shall take into account the requirements of conservation of natural resources, environmental protection and ecological balance, and sustainable national development.

SEC 2. *Delineation of the Reclassified Lands.* - The land comprising Seventy Six Thousand One Hundred Ninety Five (76,195) square meters or 7.6195 hectares, a portion of the Timberland located in Poblacion, Bacacay, Albay is hereby reclassified as alienable and disposable based on the evaluation and delineation conducted by the Department of Energy and Natural Resources (DENR) with the following metes and bounds:

Beginning at a point marked "1" on the Map, being N 44° 30' E, 233.16 m. from BLLM 1, Cad 1164 with geographic coordinates 13° 17'50.01" N, 123° 47' 26.11"E located at Poblacion, Bacacay, Albay.

thence	S 61° 21' W	29.48	meter to corner	2;
thence	N 18° 49' W	1.59	meter to corner	3;
thence	N 7° 26' E	23.12	meter to corner	4;
thence	N 61° 29' W	96.81	meter to corner	5;
thence	S 31° 50' W	78.74	meter to corner	6;
thence	N 62° 20' W	215.83	meter to corner	7;
thence	N 65° 40' W	77.91	meter to corner	8;
thence	N 80° 8' W	23.27	meter to corner	9;
thence	S 42° 53' W	132.87	meter to corner	10;
thence	S 25° 42' W	81.11	meter to corner	11;
thence	N 65° 33' W	24.09	meter to corner	12;
thence	N 29° 29' W	52.67	meter to corner	13;
thence	N 71° 14' W	55.79	meter to corner	14;
thence	N 45° 43' W	44.75	meter to corner	15;
thence	N 50° 10' E	6.29	meter to corner	16;
thence	N 50° 11' E	18.22	meter to corner	17;
thence	S 48° 37' E	11.07	meter to corner	18;
thence	S 72° 26' E	9.75	meter to corner	19;
thence	S 67° 36' E	4.50	meter to corner	20;
thence	N 43° 25' E	2.48	meter to corner	21;
thence	N 27° 8' E	9.54	meter to corner	22;
thence	N 27° 20' E	19.99	meter to corner	23;
thence	S 60° 13' E	28.19	meter to corner	24;
thence	S 43° 57' E	28.42	meter to corner	25;
thence	S 42° 57' E	8.42	meter to corner	26;
thence	S 39° 3' W	11.46	meter to corner	27;
thence	S 41° 35' E	11.70	meter to corner	28;
thence	S 46° 56' E	18.93	meter to corner	29;
thence	N 60° 55' E	30.46	meter to corner	30;
thence	N 38° 15' E	26.63	meter to corner	31;
thence	S 70° 20' E	10.75	meter to corner	32;
thence	N 23° 22' E	14.16	meter to corner	33;
thence	S 64° 45' E	10.94	meter to corner	34;
thence	N 33° 28' E	24.73	meter to corner	35;
thence	S 60° 42' E	9.55	meter to corner	36;
thence	N 34° 19' E	76.74	meter to corner	37;
thence	S 64° 45' E	36.62	meter to corner	38;
thence	S 74° 10' E	5.70	meter to corner	39;
thence	N 12° 8' E	25.08	meter to corner	40;
thence	S 78° 7' E	15.52	meter to corner	41;
thence	S 13° 56' W	6.45	meter to corner	42;
thence	S 44° 13' E	2.41	meter to corner	43;
thence	S 88° 10' E	22.70	meter to corner	44;
thence	N 2° 40' W	15.01	meter to corner	45;
thence	N 13° 9' E	15.26	meter to corner	46;
thence	N 26° 50' E	9.03	meter to corner	47;
thence	N 23° 7' E	14.75	meter to corner	48;
thence	N 15° 35' E	5.29	meter to corner	49;
thence	S 70° 15' E	31.15	meter to corner	50;
thence	S 81° 13' E	19.71	meter to corner	51;

thence	S 83° 50' E	80.78	meter to corner	52;
thence	S 88° 33' E	147.44	meter to corner	53;
thence	S 83° 44' E	19.13	meter to corner	54;
thence	S 44° 28' E	10.01	meter to corner	55;
thence	S 69° 54' E	7.16	meter to corner	56;
thence	N 86° 52' E	13.69	meter to corner	57;
thence	S 85° 07' E	134.60	meter to corner	58;
thence	N 86° 53' E	45.78	meter to corner	59;
thence	S 34° 31' E	23.76	meter to corner	60;
thence	S 39° 54' W	14.55	meter to corner	61;
thence	S 87° 29' W	13.23	meter to corner	62;
thence	S 73° 28' W	75.43	meter to corner	63;
thence	S 13° 12' E	61.08	meter to corner	64;
thence	S 62° 38' W	27.48	meter to corner	65;
thence	N 88° 33' W	26.95	meter to corner	66;
thence	S 19° 24' W	39.80	meter to corner	67;
thence	N 75° 14' W	28.21	meter to corner	1;

SEC 3. *Disposition of Lands.* - The lands herein reclassified and converted shall be disposed of in accordance with Republic Act No. 10023, Commonwealth Act 141 as amended, and other applicable laws, rules and regulations.

Qualified *bona fide* settlers and occupants who have been cultivating or residing in the reclassified area for at least ten (10) years prior to the effectivity of this Act shall be prioritized in the issuance of land titles or residential patents.

The settlers occupying the portion of the mangrove experimental forest and the easement/salvaged zone shall be offered relocation to resettlement areas in accordance with the Comprehensive Land Use Plan (CLUP) of the local government unit (LGU). Whereas those with highly concrete and developed structures within the mangrove areas shall be advised to apply for or enter into a Forest Land Use Agreement.

SEC 4. *Ecological Balance and Environmental Sustainability.* - After reclassification and conversion of the 7.6195 hectares into alienable and disposable, the remaining 28.53 hectares of the timberland specially the Bacacay Mangrove Experimental Forest shall be retained and maintained for preservation and conservation to protect the existing rich biodiversity of the subject area. No tenurial instruments shall be issued to occupants within the forest lands. A municipal ordinance shall be passed and strictly implemented to prevent further encroachment of the timberland area. There shall be strict observance of the 20-meter easement which shall be declared by the Bacacay Municipal Government as “No Build Zone” pursuant to PD 1067 (Water Code) and PD 705 (Revised Forestry Code). Settlers or occupants who refuse to vacate the timberland shall be indicted for illegal occupation.

SEC 5. *Health and Safety and Environmental Safeguards.* - a) Areas within high hazard zones shall be declared not suitable for commercial, industrial, residential and institutional development. Evacuation centers shall not be established in these zones. During impending floods, no persons except disaster response personnel shall be allowed to enter and stay in the subject zones; b) Appropriate flood control mitigation structures of high integrity shall therein be erected forthwith; c) The Ecological Solid Waste Management Act (RA 9003) shall be strictly implemented to avert improper waste disposal or solid waste mismanagement.

SEC 6. *Implementing Rules and Regulations.* - Within ninety (90) days from the effectivity of this Act, the Secretary of the DENR in consultation with the Municipality of Bacacay and representatives of the settlers or occupants of the reclassified and converted lands shall promulgate the rules and regulations for the effective implementation of this Act.

SEC 7. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, other provisions not affected shall remain in full force and effect.

SEC 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,